



MEDIA INSTITUTE OF SOUTHERN AFRICA

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REPORT
2023



MISA Regional Annual Report 2023

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Chairperson's Report



Chairperson

MISA Regional Governing Council

Golden Maunganidze

“

We can proudly state that this comes when the Media Institute of Southern Africa (MISA) brand grows bigger and stronger as we continue to cast our nets deeper and wider. The key lesson is that working in silos will only make us weaker and less effective.

The year under review reinforced and reinvigorated our belief that organisations such as ours are of vital importance in our region today more than ever before.

We can proudly state that this comes when the Media Institute of Southern Africa (MISA) brand grows bigger and stronger as we continue to cast our nets deeper and wider. The key lesson is that working in silos will only make us weaker and less effective.

This lesson has helped us reinforce and strengthen our thought-leadership position. It assisted like-minded organisations in coming together under the auspices of the Spaces of Solidarity (SOS), where we managed to review stakeholder needs within our region regularly.

Inspired by our 2021-2026 Strategy, which serves as our operational manual, we achieved more than anticipated within one year. Our footprints are visible in all the member countries where MISA is an outstanding pillar standing firm in the defence of free expression.

Our deliberate and well-coordinated interventions and calculated efforts to allow MISA regional Chapters to speak to each other have hugely helped us confront, with much energy and tact, the “elephant in the room,” which is attacks on freedom of expression.

Suffice to say, we remain a credible and legitimate shield of expression in the region. As they say, borne out of African realities, organically, we remain the boots on the ground with by far the biggest in-country presence than any organisation in Southern Africa.

Our interventions are not confrontational but based on evidence-based advocacy. This requires

us to be practically hands-on, working with the grassroots to understand the dynamics and changes our stakeholders face throughout the region.

This has seen us venturing into previously uncharted territories and engaging traditionally considered taboo stakeholders, as they were the prime perpetrators of media violations. This has yielded mutually beneficial understanding with players such as electoral commissions, the police, and political parties.

This was unthinkable a few years ago!

For example, the Elections Pledge in Lesotho in 2021 gave wings to a similar process in Zimbabwe. In turn, Zimbabwe deepened its engagement with the security sector under the Police-Media Action Plan. These initiatives significantly reduced the number of journalists who were attacked during the respective countries' electoral periods.

Similar projects are being replicated across the region. MISA Zambia will soon be commencing its engagements with the police.

MISA Malawi is also working on a safety manual for journalists, which will be used to engage key stakeholders in ensuring the safety of media workers in that country. As you may be aware, Malawi will hold elections next year. Traditionally, political tempers tend to rise the year preceding elections when political parties have their conventions.

Equally, in the spirit of strengthening our Chapters and motivated by our strategy,

MISA is capacitating Chapters such as Angola to quickly move and get into the groove of things as defined by our values, mission, and vision statements.

Similarly, MISA is going through a process of introspection on what could have led to the collapse of the Eswatini Chapter and how best we can engage with key stakeholders in that country on advocacy and media freedoms.

Going forward, MISA will remain resolute in promoting its founding values. We are even more cognisant of the huge tasks and expectations ahead as we celebrate our victories.

We have been following this script since 2021, when our Regional Governing Council (RGC) met in Johannesburg to chart the roadmap towards 2026.

Therefore, in collaboration with key stakeholders, we must achieve the targets we set in our 2021 – 2026 strategy document.

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Regional Director's Report



Regional Secretariat Director

Dr Tabani Moyo

“

collaboration and solidarity will become the most strategic and responsive mechanisms for defending expression, which is increasingly under attack from moving targets

Expression in the Age of Fragmentation

The world is more fragmented today than ever. Strife is more pronounced at a global scale, with conflicts degenerating to armed conflict. The number of people living in fragile states is perpetually on the increase, while more people are facing starvation due to climate change-induced famine.

Extremism is on the rise, as much as the right-wing thinking polity which has swept across Europe, including the traditionally left-wing in countries such as Sweden.

The global order has shown beyond doubt that the collective approach to conflict resolution is increasingly under strain, with the global leadership generally on retreat.

In these precarious conditions, expression and truth-telling are the first layers of casualty, as nations recoil, become inward looking, focusing on narrow national issues at the expense of a holistic picture. Suffice to say the entire construct of humanity is highly vulnerable due to such inward-looking approaches.

Fragmentation at a global scale is a fertile ground for broad, dwindling support to issues of governance and humanity.

MISA believes collaboration and solidarity will become the most strategic and responsive mechanisms for defending expression, which is increasingly under attack from moving targets.

This raises the need to attend to the elephant in the room within the developmental and governance support ecosystem – the power

relations between the global north and the global south. These relations, frequently rather than not, are hidden in elusive concepts such as collaboration, and when implemented, they are acts of an extractive relationship bordering on exploitative existence.

I am happy the global network on expression IFEX, where I'm the convenor, has tackled this issue head-on by drafting a collaboration framework and principles. This is an attempt to stimulate the much-needed frank conversations among the local (global south organisations), intermediaries (to global support funds) and donors on the need to shift the power dynamics and entrench the concept of safeguarding in this process to nurture a deep-rooted collaboration regime between and among these actors.

The Global Forum for Media Development (GFMD) is also reviewing its code of conduct to shine the spotlight on these practices.

For example, we had a disturbing case of “collaboration” where the organisation in the global north “assumed the lead applicant” role in a two-year project. The lead organisation spared the four African partners a collective 20%, while retaining the rest at its headquarters in Europe.

Yet the boots on the ground are the African organisations, as the project will be implemented in Africa. In other instances, international organisations domiciled elsewhere with no local offices in Africa will get a lead from local organisations in terms of media and expression development.

They circumvent the attribution processes, seek contacts from the organisations monitoring from the ground, and create a picture that they got the cue on their own accord. Such practices require urgent attention within the broader conversation of decoloniality and the need for safeguarding in the age of fragmentation.

As MISA, we believe that the structure and sustenance of this collaboration framework and principles is a critical process in strengthening the shield of defence of the peoples of the world, specifically those in fragile states' right to free expression, which constitutes an evolving act of self-determination and definition.

“

We commemorate these milestones in tribute to those outstanding journalists and expression activists who passed away in 2023 and the successive years before, many at the hands of repressive regimes and the unjust wars globally.

In this self-contradictory environment, MISA has forged ahead with interventions beyond the quest for headlines, as many within and without the continent seek. We have made

interventions aimed at instituting lasting change in communities.

In our quest to liquidate all forms of attacks on expression in an increasingly complex

environment, we rightfully engaged like-minded organisations in the region campaigning for the same to establish the Spaces of Solidarity Forum (SOS) in October 2022. This was a resounding public affirmation by the 23 organisations' commitment to the cause of defending expression in the age of fragmentation.

The Forum escalated its work in 2023 through multiple interventions in the African Union, Southern Africa Development Community (SADC), United Nations (UN), Malawi, Zambia and Mozambique. This is a glaring example of how genuine collaboration and solidarity can be structured in the age of fragmentation.

As MISA, we have continued to play an active role in line with our mandate to defend expression through our re-election in the IFEX governing council 2023-2026 and subsequently chairing the same.

Further, MISA retained its role in the Africa Freedom of Information Centre (AFIC) as its Vice Chairperson, further strengthening MISA and those of like mind's quest to reset the collaboration approaches in the region and globally.

Because of this enduring belief in genuine collaboration as a panacea to the attacks on expression in this fragmented world, on behalf of IFEX, I was to sit in the 31-member committee that drafted the charter for media and Artificial Intelligence (AI) on the 22nd of August and concluded its work on 10 November 2023. The Nobel Peace Prize Laureate, Maria Ressa, chaired the committee.

In the same year, MISA consolidated its position as an expertise institution, market

leader, and knowledge production ethos by commissioning a State of AI Research in Southern Africa and working towards the Model Regulatory Framework on AI in Southern Africa, to be launched in March 2024.

We celebrate these select milestones not only because they have each played a significant role in shaping our expression movement but also because they remind us of the difficult path we, in the global south, have travelled. This inspires and spurs us to act with the same resolve and determination as we confront the challenges ahead.

We commemorate these milestones in tribute to those outstanding journalists and expression activists who passed away in 2023 and the successive years before, many at the hands of repressive regimes and the unjust wars globally.

We further celebrate the achievements of the heroic stand by the progressive thinking community worldwide. Through their deeds, these heroines and heroes anchor our pledge to pick the spear to defend and advance the vision of a free, democratic and prosperous Southern Africa, the continent, the global south, and the broader global community, for which we continue to strive for.

Looking at the horizons, we appreciate the heavy load that we need to lift as a regional network. Our 2023 annual report thus offers us the opportunity to reflect on the enormity of the challenges we face and the ground that still needs to be covered in attaining our strategic objectives.

Nonetheless, MISA remains on course! We are on course!



Introduction



Ralikonelo "Leqhashasha" Joki

The murders of Lesotho broadcaster Ralikonelo "Leqhashasha" Joki and Mozambique journalist João Chamusse blighted the year 2023.

Leqhashasha was killed as he left his workplace in the capital, Maseru, on 14 May 2023. His alleged killers have since been arrested and are facing prosecution. Before his death, Leqhashasha had received death threats on the social media platform Facebook.

In the aftermath of his death, some journalists also received death threats on Facebook, as they were warned that they would face the same fate as the slain



João Chamusse

broadcaster.

In Mozambique, Chamusse's body was found outside his home on the outskirts of the capital, Maputo on 18 December 2023. Investigations into the case are said to be underway.

Elections were a dominant theme across the year, as several countries were due to hold elections from 2023 to 2025. In Southern Africa, where MISA operates, elections at presidential, national assembly and local government levels will be held in Botswana, Comoros, Madagascar, Mauritius, Mozambique, Namibia, Tanzania and South Africa.

Attacks on journalists often increase towards elections in some countries in Southern Africa, hence the increased focus on elections. For example, in Mozambique, local government elections are generally fiercely contested, and this raises the need for interventions that prioritise the safety of journalists. Similarly, elections in Zimbabwe have often been marred by violence, with journalists bearing the brunt of the attacks.

Legislative developments

The Zambian government finally enacted an access to information law, one of the major developments in Southern Africa regarding legal developments on freedom of expression and access to information.

In Botswana, the government is also following the example of Zambia and other countries such as Zimbabwe, that have enacted access to information laws. The government said that the Access to Information Bill is set to be gazetted by April 2024.

The developments in Botswana came after the Botswana Gazette approached the courts seeking to compel the Water Utility Company to release a report that researched water flow into the Gaborone Dam, information that the media house thought was in the public interest.

The court ruled in favour of the Water Utility Company, adding that Botswana does not have a Freedom of Information Act, as parliament has yet to enact such a law. The newspaper argued that the right to freedom of expression also included the right to access information.

However, on the other hand, some governments are ploughing ahead with laws that have been considered restrictive of freedom of expression and association. For example, Zimbabwe enacted amendments to the Criminal Law (Codification and Reform) Act, infamously referred to as the Patriot Act.

The Criminal Law (Codification and Reform)

Act contains overly broad provisions. It criminalises participating in meetings where sanctions and military interventions are considered or planning to subvert, upset, overthrow and overtake a constitutionally elected government.

This comes as the government of Zimbabwe has re-introduced the Private Voluntary Organisations Amendment (PVO) Bill. Initially, President Emmerson Mnangagwa declined to sign the bill into law, raising hopes that the proposed legislation was dead in the water. However, President Mnangagwa has indicated his interest in bringing the bill before parliament.

In Angola, the National Assembly approved a draft law on the status of Non-Governmental Organisations. It has been described as considerably limiting in its provisions on the enjoyment of fundamental freedoms and contributes to shrinking civic and democratic space.

Just like Angola and Zimbabwe, Mozambique has also introduced a new law to govern the operations of NGOs in the country. Critics of the proposed legislation argue that it limits freedom of association and is meant to silence government critics.

MISA Regional Programmes

Malawi Broadcasting Conference

MISA Malawi and MISA Regional jointly organised a broadcasting conference on 30 March 2023. This came after a directive from the Malawi Communications Regulatory Authority (MACRA) shuttering broadcasting stations that had not paid their regulatory fees. MISA Malawi and MISA Regional sought to reach common ground with MACRA, pointing out that the COVID-19 pandemic had affected the revenues of media houses, and there was a need for leeway on demanding licence fees. In addition, MISA Malawi and MISA Regional explained that pegging licence fees in US dollars had a detrimental effect on broadcasters' ability to afford the fees, considering that the country's currency, the kwacha, had been sharply devalued recently.

On its part, MACRA said it would soon commence a review of its regulations and laws on the media and requested that MISA be a part of the process.

World Press Freedom Day Commemorations

MISA Regional participated in the organisation of the Africa Media Convention, a meeting of journalists, stakeholders, academics and freedom of expression activists on May 11, 2023, in Lusaka, Zambia. The AMC coincides with World Press Freedom Day commemorations. MISA Regional invited Ministry of Information officials from four countries – Namibia, Malawi, Zambia and Zimbabwe to be part of the commemorations. The four directors in the Ministry of Information of the respective countries also participated in the launch of the annual State of Press Freedom

in Southern Africa report, where they participated in a conversation on media freedom in the region. Officials from Namibia and Zambia endorsed the State of Press Freedom in Southern Africa Report. However, Malawi and Zambia voiced their concern about some aspects of the report, which the hosts adequately elaborated and attended to.

Spaces of Solidarity

MISA Regional hosted the second meeting of the Spaces of Solidarity platform. The meeting was held over two-and-a-half days from 12 to 14 September 2023 in Johannesburg, South Africa and brought together representatives from MISA chapters and 13 other organisations. Participants were drawn from MISA chapters, Deutsche Welle Akademie, INK Botswana, PANOS Institute Southern Africa, The Hub Lesotho, CITE Zimbabwe, the Centre for Human Rights University of Pretoria, Cybersmart Botswana, Namibia Media Trust, Media Council of Malawi, IPPR/ACTION, WANIFRA and Bloggers of Zambia.

The meeting shaped the organisations' priorities for the coming year. The focus is on four thematic areas: shrinking civic space, safety and security of journalists, digital rights and cybersecurity, and freedom of expression.

Focus groups on the uptake of artificial intelligence in the region

Three focus group meetings were held in Bulawayo, Harare, and Johannesburg to discuss the uptake of AI in Southern Africa. Further virtual meetings were held with Key Interview Informants (KII) in Lusaka, Zambia; and Gaborone, Botswana. The discussions focused on how often certain groups of people interacted with AI and the benefits to their professions. The meetings

invited stakeholders such as academia, legal, media and software engineers. Following the meetings, a report on the adoption of AI was produced and will be launched in March 2024.

IMS validation meeting

On November 14 and 15, 2023, MISA organised and hosted a meeting to validate research on coalitions commissioned by International Media Support (IMS). The meeting was held in Cape Town, South Africa. On November 14, 2023, the meeting focused on the Southern Africa section of the report. The following day, it focused on the Africa-wide report. On the first day of the meeting, 30 people attended, while 32 participated at the following day.

The validation meeting sought to develop a framework for supporting media coalitions. The framework included case studies of successful media coalitions in East, West and Southern Africa, as well as a model of how media coalitions can work with non-traditional media sector actors (e.g., big tech and business) with common interests. This will help identify national-level, regional-level and continent-level media development priorities to shape the agenda for media coalitions in Africa from 2024 to 2026 (and possibly beyond).

MISA Regional Publications

State of Press Freedom in Southern Africa Report

MISA produced the third State of Press Freedom in Southern Africa Report. This report looks at the state of access to information, freedom of expression, and freedom of the media in 10 Southern African countries. It seeks to ascertain how far Southern African countries would have gone towards attaining Sustainable

Development Goal 16.10. The report is the basis for evidence-based advocacy on the safety of journalists in Southern Africa.

Transparency Assessment Index

In collaboration with Friedrich-Ebert-Stiftung (FESMedia), MISA produced the annual Transparency Assessment Index. The report focused on Botswana, Lesotho, Mozambique, Malawi, Tanzania, Zambia, and Zimbabwe. Access to information legislation is increasingly being enacted in the region. However, authorities' commitment to improving access to public information must be measured. The Transparency Assessment Index is a tool that tests this commitment and is also an advocacy tool to improve transparency.

ACHPR submissions

MISA made two presentations to the African Commission on Human and Peoples' Rights (ACHPR). In the first submission during the 75th Ordinary Session of the ACHPR on 4 May 2023, MISA raised concerns about growing self-censorship in the region, which has been occasioned by laws that stifle freedom of expression and association. MISA also pointed out that the area was experiencing democratic backsliding and regression. Furthermore, MISA also noted that governments were reportedly resorting to surveilling citizens without the requisite policies or regulatory frameworks.

In its presentation, MISA also raised concern about the harassment of female journalists, particularly online. MISA called on regional governments to:

- Domesticate the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity.
- Repeal legislation with the potential to

infringe on freedom of assembly and freedom of expression in countries such as Botswana, Malawi, Mozambique, Zambia and Zimbabwe.

- Adopt a human-rights based approach in the deployment of surveillance and Artificial Intelligence.
- Adopt legislation that combats all forms of digital violence and expanding the definition of gender-based violence to include digital violence against women, including cyber-harassment, cyberstalking and sexist hate speech, among other ICT-related violations.
- Repeal vague and overly broad laws on surveillance as they contribute to the existing vulnerability of female journalists.

In the second presentation during the 77th Ordinary Session of the ACHPR in October 2023, MISA reiterated the issue of democratic backsliding and shrinking civil spaces. It called on the ACHPR and Southern African governments to deal with impunity for crimes against journalists.

In one of the recommendations, MISA called on governments to be transparent in how surveillance is used, and this should always be with judicial oversight. Following the presentation, the ACHPR issued a communique reminding African nations that Principle 41 of the Declaration of Principles on Freedom of Expression and Access to Information in Africa states that countries should only engage in targeted surveillance in conformity with international human rights law.

Notable achievements

Paris Charter on AI and Journalism

MISA Regional Director Dr Tabani Moyo

was appointed to a committee to develop the Paris Charter on AI and Journalism, which defines ethics and principles that journalists, newsrooms and media outlets worldwide can appropriate and apply in their work with artificial intelligence. The Paris Charter was created by a commission initiated by Reporters Without Borders (RSF) and chaired by journalist and Nobel Peace Prize laureate Maria Ressa.

Digital rights award

MISA Regional Director Dr Tabani Moyo was listed as one of the 10 changemakers of the past decade on digital rights in Africa. The honour was bestowed by Collaboration on International ICT Policy for East and Southern Africa (CIPESA). This was in recognition of MISA's work in pushing back against restrictive and repressive laws, supporting journalists under threat, empowering young Africans, and shaping internet governance policies.

10th High-Level Seminar on Peace and Security

MISA participated in the 10th high-level seminar on peace and security in Africa, which was held in Oran, Nigeria, on 17 and 18 December 2023. The meeting prepared three African countries that are members of the United Nations Security Council on how to address peace and security issues on the continent.

Chairing the Global Network on Expression

On 19 July 2023, Dr Tabani Moyo, MISA Regional Director was elected Convenor/Chair of the International Freedom of Expression Exchange (IFEX) the global

network of freedom of expression organisations for 2023-2026 term. As the convenor, he chairs the 13 member IFEX council, the governing body of the network elected by the general membership. The network has more than 100 member organisations globally operating in more than 70 countries.

Recognition by UNESCO with a special NGO consultative status

On 12 of September 2023, MISA was officially recognised by UNESCO as a special NGO with the consultative status bestowed on the organisation in recognition of the critical role played by the organisation in furtherance of the right to expression in Southern Africa, continentally and globally.

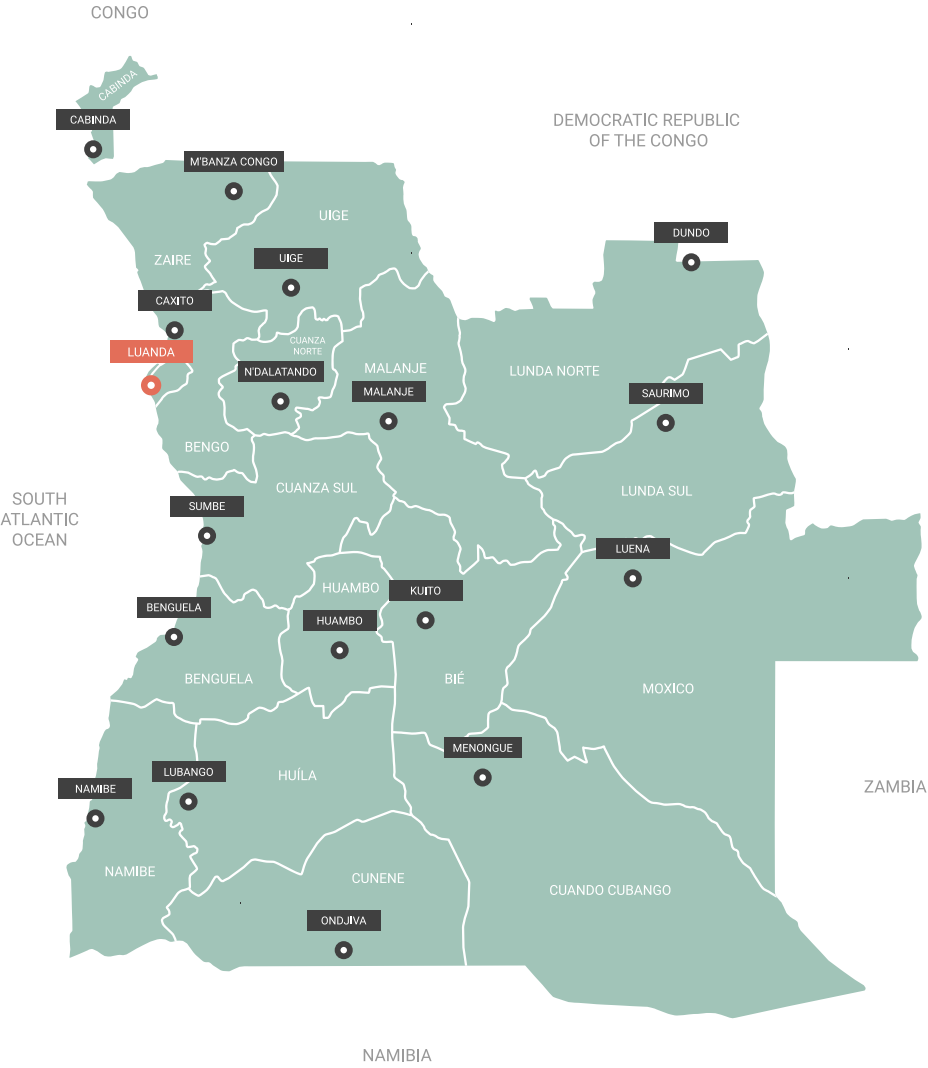
Recognised by the Chief Justices Forum

The Chief Justices' Forum (SACJF) continues to recognise MISA as one of the critical thought leaders in the areas of expression online and offline. On the 25th of October 2023, Dr. Moyo addressed the conference that brought together Chief Justices from Kenya, Uganda, Namibia, Zimbabwe, Eswatini, Mozambique, Seychelles, Botswana, Angola, Zanzibar, Malawi, Lesotho, Mauritius, Zambia and South Africa on the need for judicial services to serve all and leave no one behind. He made the call as the Judicial Case Management Systems are migrating online across the continent, yet Africa only has 36% of its citizens online.

High Level Dialogue on Peace and Security

In collaboration with the Africa Governance Architecture Support Project (AGA-SP) at the African Union Commission, MISA participated at the 12th High level panel addressing the topic: The role of Youth in Delivering Peace Dividends – implications of media telling the story? The meeting was held on 3 October at the African Union Headquarters in Addis Ababa, Ethiopia.

Angola



35.59 million

Introduction

Over the past few years, the Angolan government has consolidated its ownership of the country's media. The few private media organisations that operate in the country do so in a hostile environment.

There needs to be more diversity in the country's news and information. The ruling MPLA receives most media coverage, while the opposition barely gets any mention. To make matters worse, Angola does not have any community radio stations, meaning the government has a firm grip on any media content that is broadcast or published.

Article 44 of the Angolan Constitution recognises the right to freedom of expression, stating that citizens can freely express and disseminate their thoughts through words, images, or any other means. The 2017 press law emphasises the right to freedom of expression.

Despite these seemingly progressive provisions, some laws in the country are punitive, with self-censorship being the hallmark of the journalistic environment in Angola. Defamation is still criminalised in Angola, making it one of the few countries in the region where criminal defamation is still on the statutes. Government officials are known to file criminal defamation charges against journalists regularly.

The country's penal code still contains insult laws, thus inculcating a culture of self-censorship. In addition, journalists accused of provocation, hate speech, defending fascist or racist beliefs, or spreading "fake news" may be charged with "abuse of press freedom". The regulatory framework for the media was described as generally weak.

Challenges

MISA Angola has been inactive for a while, and this has blunted advocacy for freedom

of expression in that country. Efforts to resuscitate the Chapter have been hampered by lack of funding and legacy issues that affect MISA Angola.

Presently, the chapter has a chairperson and a deputy; however, little programming is being done. This raises the need to work on rebuilding the Chapter and building its capacity to attend to emerging issues.

There is an appetite for rebuilding the Chapter, with journalists, academia and activists agreeing that the vacuum created by the inactive MISA Angola is huge and needs to be filled.

Opportunities

MISA Regional and MISA Mozambique are exploring ways to work on rebuilding MISA Angola. To that end, a number of meetings were held in January 2024 with key stakeholders on how the Chapter can be resuscitated.

Meetings were held with civil society actors and academics to discuss what role MISA Angola can play. One key advocacy issue and journalist that MISA Angola could be involved in immediately is advocacy on the NGO law that has been brought before the country's legislature.

Authorities in Angola say the law is meant to comply with Recommendation 8 of the Financial Action Task Force (FATF) on financing terrorist activities and money laundering. The law has been criticised for limiting civic space, freedom of expression and association. A number of organisations are involved in advocacy against the law. It is generally agreed that an organisation like MISA Angola would bring visibility to the advocacy initiatives.

Botswana



2.63 million

Introduction

The MISA Botswana Chapter underwent significant challenges before the new board assumed office on 21 January 2023. The previous board, except the chairperson, demonstrated limited activity, leaving operational duties primarily to the chairperson and the finance officer.

Stakeholder engagement initiatives were set in motion to encourage collaboration and enhance professionalism, targeting prevalent shortcomings. Additionally, regularising the Chapter's existence and aligning governing instruments with regional standards was yet another significant challenge for the new board.

Addressing these challenges required strategic planning, collaboration, and a commitment to revitalising the organisation.

State of the media

In the year 2023, two major incidents happened, bordering on press freedom abuse and cybersecurity issues:

DISS arrests

In July 2023, the editor of Mmegi newspaper, Ryder Gabathuse and senior political reporter, Innocent Selatlwa, were detained by the Directorate of Intelligence and Security Services (DISS), for allegedly owning leaked information from the spy agency. The two were released following MISA Botswana's intervention. Pressure and publicity of the case from MISA Botswana and the Editors Forum of Botswana also helped secure the pair's release.

Data Protection Act

Two separate incidents occurred in

November 2023, prompting MISA Botswana to step in to defend journalists' rights. In the first instance, the Assistant Minister of Investment, Trade and Industry, Beauty Morukana Manake, took to the social media platform Facebook to share her WhatsApp conversations with freelance journalist Kabo Ramasia. The screenshots of the messages shared by the minister contained Ramasia's number. This practice is known as doxxing, where someone publishes private or identifies information with malicious intent. This is an increasingly common form of digital harassment.

The assistant minister has over 63,000 friends and followers on her Facebook account.

DumaFM anchor Kealeboga Dihutso was cyberbullied by an opposition party activists group going by the name "Madibelathopho". The group associated with the main opposition, the Umbrella for Democratic Change, also published Dihutso's numbers. In a statement, MISA Botswana noted that sharing personal information and contacts contravened the law, the Data Protection Act, and exposed the journalists to cyber-attacks.

Activities

Elective AGM - January 2023

MISA Botswana successfully conducted its Elective Annual General Meeting (AGM), electing a new National Governing Council (the board). This board set the target of revitalising the chapter and ensuring it operates optimally.

Digital Rights and Safety Event in Palapye

In collaboration with community leaders and Dikgosi in Palapye, MISA Botswana

organised a digital rights and safety event. The Namibia Media Trust supported the event. The initiative aimed to empower and educate local leaders on the crucial intersection of technology and human rights.

World Press Freedom Day (WPF) - May 2023

Breaking new ground, MISA Botswana commemorated WPF in two cities, Gaborone and Francistown. The multi-day programme entailed public debates and marches by media workers, activists, and supporters, culminating in the main commemoration event officiated by Vice President Slumber Tsogwane.

Board Induction and Office Opening - September 2023

In September, MISA Botswana initiated an extensive board induction facilitated by the MISA Regional Office. Simultaneously, the organisation moved to a new office and appointed a Projects Manager, Pamela Dube, to assist the acting National Director, Boitumelo Kgalushi, in establishing and rejuvenating the secretariat.

'Mafako a Kgotla' Panel Discussion - September 28, 2023

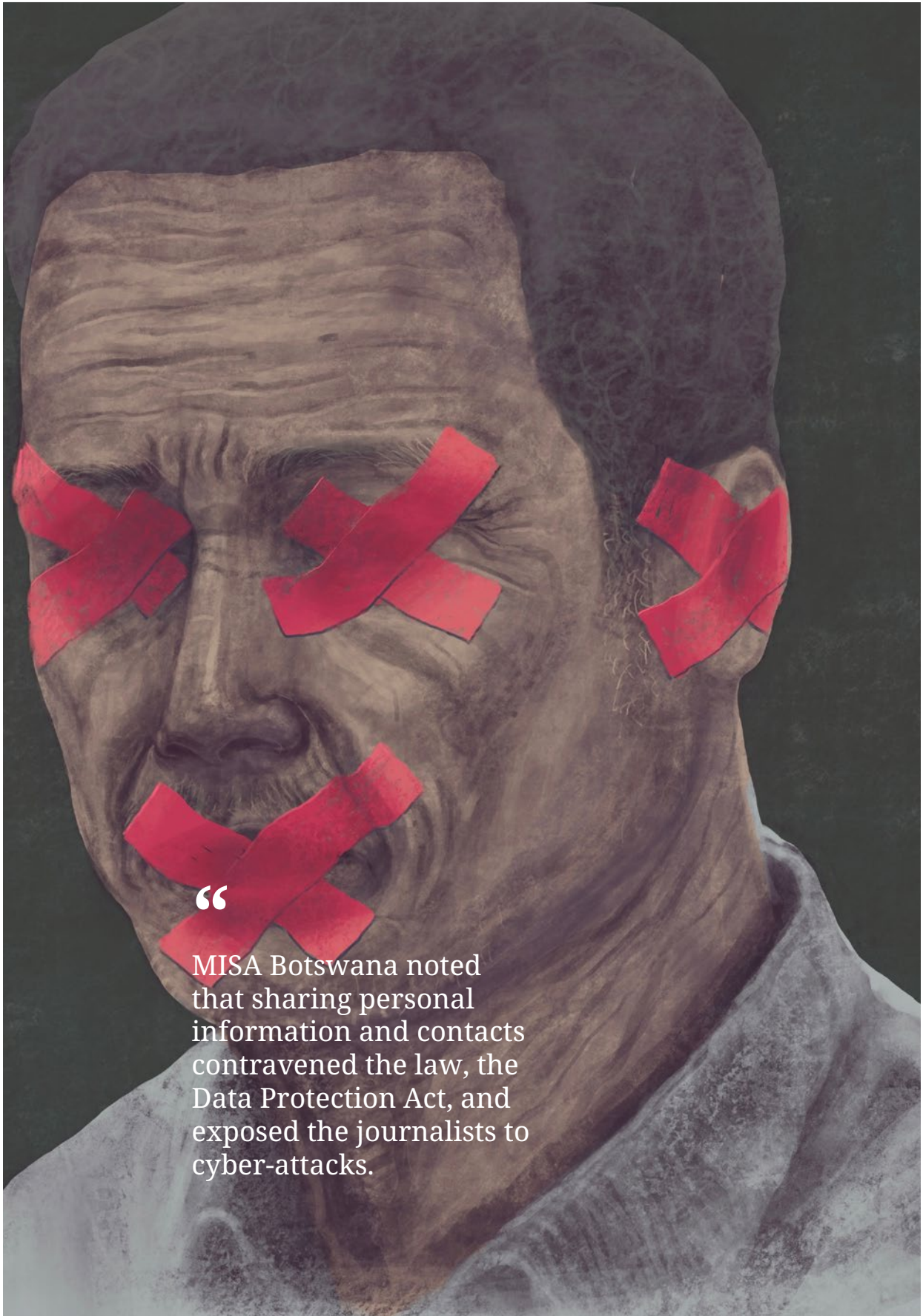
MISA Botswana hosted a thought-provoking panel discussion titled Mafako a Kgotla, focusing on the role of media in a democracy under the theme Batswana Talk Democracy—Botswana at 57! How effective has the media been as a tool in enriching Botswana's Democracy? The event was supported by Friedrich-Ebert-Stiftung (FES).

October and December Initiatives

- FES supported media training workshops on Gender and Elections in Gaborone and Francistown.
- Cybersecurity and Digital Surveillance in Botswana training, supported by Internews.
- Roundtable on Media Response to GBV as part of the 16 Days of Activism against Gender-Based Violence, funded by DeBeers. MISA plans to continue this series with topical debates and roundtables under the tagline "MISA Talks".

2024 Plans

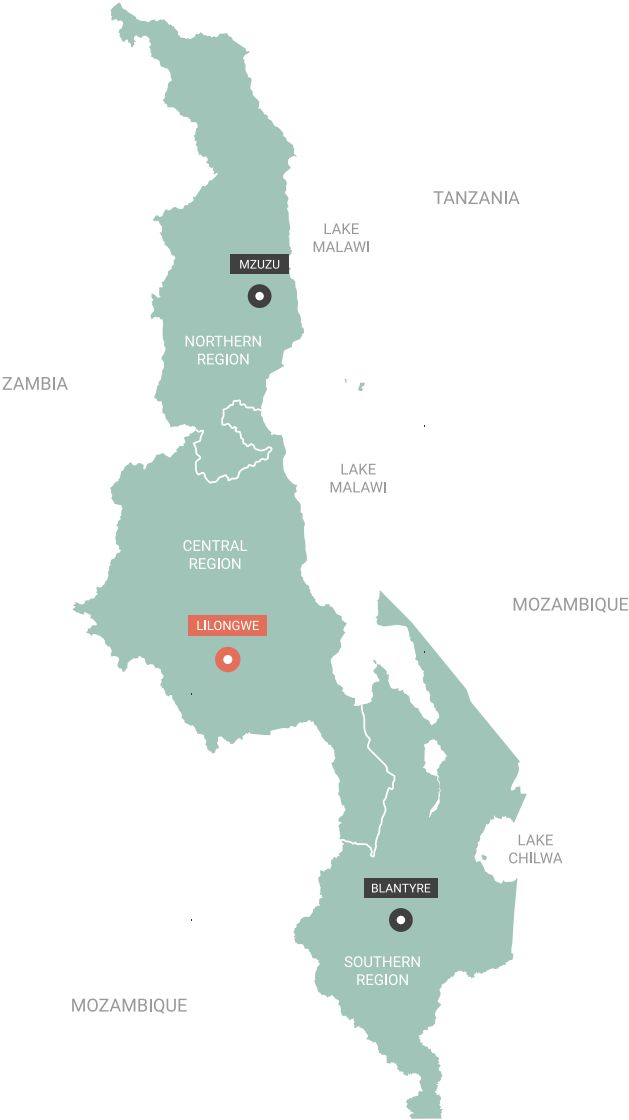
- MISA Botswana is in the final stages of regularising its registration for 2024.
- Hosting a digital rights and safety workshop for civil society actors and media rights activists.
- Hosting a digital rights and safety workshop for policymakers and officials.
- MISA Botswana is actively engaging partners and funders for a series of programmes related to the upcoming elections, demonstrating our commitment to fostering a vibrant and informed democratic landscape.
- MISA Botswana will host a golf day as part of its fundraising initiatives



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MISA Botswana noted that sharing personal information and contacts contravened the law, the Data Protection Act, and exposed the journalists to cyber-attacks.

Malawi



20.41 million

Introduction

In 2023, MISA Malawi continued to lobby for policy and law reforms to ensure a free media operating environment in Malawi. In the year, MISA Malawi managed to engage with President Lazarus McCarthy Chakwera, through a World Press Freedom Day breakfast meeting. The Chapter reminded the President of the grey areas in the media, freedom of expression and access to information landscape.

On digital rights, the National Assembly passed the Data Protection Bill, a positive step in protecting personal data and guaranteeing privacy. Despite these positive developments, looking at the broader media operating environment in 2023, one would argue that it was, to a large extent, another year of persistent and unwarranted hostility towards journalists.

Operating environment

MISA Malawi registered a number of attacks against journalists, which threaten a free, independent and pluralistic media. As alluded to above, there was persistent hostility towards journalists.

In 2023, MISA Malawi registered cases of arbitrary arrests, harassment and assault of journalists for merely doing their job. MISA Malawi recorded eight cases where more than 10 journalists were attacked.

However, no perpetrator was arrested or prosecuted for the crimes against journalists. The perpetrators of violence against

journalists in the year under review were diverse and included police officers, political party supporters, university students, football club officials and supporters and ordinary members of the

public. These attacks have a chilling effect on the practice of journalism and promote self-censorship, which is the antithesis of democracy.

- Police in Lilongwe on February 9, 2023, detained Dorica Mtenje, a reporter for an online publication Maravi Post, over a story published in January 2023. Mtenje was held at the Malawi Police Service (MPS) headquarters in Lilongwe for several hours.
- More than 15 Malawi Congress Party (MCP) supporters assaulted Times Group photojournalist Francis Mzindikoko during President Lazarus Chakwera's official opening of the Malawi Bureau of Standards (MBS) Complex in Blantyre on Wednesday, May 17, 2023. The assailants also damaged the journalists' equipment.
- On Saturday, August 12, 2023, police at Area 30 in Lilongwe (Malawi Police Service headquarters) summoned the editor of an online news site, The Atlas Malawi, Chancy Namadzunda, over a story that the site published on August 11, 2023. The story was about businessman Abdul Karim Batatawala, and police were acting on what they said was the complaint he lodged. In their phone calls to Namadzunda, police officers accused the media platform of defamation.
- On August 16, 2023, some people threatened and deleted pictures and videos from GBS TV's Vanwek Mumbwa's phone during a public auction at the Administrator General's office car park in Lilongwe. They accused him of taking pictures and videos of the auction.
- Silver Strikers Football Club coach and supporters verbally and physically

assaulted journalists on August 25, 2023. The assault happened after the Super League of Malawi (SULOM) match between the club and Extreme FC at Bingu National Stadium (BNS).

The then head coach, Hedrikus Pieter De Jong, verbally attacked journalists, while the club's supporters assaulted Kasupe Radio reporter Smart Chalika

- On September 15, 2023, a group of Mzuzu University students manhandled Nation Publications Limited (NPL) reporter Jonathan Pasungwi took his phone and deleted all the pictures for reporting on their demonstrations against fee hike.
- On November 20, 2023, police officers arrested journalist Noel Mkwaila around the Independence Arch in Blantyre. They detained him at Blantyre Police Station for allegedly taking pictures of their arrest of minibus touts at the Queen Elizabeth Central Hospital (QECH) stage.
- On November 30, 2023, police in Mangochi deleted pictures from the phone belonging to Zodiak Broadcasting Station (ZBS) reporter Raphael Mlozoa. The incident happened during the running battles between the police and some protesters, who turned violent during the demonstrations that a grouping calling itself 'Malawi First' organised in the district.

Restricted online expression

Police continued arresting ordinary Facebook and WhatsApp users for allegedly contravening the Cyber Security and Electronic Transactions Act of 2016. Arrests based on online expression have a negative impact on freedom of expression as they also instil fear in people and limit free expression.

Lip-service on access to Information.

In 2023, access to relevant information and the overall implementation of the Access to Information Act remained problematic. Critics now argue that government pronouncements on access to information are nothing more than lip service.

The Human Rights Commission (HRC), which is the oversight body on access to information, remains chronically underfunded and cannot effectively carry out its functions as provided for in the law. The Ministry of Information and Digitalisation also delayed publishing the names of information officers in public bodies, only doing so on December 20, 2023. It is important to note that this is the first time the ministry has done so since the Act was operationalised in September 2020. All these developments are in direct contrast to the frequent government assurances on access to information, transparency, and accountability.

In 2020, the government introduced regular presidential press conferences to improve access to information. The press conferences were regular from 2020 to mid-2022. In 2023, they were abruptly stopped, which many consider a sharp reversal in efforts to make the presidency more accessible and accountable to Malawians.

The past couple of years saw the devaluation of the Malawian kwacha against major currencies, particularly the US dollar. This had an adverse effect on broadcasters, as broadcast licence fees are pegged to the American dollar. The COVID-19 pandemic heavily hit broadcasters, and while they were still trying to get back on their feet, they are now faced with astronomical licence fees.

In May 2022, the Reserve Bank of Malawi devalued the Malawi kwacha by 25%. In November 2023, the currency was devalued again by 44%. Doing business in such an environment has been challenging for the media, as production and salary costs have skyrocketed. A number of broadcasters needed help to keep up with the adjustments in licence fees, and many defaulted. In 2023, Maziko Radio Station was forced to close as the regulator, the Malawi Communications Regulatory Authority (MACRA), revoked its licence due to failure to pay the required taxes.

Successes

One of the key successes for Malawi in 2023 was the building of a positive relationship between the media and the government. President Chakwera once again invited the media to a breakfast engagement to mark the 2023 World Press Freedom Day (WPDF) commemorations.

The engagement provided a rare opportunity to discuss broader issues affecting the media and what needs to be done to improve the operating environment. Following the meeting with the President, the State House Communications Team met MISA Malawi leadership to discuss issues of mutual concern and explore ideas to improve the relationship between the government and the media. Among others, the meeting looked at improving access to the Presidency through the media and ensuring a professional and informed media sector to facilitate national development.

Another key positive development for 2023 was the roundtable discussions with MACRA, which included a call for reviewing

broadcasting licence fees and for them to be pegged in Malawi kwacha rather than the US dollar. MACRA promised to revisit the legal framework and ensure a conducive environment for broadcasters, who still need to pay the fees and have accumulated arrears.

Ending the year on a positive note, on December 7, 2023, the National Assembly passed the Data Protection Bill, which seeks to provide a regulatory framework for the processing and transfer of personal data. MISA Malawi welcomed the passing of the Bill as it means, among other things, protecting information/data for Malawians, including journalists and sources of information, from unwarranted access. Data protection is key in promoting media freedom and freedom of expression, which are key rights that MISA promotes.

Projects

In the year under review, MISA Malawi organised over 25 activities with support from different partners. These activities aimed to build the capacity of the media and the general public and engage relevant stakeholders in advocacy. Significant projects in the year included Journalism Education in partnership with Deutsche Welle Akademie and Media Safety and Security in collaboration with the US Embassy.

Apart from organising its activities with support from partners, MISA Malawi also participated in a number of national and regional meetings and conferences, signifying its belief in both national and regional collaboration. These regional meetings and conferences include a digital rights seminar in Harare, Zimbabwe,

regional workshops on digital advocacy and media literacy in Johannesburg, a regional multi-stakeholder conference on digital rights, and the Inclusive Internet Governance, Information, and Communication Rights Conference in Namibia.

MISA Malawi was also part of the Spaces of Solidarity (SoS) 2023 Conference in Johannesburg, South Africa, in September. Guided by the MISA Regional office, SoS is a platform of more than 20 Southern African freedom of expression organisations working together to support, develop and strengthen resilient media and freedom of expression systems in the region.

2024 outlook

To avoid a repeat of developments experienced in 2023, MISA Malawi recommends that:

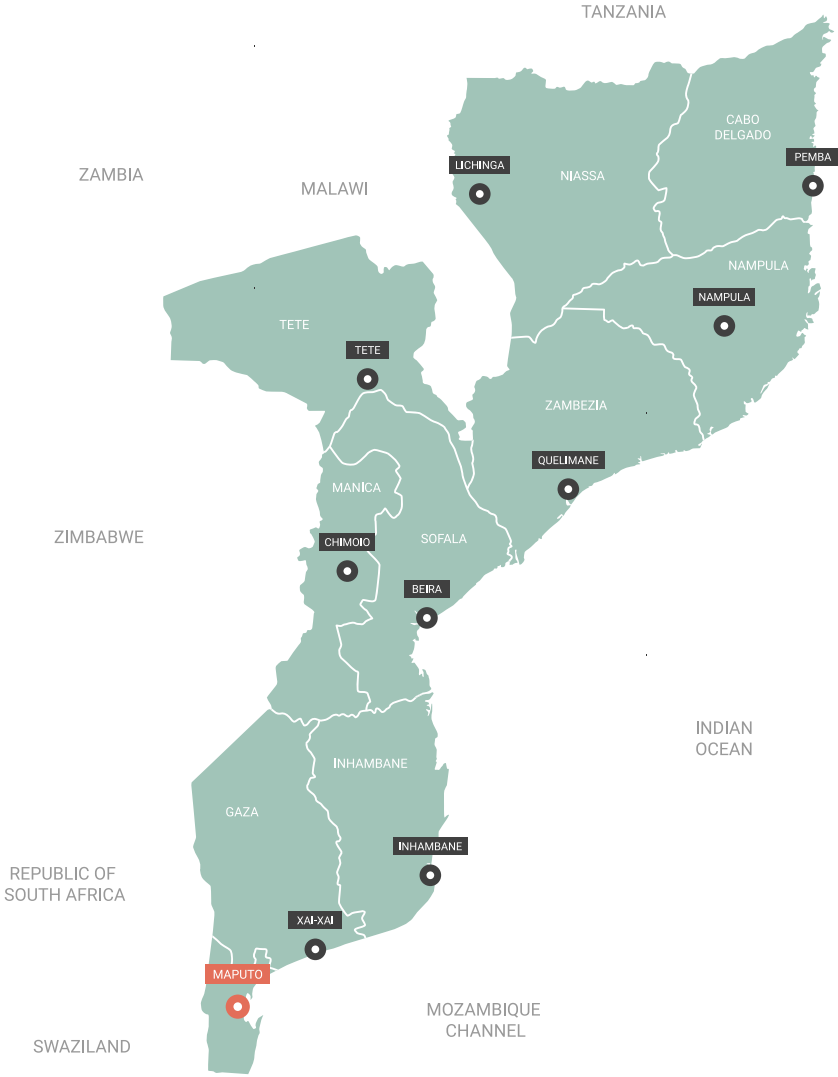
- Police officers, political party leaders and supporters, sports fans and officials and members of the general public stop attacking journalists. Attacks on journalists are attacks on media freedom, the right to information and freedom of expression. Journalists are not enemies of the nation. Journalists merely work to access information for a well-informed society. If anyone believes a journalist has done his/her job unprofessionally, the solution is not to attack or assault the journalist. Some bodies such as the Media Council of Malawi (MCM) are responsible for media self-regulation and handle complaints against the media.
- Most political parties will hold elective conventions in 2024, and MISA Malawi expects that many activities in preparation for the 2025 tripartite elections will be conducted in 2024. We call on political parties to create

a conducive environment to ensure easy access to information before, during, and after electoral activities and support for the media to ensure that Malawians remain informed of such developments and activities.

- The government should consider going beyond rhetoric on access to information by adequately funding the implementation of the Access to Information Act activities for the Human Rights Commission.
- State House must enable access to the Presidency by resuming the Presidential Press Conferences.
- The government should consider a long-term tax waiver on newsprint and broadcasting equipment to ease the pressure of devaluation on the media.
- MACRA should take advantage of the review of the Communications Act to revise broadcasters' fees and have them pegged in Malawi kwacha. MACRA should also have a legal mandate to regulate infrastructure-sharing costs to protect smaller broadcasters from unfair business practices.
- The government should protect broadcasters as provided for under the African Charter on Broadcasting to ensure the survival of the independent and pluralistic broadcasting sector.
- The government should intervene and allow broadcasters to settle licence fee arrears based on the dollar-kwacha rate when the arrears were accumulated.
- The Cyber Security and Electronic Transactions Act needs to be reviewed, and responsible institutions should take deliberate steps to raise awareness and ensure that Malawians understand the law.



Mozambique



32.97 million

Operating environment

Mozambique has been facing a decline in the press freedom environment over the last decade. The year 2023 was particularly challenging for journalists in the country.

The local government electoral process aggravated political tensions, leading to physical and psychological attacks, restrictions on access to places and sources of information, seizures of journalists' equipment and other limitations on press freedom committed by political actors and security forces under the command of the ruling party, Frelimo.

On election day, 11 October, for example, a reporter was beaten by police officers until he sprained his ankle. The CEO of Sucesso Television, one of the few Mozambican television stations that had critical coverage of the electoral process, exposed the irregularities and fraud schemes registered received death threats.

On November 24, as the president of the Constitutional Council was presenting judgement on the validation of the 2023 municipal election results, an armoured car belonging to the Mozambican police was parked at the entrance of Sucesso TV, in the capital Maputo, in what was seen as an intimidation tactic against the television station.

In 2023, at least one journalist was killed in his home in circumstances that are still to be fully investigated. In addition to systematic attacks, mainly related to the electoral process, the a presidential guard attacked a journalist as he interviewed the president last year, sending a troubling message that the attacks can come from the Presidency itself.

A new phenomenon emerged last year where a number of cyberattacks were targeted at the websites of media organisations, including the hacking of their social media pages and computers.

There was also a rise in litigation against media workers, which was seen as another tactic to intimidate journalists. Such lawsuits are strategic lawsuits against public participation. The developments also continued to point to Mozambique increasingly becoming authoritarian.

Challenges

Mozambican authorities postponed legislative debate on media and broadcasting law reform proposals for the third consecutive year. The government submitted the bills to parliament in 2020. However, the proposed legislation faced criticism for its failure to promote media freedom and freedom of expression explicitly.

MISA Mozambique and other actors engaged parliament on why the provisions in the proposed legislation failed to meet the constitutional threshold. As a result, debate on the legislation has stalled since 2020. In early 2023, there was an expectation that the bills would finally be debated, considering the inputs given by relevant stakeholders, particularly MISA Mozambique. Although the matter had been scheduled for debate at the last parliamentary session, however, once again, the bills still needed to be tabled. The lack of progress on the bills is frustrating and creates uncertainty on the future

of freedom of expression in Mozambique. On the other hand, the 2023-2024 election season, with local elections in 2023 and general elections in 2024, poses big challenges for journalists since political tensions rise in the country, leading to press freedom violations.

Success

In 2022, Profundus newspaper, based in Nhamatanda District, Manica Province, was robbed of its equipment. Since then, MISA Mozambique has provided legal assistance to the publication to ensure that the perpetrators are brought to justice. In 2023, the head of the gang that robbed Profundus was finally convicted of the crime.

After an arson attack on the premises of Radio Chuabo FM, Txopela newspaper, and the online Zambézia 24 Hours, MISA Mozambique launched a fundraising campaign to reconstruct the building. As a result, 75 percent of the required material was procured.

The rehabilitation of the offices and editorial offices has already been completed. On 3 May 2023, MISA Mozambique announced that Radio Chuabo FM would resume broadcasting only two months after the arson attack. Txopela newspaper and Zambezia 24 Hours are also back in operation.

The “More Integrity” Consortium, of which MISA Mozambique is a member, played a critical role in monitoring, documenting, and reporting developments during the 2023 local government elections. Apart from monitoring access to information, media coverage, and compliance with electoral law in the

distribution of airtime (on public radio and television channels) to political parties and their members and the fact-checking initiative to counter disinformation during the election, MISA Mozambique was responsible for media and communication-related issues in the consortium.

Thanks to this role played by the consortium, including the visibility guaranteed by MISA Mozambique, the consortium received an honourable mention by SAVANA, the oldest private newspaper and one of the most prestigious in Mozambique, as one of the key actors in the country in 2023.

MISA Mozambique regional collaborations

MISA Mozambique is working closely with MISA Regional on re-establishing the MISA Angola Chapter. Establishing MISA Angola is a priority for MISA Mozambique and MISA

Regional, as it will protect freedom of expression and press freedom in the region.

The re-establishment of MISA Angola is with the support of the National Endowment for Democracy (NED) under a project called Promotion of Press Freedom and Right to Information in Mozambique and Angola.

MISA Mozambique is also implementing a Digital Rights, Digital Identity and Data Protection project in partnership with Internews. Under the Internews project, MISA Mozambique is working with The Collaboration on International ICT Policy for East and Southern Africa (CIPESA) to build capacity in digital rights advocacy and campaigning approaches.

As the country holds general elections in 2024, MISA Mozambique aims to continue working on election issues through the “More Integrity” Consortium.

In 2023, MISA Mozambique held a demonstration demanding an end to impunity for crimes against journalists. MISA Mozambique submitted a petition to the Attorney General’s Office, demanding serious action for crimes against journalists. The demonstration came just four days after the murder of Mozambican journalist João Chamusse.



Introduction

MISA Tanzania is a non-governmental organisation that has been actively involved in advocacy, lobbying, and campaigns to promote and defend freedom of expression, freedom of media, and human rights in Tanzania.

Its strategic objectives focus on promoting media diversity and pluralism in Tanzania through campaigning and advocacy for freedom of expression and the right to information.

This report covers the organisations' summary activities for the year 2023, explaining the current operating environment, successes, challenges, planned and implemented projects, opportunities, and challenges faced.

Operating environment

Since President Samia Suluhu Hassan came to power in 2021, there has been optimism about freedom of expression and the media. This has improved the operating environment for MISA Tanzania, which is working on consolidating its position and restoring relations with stakeholders.

The years prior to 2023 were characterised by a recession and limited funding for projects advocating for freedom of expression and access to information. In 2022, Tanzania was ranked 123 on the Reporters Without Borders World Press Freedom Index but tumbled to 143 the following year. This has not dampened optimism for an improved environment for freedom of expression and the media.

The government insists it is committed to freedom of expression, and its commitment is anchored in the philosophy that progress,

happiness, and peace cannot exist without freedom.

MISA Tanzania, together with other organisations under a coalition of organisations that advocates for access to information in Tanzania, Coalition on the Right to Information (CoRI), tabled a bill for the Media Service Amendment Bill in January 2023 and was to be debated by the legislature the following month.

The bill was eventually brought to the legislature on 13 June 2023 through the Written Laws (Miscellaneous Amendment) Act No. 1, 2023, following several engagements between stakeholders and the legislature. There were many hurdles to this point, but this reinforces the sector's optimism in President Suluhu's administration and its commitment to reform.

Some of the positives under this law are that defamation has been decriminalised, and aggrieved parties will now have to resort to the civil route if they believe they have been defamed. Private media houses will now receive advertising from the state, while the powers of the courts to confiscate the equipment of media houses have now been withdrawn. Lastly, the amendments will strengthen the Independent Media Council of Tanzania (IMC) – not yet in operation.

Previously, courts of law dealt with media regulation complaints, sometimes even at the lowest levels of the courts. All complaints will have to go through the IMC first, and those not satisfied by its decision can then appeal to the High Court of Tanzania.

While local stakeholders feel that this is a positive development, they still believe that more is needed for Tanzania to be considered to have truly turned the corner in improving the operating environment. The new law still contains provisions that criminalise “sedition”, raising fears that authorities could take advantage of these provisions to censor the media, and this also inculcates a culture of self-censorship.

MISA Tanzania and the CORI Coalition will prioritise advocacy on law reform, press freedom and access to information, as the situation in the civic space and media needs more effort. In line with the proposed changes, there is a need to review other existing laws, such as the Electronic and Postal Communications Act (EPOCA) and the Cyber Security and Cyber Crimes Act, to eliminate provisions incompatible with the effective protection and promotion of freedom of expression. There is also a need to amend the Prison Act of 1976, hindering access to information.

The government, through the Minister of Information, Communication and Information Technology, Nape Nnauye, has outlined plans to consolidate the Media Services Act and Electronic and Postal Communication Act 2010 (MSA 2016 and EPOCA 2010) into one law to facilitate effective sector coordination and unity among stakeholders in print, electronic, and social media.

Furthermore, the government plans to merge legislation about media and broadcasting issues. Media stakeholders will align their advocacy agendas to contribute to the reform agenda.

There is also a need for media development partners to ensure they support initiatives

that sustain advocacy efforts for improved media laws. For this reason, MISA Tanzania needs to come up with better approaches when it comes to advocacy and continue pushing for a better freedom of expression environment, as the reforms that have been implemented so far still need to be improved.

Projects and activities

In 2023, MISA Tanzania continued to work closely with existing partners and funders, as highlighted below:

International Media Support (IMS)

IMS has been working with MISA Tanzania in building civil society’s capacity and participation in advocacy on media policy, citizen access to information and fundamental freedom project.

Finnish Foundation for Media and Development (VIKES)

MISA Tanzania is working with VIKES to implement the Women in Media project that promotes a diverse and pluralistic media environment for women journalists. This entails changing the societal roles and attributes that perpetuate and reinforce gender inequalities in the media through advocacy and lobby strategies and capacity-building training. The project focuses on the training and empowerment of women journalists in Tanzania. One of the project’s key activities was to train 150 women journalists in various areas of journalism to enhance their skills and employability.

American Bar Association. (ABA ROLI)

MISA Tanzania implemented a project promoting freedom of expression, rule of law and access to justice in Tanzania.

Finland Embassy in Tanzania

With the support of the Finnish Embassy in Tanzania, MISA Tanzania and Protection Africa International collaborated in implementing a project to promote human rights through media freedom and legal reforms in Tanzania. The project focuses on influencing changes in laws that impact the work of human rights defenders, including journalists, to create an enabling environment for promoting and protecting human rights. MISA Tanzania started implementing the project in August 2023.

Activities

Freedom of Expression Reflection Forum

MISA Tanzania organised the Freedom of Expression Reflection Forum (FEARF) as part of commemorations to celebrate its 30th anniversary. The Forum took place in Dodoma and was attended by key stakeholders such as civil society, international NGOs, the government, and political parties. The Friedrich Naumann Foundation (FNF), Internews, Tanzania Regulatory Authority (TRA), and the MISA Regional Office supported the forum.

Tabani Moyo, the MISA Regional Director, and guest of honour, Gerson Msigwa, the government chief spokesperson, graced the event.

Internet for Trust

MISA Tanzania worked with UNESCO to develop guidelines focusing on the structures and processes needed to ensure users have a safer and more critical interaction with online content and to simultaneously support freedom of expression and the availability of accurate and reliable information in the public sphere.

Building Bridges

In collaboration with VIKES, MISA Tanzania organized a one-day event titled Building Bridges: A Confluence for Gender Equality and Press Freedom on November 25, 2023, to mark the International Day for the Elimination of Violence Against Women. The event brought together key stakeholders, including state actors, media professionals, and representatives from civil society, to facilitate collaboration, share insights, and develop strategies promoting gender equality and freedom of the press.

International Day for Universal Access to Information (IDUAI)

The International Day for Universal Access to Information (IDUAI) is significant as it emphasises the fundamental right and essential tool of access to information. The primary objective of these commemorations is to enhance global awareness of the importance of access to information as a fundamental right and a tool for transparency and accountability. The commemorations in Tanzania presented a unique opportunity to reinforce the principles of the Access to Information Act of 2016 and to promote a culture of open governance and information sharing.

Challenges

Advocacy for freedom of expression and access to information has remained a preserve of the few, raising the need for continuous capacity building. However, there is limited funding for such activities. On the other hand, success stories in sensitising citizens on their rights, need to be more effectively communicated. This raises the need for effective collaboration among MISA chapters to

influence regional advocacy. As seen by the strengthening of the Spaces of Solidarity, efforts are already in place, and hence, the need for the MISA Chapters to remain outward-looking, seeking new opportunities and collaborations that are organically beneficial to the national chapters and influence the regional scale of interventions.

The year 2023 had a number of challenges, including funding for activities and projects as mentioned above. MISA Tanzania was also faced with staff turnover due to projects coming to an end.

Success

MISA Tanzania successfully implemented its projects in 2023.

MISA Tanzania launched its localised Strategic Plan for 2024 to 2028, guiding the Chapter for five years. The MISA Tanzania strategy is strongly linked to the MISA Regional Strategic Plan.

In 2023, MISA Tanzania joined the Coalition on the Right to Information (CoRI), which brought together media stakeholders and civil society organisations. The coalition pushed for amendments to the Media Service Act of 2016. While the government did not adopt some of the proposed amendments, MISA Tanzania sees this as a key milestone in getting parliament's attention on one of the key advocacy issues.

As explained above, MISA Tanzania successfully hosted the Freedom of Expression Annual Reflection Forum (FEARF). This event will be conducted annually during World Press Freedom Day commemorations in May.

During the year, MISA Tanzania revived different memberships where it belonged, such as Tanzania Legal Human Rights Centre (LHRC), Media Council of Tanzania (MCT) and the Tanzania Human Rights Defenders (THRDC), where the membership was dormant and made MISA Tanzania's existence and partnership with other local organisations was weak.

MISA Tanzania joined two other networks, one initiated by Protection Africa International, where it volunteered to coordinate the Human Rights Working Group. The Group is a loose coalition that brings together different organisations under human rights actions to evaluate the country's situation and support each other when human rights violations occur.

MISA Tanzania has seen the value of coalitions and networks. To that end, MISA Tanzania has joined a new alliance called Ushiriki Tanzania. This coalition of 22 civil society organisations that work in mainland Tanzania and Zanzibar, championing democracy and good governance and developing the participation of people living with disabilities, women and youth in public processes and various political elections.

Conclusion

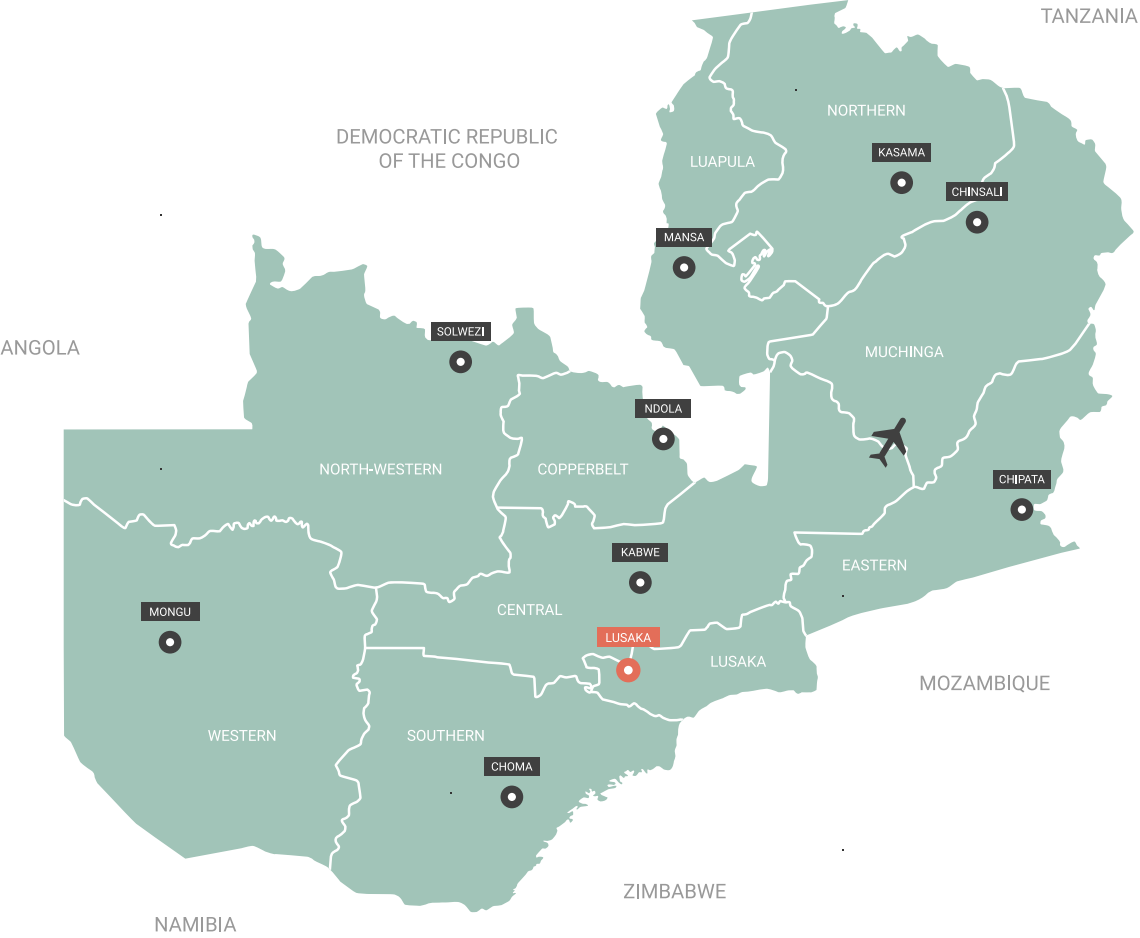
Generally, the organisation has gone through a huge transformation and is in the process of finalising new projects following the successful implementation of projects during the year under review.



“

more is needed for Tanzania to be considered to have truly turned the corner in improving the operating environment. The new law still contains provisions that criminalise “sedition”, raising fears that authorities could take advantage of these provisions to censor the media

Zambia



20.02 million

Introduction

The year 2023 was eventful, with both positive and negative developments recorded. Economically, the cost of living and doing business continued to rise during the year, which meant the media and MISA Zambia needed extra resources to conduct business.

For instance, the cost of venue hire and fuel increased. The local currency, the kwacha, was on a sea-saw ride, gaining and losing value against major currencies. At the beginning of the year, the kwacha gained strength against the dollar. However, in the latter parts of the year, it plummeted. This volatility affected the organisation's operations.

During the year under review, a number of positive policy developments were recorded. A major development included the legislature passing the Access to Information Bill in December 2023 and the presidential assent in the same month. This follows 21 years of advocacy by MISA Zambia and its fellow non-state actors on the need for access to information legislation.

Further, the Independent Broadcasting Authority (IBA) Act and Zambia National Broadcasting The Corporation (ZNBC) Act came under review. The government invited MISA Zambia to submit submissions on the 2023 draft bills of the two broadcast-related entities.

Some of the progressive clauses include ZNBC being regulated by IBA. At the same

time, the public broadcaster's board members will be selected from a broad spectrum of stakeholders, including civil society organisations. This is another significant milestone for MISA Zambia, as the organisation had been advocating for

broadcast media law reforms to empower IBA to regulate ZNBC and improve the autonomy of the two entities from executive control.

Further, the State continued to allow the media to self-regulate, which was also a key milestone for media freedom in Zambia. To this end, MISA Zambia established the Media Self-Regulation Council of Zambia (MSCZ), which includes the Media Ethics Complaints Committee.

However, despite these positive policy developments, 41 severe media freedom violations were recorded at the end of December 2023, impacting media freedom and freedom of expression. This prompted MISA Zambia to either issue statements condemning the violations or to engage the perpetrators. In other instances, the organisation deployed lawyers to support the affected journalists and media houses.

Last year, attacks on the media doubled. In 2022, MISA Zambia recorded 22 violations, compared to 41 in 2023. One of the violations recorded in 2023 involved two journalists from the Zambia Daily Mail, a state-owned publication, who were dismissed for publishing pictures of people queuing for Zambia's staple food, maize meal.

In other cases, the ruling party's supporters stormed radio stations, while some journalists were either summoned, arrested or detained by the police.

Political context

While 2023 saw very positive steps towards policy reforms, cases threatening media freedom and freedom of expression rose sharply. For instance, the number of severe cases that impacted media freedom and freedom of expression in 2022 stood at 22;

in 2023, they almost doubled, with 41 cases recorded. The highest number of incidents were those bordering on threats to media freedom, at 19.

The second highest number of violations involved eight (8) cases related to freedom of expression. MISA Zambia recorded seven (7) cases of assaults, while five (5) cases involved censorship. Two detention cases were also recorded.

During the year under review, the Independent Broadcasting Authority (IBA), on August 22, summoned the management of KBN TV to implement an idea to feature presidential hopefuls from different political parties on a programme called the Presidential News Desk. During the programme, presidential hopefuls took turns to anchor the Friday news edition.

KBN TV was cited for breaching the Standard Operation Procedure clause 5.2.1.3, which allowed politicians to anchor the news on the TV station. KBN TV, through their legal representative, Linda Kasonde, requested to be allowed to respond to the matter through written and oral submissions.

Freelance journalist Jaja Komoko was arrested on August 25 and charged with libel. He was later released on police bond (bail). He was charged with libel for contravening Section 191 of the Penal Code Act Chapter 87. The offence is alleged to have occurred between July 2022 and July 2023.

Acts of censorship remain rife. One such incident involved a journalist who went to report on people purchasing cheap maize meal at a Zambia National Service (ZNS) milling plant on August 14. It is alleged that a ZNS officer harassed News Diggers reporter Chamuka Shalubala and forced him to delete pictures that he took of people

queuing for the staple food. The incident occurred when scores of Lusaka residents trooped to the ZNS milling plant in Silverrest for a chance to purchase the commodity that was in short supply.

The residents started queuing as early as 6 a.m. However, the officers on duty forced the reporter to delete the images he had captured on his camera. He was informed he could not take pictures without permission from the state security wing. The journalist was released only after the officer confirmed that the pictures had been deleted.

Mpongwe FM also suffered an act of censorship after Mpongwe Member of Parliament (MP) Gregory Ngowani's wife, Cleopatra Shiyenge Ngowani, stormed the radio station on September 24 and went on a rampage against anyone who dared to stop her from entering the on-air booth so she could confront an aspiring legislator for the area in the last election.

Kasambo had reportedly paid for radio airtime to voice his concerns over the alleged abuse of the Constituency Development Fund (CDF) by the local legislators. Some family members who accompanied the MP's wife also threatened to deal with the programme's presenter and threatened to destroy the radio station.

As if the above incidents were not enough, IBA issued UNZA Radio with a two-day ultimatum to put adequate measures in place to prevent guests from using what it termed as derogatory

language on air. On September 23, UNZA Radio aired a live programme where its guest charged that the government communications system was moribund and just as useless as the opposition.

Before that, the authority also cautioned the radio station against allowing guests to use unpalatable language on air after the guest made some disparaging remarks against the government. MISA Zambia fears that such actions are tantamount to censorship.

On the digital rights front, the Zambia Information and Communications Technology Authority (ZICTA), asked the High Court not to entertain a lawsuit regarding capturing facial images when registering SIM cards. Chapter One Foundation and Bloggers of Zambia applied to the court to stop taking facial images during SIM card registration.

ZICTA had directed that all mobile network operators must ensure that all new SIM card registrations and replacements conducted from September 1, 2019, should include facial images and identification of the applicant. Furthermore, the directive was that all SIM card registrations completed on or before August 30, 2019, including historical SIM card registrations, be updated with such facial photographs by December 31, 2022, as a precondition for the registration of SIM cards.

ZICTA said the directives were meant to enhance the protection of consumers from fraudulent activities that were taking place because of inadequacies in identification or clarity of identities of persons that obtained SIM cards. The matter is still before the courts.

There was also increased concern about the number of cyber-attacks, especially among financial service entities such as the Bank of Zambia (BoZ) and the National Pensions Scheme Authority (NAPSA).

According to an opinion piece by News Diggers on July 27, 2023, a month earlier,

NAPSA lost four months' worth of data after hackers compromised their system. It said the hackers had introduced malware onto the NAPSA website, stealing a substantial amount of data and causing disruptions in the organisation's work.

The article in News Diggers said the Bank of Zambia (BoZ) 's social media platforms, WhatsApp and Facebook, were hacked. It added that the BoZ Facebook cover page was replaced with a lewd photograph.

The newspaper article questioned ZICTA's silence on the matter because it is mandated to ensure citizens' online data is protected, including their right to access a secure cyberspace. These attacks have a bearing on MISA Zambia's quest to promote digital rights because such cases can encourage policymakers to enact tougher cyber laws that could further impact freedom of expression online.

On a positive note, and in a move that could help end impunity for crimes against journalists, police in Lusaka formally arrested and charged Chiengi Independent Member of Parliament Given Katuta in late August 2023 with threatening violence. Katuta allegedly spat on a photojournalist shortly after she was suspended and ordered to leave the National Assembly by Speaker Nelly Mutti.

On her way out, a journalist began to take photographs of her. This irritated her and she started screaming at the journalist, spat in his face and manhandled him with the help of another Member of Parliament. She also forced him to delete the pictures he had taken of her.

IBA granted a radio broadcasting licence to the Catholic Diocese of Mpika. This development brought the total number of Catholic-owned radio stations in Zambia

to 10. The radio station is significant to the communities and serves as a voice of evangelisation and a hub for community engagement.

On September 15, the former Minister of Information and Media Chushi Kasanda commissioned Radio 1 and 2 Radio FM transmitters in Luangwa District. She said this was part of a broader effort to address the challenges of poor radio reception and improve access to information nationwide. Improving radio reception is key to addressing the information divide and improving media access in remote areas in Zambia.

Key Results

- The Access to Information Act was enacted in December 2023, a major milestone in MISA Zambia's advocacy for the past 21 years.
- The review of the IBA and the ZNBC Acts was underway, and MISA Zambia had been invited to make submissions on the proposed legislation. The proposed bills include several positive provisions, including the IBA regulating ZNBC and ZNBC having a board that represents a broad spectrum of stakeholders, with some coming from the NGO sector.
- MISA Zambia Successfully hosted the 2023 Media Awards.
- MISA Zambia was able to address media violations promptly. For instance, legal support for both KBN TV and Jaja Komoko was secured within hours of the incidents occurring and after MISA Zambia referred the cases to Chapter One Foundation. In the KBN TV case, the station received legal support, with lawyers arguing in their favour and questioning the IBA charge as unconstitutional and not legally sound. Further, Jaja Komoko was released on bond within 24 hours of arrest despite it being a weekend.
- Following the issuance of a statement in July by MISA Zambia condemning the attack on a Times of Zambia photojournalist by an MP, Zambia Police arrested and charged the legislator with common assault for spitting on a photojournalist at parliament.
- MISA Zambia contributed to enhancing media freedom and freedom of expression in Zambia by capacitating the media to operate according to governance standards requirements, produce quality content, and build their capacity on key climate change-related matters and local government laws and policies.
- MISA Zambia launched two freedom of expression reports covering July to December 2022 and January to June 2023. These reports contribute significantly to increased knowledge, serving as valuable resources for stakeholders advocating law reforms that promote media freedom.
- The information sessions, co-implemented by MISA and PANOS Institute Southern Africa, resulted in the establishment of the Choma Press Club, which provided a platform for journalists' engagement — a critical development for Choma, which had lacked such a platform for an extended period.
- The organisation also made progress towards establishing a pure media self-regulation mechanism, as the Code of Conduct and Constitution had been developed. It also launched the Media Ethics Complaints Committee and the Media Self-Regulation Council of Zambia.

Lessons learnt

- Effective planning has resulted in MISA Zambia undertaking most of the activities it outlined in its strategic plan which ends in 2024.
- The 2024 budgets need to include an evaluation of the MISA Zambia strategic plan because the evaluation planned for 2023 did not take place. Further, the development of the next plan needs to commence in 2024 to ensure the launch takes place in the first year of implementation of the Strategic Plan.

Challenges and mitigation

- Increased cost of goods and services. Revise budgets and engage partners on budget lines with allocations affected by inflation.
- Poor planning by some partners causes delays in activity implementation. Continue engaging such partners.
- End of projects - Engage donors to continue funding MISA Zambia and so far three have come on board for the year 2024.

Conclusion

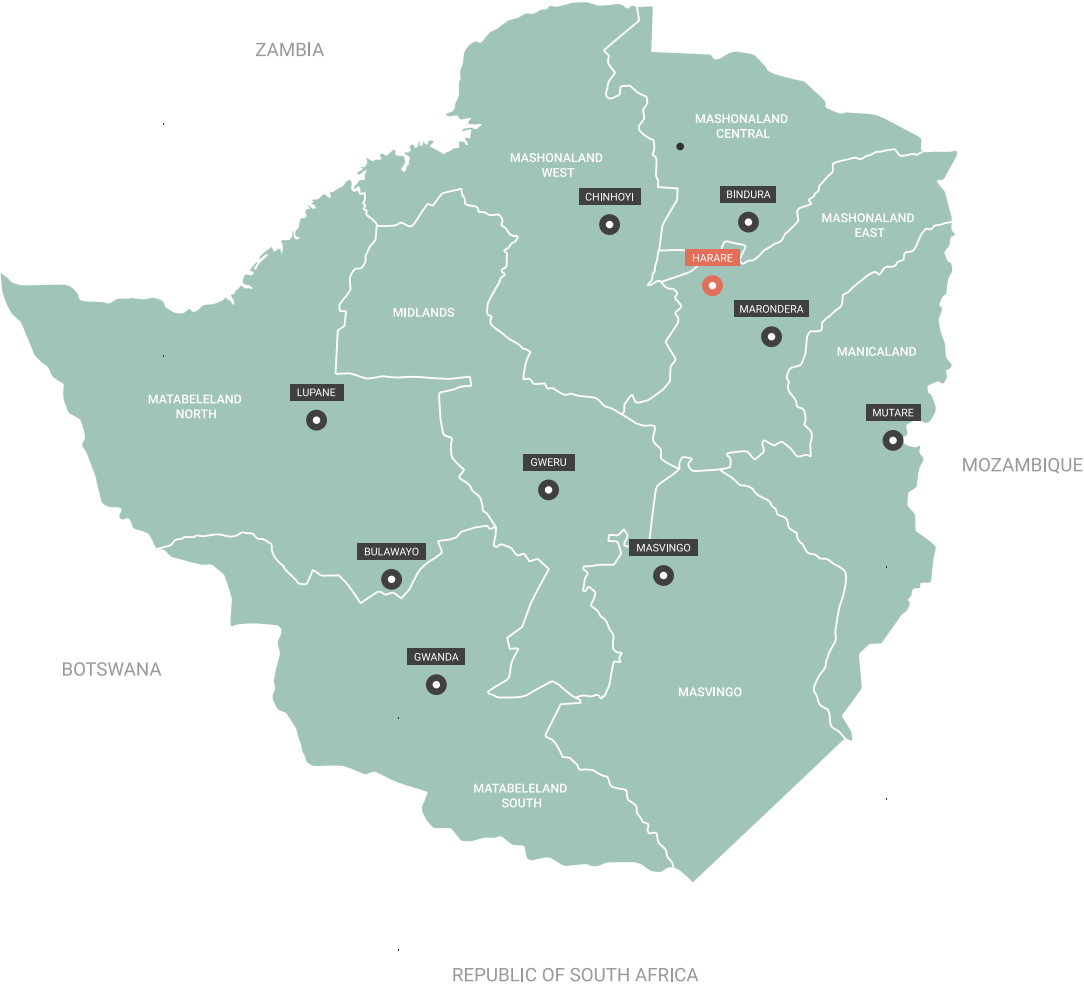
MISA Zambia was able to address all media freedom-related matters and is on course to implement its strategic plan, which ends in 2024. It was able to defend the above-stated freedoms through legal support, statement issuance, and engagement with those violating freedom of expression and media freedom.

MISA Zambia used various activities in its work plans and partnered with other civil society organisations in bringing the public's attention to key developments in freedom of expression in Zambia.

This resulted in several state pronouncements regarding media freedom and policy or law reforms, including reviewing the IBA and ZNBC Acts. The icing on the cake was the enactment of the ATI Bill.

However, areas of concern still remained, particularly the increased media violations.

Zimbabwe



Operating Environment

During the year under review, Zimbabwe held its general elections on August 23 and 24, 2023.

Increased incidents of media freedom violations generally marred previous elections in Zimbabwe. These violations involve the unlawful arrests, assaults, and harassment of journalists by state and non-state actors, such as supporters of political parties.

Such violations impede the media from freely fulfilling its mandate during elections, compromising citizens' ability to access information that enables them to make informed decisions and choices. Therefore, the safety and security of journalists are paramount.

On the other hand, election periods throughout the world thrust immense responsibility on the media to provide the public with accurate information that will enable the electorate to make informed decisions and choices when they eventually cast their votes.

In Zimbabwe, freedom of expression and that of the media are protected by Section 61 of the Constitution, which stresses that freedom of expression and media freedom exclude, among other things, incitement to violence, advocacy of hatred, and hate speech.

The right to freedom of expression and freedom of the media should also be read in tandem with Section 62 on access to information, which states that the media has the right to access information held by the State or by any institution or agency of government at every level.

This right is guaranteed as far as the information is required in the interests of public accountability or the exercise or protection of a right.

Section 160G (1) of the Electoral Act states that public broadcasters shall afford all political parties and independent candidates contesting an election free access to their broadcasting services as prescribed.

Further, the SADC Principles and Guidelines Governing Democratic Elections outlines, among other principles, the need for member states to promote the necessary conditions to foster transparency, freedom of the media, access to information by all citizens, and equal opportunities for all candidates and political parties to use the State media.

Successes

Free and unhindered media is critical in disseminating information that triggers citizen participation in governance issues for informed choices and decisions on issues that affect their daily lives.

It is with that in mind that MISA Zimbabwe, in conjunction with key stakeholders, took various steps and interventions to secure a conducive media operating environment ahead of Zimbabwe's 2023 harmonised elections, resulting in the vastly improved safety and security environment for the country's journalists and media workers.

Engagement meetings were held with critical stakeholders to secure a conducive media operating environment before the 2023 elections.

Key stakeholders such as the Ministry of Information, Publicity and Broadcasting Services, Zimbabwe Media Commission, Zimbabwe Republic Police, journalists, media organisations and political parties were engaged.

Resultantly, Zimbabwe's elections were conducted in a drastically improved media operating environment regarding journalists' and media workers' safety and security.

This is evidenced by the massive reduction in media freedom violations, which tend to spike during the country's election campaign seasons.

Further, in collaboration with the Zimbabwe Media Commission and UNESCO Regional Office Southern Africa, MISA Zimbabwe engaged the media to recommit to the ideals of professionalism while covering elections. This was drawn from MISA's experiences in the 2022 Lesotho elections, where MISA Lesotho took leadership in mobilising the media to commit and recommit to professionalism while covering the election.

Zimbabwe's media, comprising state-owned, private and community media, campus radio stations and freelance journalists, committed themselves to the highest ethical standards in the coverage of the 2023 elections.

Media advocacy groups and academics also appended their signatures to the Harmonised Elections Media Code of Conduct Pledge 2023 in Bulawayo on 10 August 2023. The pledge was endorsed by the government of Zimbabwe, Zimbabwe Republic Police (ZRP), Zimbabwe Media Commission and political parties, among other critical stakeholders.

It suffices to note that genuine and organic partnerships and collaborations work, as demonstrated by the engagement meetings held with key stakeholders to improve the media operating environment.

MISA Zimbabwe, therefore, extends its sincere appreciation to the Ministry of Information, Publicity and Broadcasting Services, Zimbabwe Republic Police, Zimbabwe Media Commission, political parties, and our colleagues under the auspices of the representative Media Alliance of Zimbabwe for making that possible.

Challenges

The issue of dual accreditation, wherein media practitioners accredited with the Zimbabwe Media Commission are requested to pay additional fees upon being accredited by the Zimbabwe Electoral Commission (ZEC) to cover elections, remains of concern. There is also a need for transparency in the accreditation process related to elections as some foreign media were only allowed accreditation with a clear justification. Other foreign journalists had their equipment confiscated at the airport due to the legal bottlenecks, which were only communicated to the journalists upon arrival to cover the elections.

There is also a need to revisit provisions of the Cyber and Data Protection Act, which impact free expression and media freedom, such as the ones on the transmission of false data messages and defamation.

This entails increasing awareness of the Freedom of Information Act to ensure citizens are aware of the law and utilise it to enjoy their right to access to information, more so during election periods.



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Several women, particularly female journalists and female politicians in Zimbabwe, have been victims of cyber-bullying and harassment, which has greatly affected the exercise of digital rights by women.

Projects

Gender Mainstreaming

In December 2023, MISA Zimbabwe held a workshop in Harare as part of the 16 Days of Activism to highlight and lobby for the implementation of the African Commission on Human and Peoples Rights (ACHPR) Resolution 522 on the Protection of Women Against Digital Violence in Africa.

Resolution 522 highlights that “digital violence is increasingly gendered and disproportionately affects women, through inter alia, threats of sexual violence, misogynistic disinformation campaigns and ‘revenge pornography...’”

Stakeholders were drawn from the Ministry of Women’s Affairs, Community, Small and Medium Enterprises Development, Zimbabwe Media Commission, Gender and Media Connect, Zimbabwe Gender Commission, Zimbabwe Republic Police, Zimbabwe Union of Journalists, and Voluntary Media Council of Zimbabwe and

journalists from various media houses from across the country.

The Resolution encourages member states to undertake measures to safeguard women journalists from digital violence, including gender-sensitive media literacy and digital security training.

It also calls on member states to facilitate cooperation between law enforcement and service providers to identify perpetrators and gather evidence for online harms.

Zimbabwe’s Cyber and Data Protection Act has provisions that deal with cyberbullying and harassment. Such provisions are progressive in terms of women’s rights online.

Several women, particularly female journalists and female politicians in



Zimbabwe, have been victims of cyber-bullying and harassment, which has greatly affected the exercise of digital rights by women.

Outcome

The Ministry of Women's Affairs said the government remained committed to preventing and reducing violence against women and girls and was in the process of coordinating the review of the National Strategy for Preventing and Addressing Gender-Based Violence, a strategy document that will guide GBV programming.

Through this event, which also received comprehensive media coverage, female journalists were mobilised and empowered to articulate, demand, and defend their right to free expression online.

Safety and security training for female journalists

MISA Zimbabwe deliberately targeted young female journalists who underwent training in journalism safety and security in Harare as the country geared for the 2023 elections.

These were targeted as they are the most vulnerable and marginalised in accessing training opportunities as newsrooms tend to second senior male journalists to these workshops.

The training came after at least three young female journalists were harassed during public gatherings or campaign rallies in 2022. The training also focused on sexual harassment as young female journalists are, at times, targets of harassment in the newsroom and by some sources who demand sexual favours in exchange for news.

Journalism digital safety

In August 2023, MISA Zimbabwe trained 66 journalists (46 males and 20 females) on digital safety, fact-checking skills, and tools necessary to address election-related misinformation and disinformation.

The trainings were held in Harare and Bulawayo, and participants were drawn from Bulawayo, Harare, Masvingo, Kwekwe, Gweru, Gwanda, Zvishavane, Kariba, Chegutu, Chipinge, Beitbridge, Bindura and Banket.

World Press Freedom Day Commemorations

On 6 May 2023, MISA Zimbabwe convened belated World Press Freedom Day commemorations in Chinhoi, Gwanda, Gweru, Bulawayo, Kwekwe, Masvingo, Mutare and Harare. A total of 219 participants attended the meetings, of whom 131 were male, 88 were female, and 104 were youths.

Community-based organisations (CBOs) participated in the meetings and were informed about access to information laws and other laws that affect freedom of expression, such as the Cyber and Data Protection Act.

The meetings also allowed journalists to engage the police and politicians on journalists' safety and security before the 2023 elections.

In Masvingo, CBOs and citizens were urged to exercise the right to freedom of expression through the media to fight gender-based violence and drug abuse. Traditional leaders also attended the meeting.



Participants pause for a photograph in Mutare

The meetings also discussed the high data costs, which now compromise freedom of expression and access to information, especially during elections. In rural Masvingo, citizens urged the government to put more boosters (transmitters) in the area to improve access to the internet.



Masvingo commemorations for World Press Freedom Day at Nemamwa growth point



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