



FOX Report Zambia

A Perception of the Freedom of Expression, Media Freedom and Digital Rights in Zambia

For the period January-June 2024

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.

Furthermore, free flow of information is paramount in facilitating democratic participation and an accountable government.

However, freedom of expression, digital rights and media freedom are compromised by either archaic laws, acts of impunity by ruling elite or those who wield power in society.

The compromise of these rights by the above stated occurrences has a negative effect on the free flow of information and hence the need to undertake advocacy that will address the impediments towards the enjoyment of these rights.

However, it is impossible to conduct suitable advocacy if the problems are not clearly identified. Therefore, through this report, MISA Zambia hopes to contribute towards promoting media freedom, freedom of expression and digital rights by pinpointing the exact problems that negatively impact the enjoyment of the right to freedom of expression, to digital rights and media freedom in Zambia.

It is my hope that government, civil society, cooperating partners, individual human rights defenders and citizens will seize the findings in this report to engage in candid conversations and identify paths that will lead Zambia towards a space of respect for media freedom, freedom of expression and digital rights.

In saying the above, MISA Zambia is in no way concluding that Zambia is not enjoying these rights at all. Rather, it is the degree at which they are being enjoyed that this report seeks to bring out – Call it a health check that spots areas requiring attention.

I sincerely do hope this report will aid and inform your advocacy and indeed continued government efforts to improve the above stated rights.

Lorraine Mwanza Chisanga – MISA Zambia Chairperson

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List of acronyms

ATI	<i>Access to Information</i>
CSO	<i>Civil Society Organisation</i>
FoX	<i>Freedom of Expression</i>
HRD	<i>Human Rights Defenders</i>
IBA	<i>Independent Broadcasting Authority</i>
MISA ZAMBIA	<i>Media Institute of Southern Africa (Zambia)</i>
NGO	<i>Non-Governmental Organisation</i>
OSZ	<i>Open Spaces Zambia</i>
UNAID	<i>United Nations Agency for International Development</i>
ZICTA	<i>Zambia Information and Communication Technology Authority</i>
ZNBC	<i>Zambia National Broadcasting Corporation</i>



Preface

Freedom of expression, digital rights, and media freedoms are key to upholding the fundamental rights that enhance the promotion of democracy in any country. These rights that are guaranteed create an atmosphere of promoting good governance where citizens are free to participate in the promotion of democracy through various platforms of traditional as well as the social media. The media and online platforms play a crucial role in promoting the democracy of any given nation.

As we reach the milestone of celebrating sixty (60) years of Zambia's independence from colonial rule or oppression, our country has come a long way in trying to promote the freedom of expression and access to information. This was a far-fetched dream, especially in the second republic of the UNIP era, however, most media reforms took place in the aftermath after the fall of the UNIP Government in 1991. The Zambian people chose democracy and a more expressive role through the media reforms attaining that time, this led to several reforms and the repealing of many broadcasting rights.

Promoting these rights is not only the preserve of journalists but also stakeholders such as human rights defenders and other opposing voices so that the fundamental right to enjoy the freedom of expression is fully guaranteed and meets the expectations of society at large.

MISA Zambia is therefore committed to promoting free expression and other media freedoms through the values of providing accurate and timely information to both media practitioners and other stakeholders. MISA Zambia is further committed to providing proper guidance to media practitioners and all stakeholders by following the legal and policy procedures that also benefit the aforementioned participants in the dispensation of media freedom and freedom of expression.

It is therefore hoped that through this report (January to June 2024), the information contained herein will help to promote the understanding of freedom of expression, media law, and policy reforms. Especially that this period under study saw a lot of violations from law enforcement agents through intimidating members of the opposing parties including harassment that took place on a few church premises. This is despite the assurance that the right of assembly and freedom of expression would be guaranteed by the ruling government in power.

MISA Zambia and its partners raised concern on the harassment meted out to anyone with a divergent voice as this stifles the fundamental rights to the freedom of expression and media freedoms within the country. Education in freedom of expression and media freedoms is a two-way process in which the guarantor of these freedoms and the recipient are well informed about their responsibility, especially the former of promoting these ideals. This will indeed, move Zambia to a path of promoting and dispensing democratic principles as well as the regional forums.

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 Dr. Freeborn Kibombwe who drafted this report alongside the assistance of Ms Collect Mweene (Research Methodology Assistant). Data collector Mr. Rajab Sichilima (Coordinator). MISA Zambia staff that included the National Director Mr. Austin Kayanda, Mr. Michael Njobvu and Ms Jane Chirwa who worked tirelessly to ensure the report was produced.



Executive Summary

This report provides an outlook on the current state of media freedom, freedom of expression, and digital rights in Zambia, based on a stakeholder perception analysis conducted between January and June 2024. The analysis covered Zambia's 10 provinces, targeting 283 participants, including journalists, bloggers, media lecturers, civil society organisations (CSOs), political parties, and human rights defenders. The research successfully captured 275 responses out of a possible 283.

On media freedom, the data collected shows that respondents largely perceive the media environment in Zambia as not fully free. Journalists were asked whether they felt the media operated freely during the period under review. A significant portion, 118 (62%), believed the media did not operate freely, while 72 (38%) responded that it did. This negative perception stems from frequent reports of harassment and intimidation experienced by journalists and bloggers.

When compared to the previous report (July-December 2023), where 73% of respondents indicated that the media operated freely while 26% believed that the media did not operate freely. The current period shows a 36% increase in those who believe that the media is not operating freely and a 35% decrease in those who believe the media is operating freely, suggesting a drop in tolerance for journalists' expression.

Moving to Freedom of Expression, The majority of journalists (66%) rated freedom of expression as "medium" over the last six months, while 23% considered to "high," and 11% rated it "low". This demonstrates that while some freedom exists, more needs to be done to secure both access to information and freedom of expression.

Political parties also expressed concerns about freedom of expression, with three to five parties rating it as low. Similarly, CSO representatives expressed that only 43% of citizens' right to freedom of expression was respected, while 57% disagreed. Both groups emphasised that more awareness is needed about digital rights, with 73% of CSOs indicating that citizens lack sufficient knowledge in this area.

Furthermore, the rise of digital media has introduced new challenges regarding media operations and regulations. According to the study, some of Zambia's cyber laws are considered user-unfriendly and in need of repeal. Bloggers expressed significant concern, with over 90% stating that the government is not doing enough to protect digital rights. In terms of media and digital freedom, 88% of bloggers felt the media is only partially free, 6% felt it was free, and another 6% felt it was not free.

One notable concern raised by respondents was the government's increasing control over online content. Many expressed concerns about people being arrested for expressing their views on social media, with one respondent stating. "The government is trying to take full control over what people post on media. Many people are being arrested for expressing their views online."

Despite the challenges highlighted, a few respondents noted some reasons for optimism. Some pointed to that the Zambian constitution still includes laws protecting media freedom. Others expressed that, to a certain extent, citizens still have the ability to share their views online, suggesting that there is room for growth in the digital rights space.



Introduction

The FOX Report Zambia, presented since 2022 under the Open Spaces (OS) Project, is based on a stakeholder perception analysis of freedom of expression, media freedom, and digital rights in Zambia. This edition covers the period from January to June 2024.

Freedom of expression, media freedom, and digital rights are fundamental pillars of any democracy. Upholding these principles is vital for ensuring transparency, accountability, and citizen engagement in governance. However, protecting these rights is a complex task, given the sensitive nature of freedom of expression and media freedoms. Nevertheless, they remain essential vehicles for media owners, professionals, and ordinary citizens to express themselves, contributing to the strengthening of democracy.

When freedom of expression and media freedoms are respected, they promote better governance by enabling the media and its stakeholders to play a critical role in providing checks and balances on government actions. This report highlights key insights and recommendations to inform media practitioners, civil society, and policymakers about the current state of Zambia's democracy during the period under review.

By analyzing the data from this study, the report aims to guide stakeholders in understanding the challenges and opportunities faced by Zambia in its pursuit of upholding democratic values, particularly in relation to media freedom, freedom of expression, and digital rights.



Aim and objective of study

1.1 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 six months, covering January to June 2024. It is hoped that the results of this study will guide MISA Zambia and its partners in strengthening the tenets of democracy and the enjoyment of media freedoms, freedom of expression, and digital rights in Zambia. The strengthening of the tenets of democracy will ultimately help both the traditional mode as well as the new media (social media) find their space in terms of enhancing and creating a conducive atmosphere for freedom of expression and media freedoms. Since advocacy is fundamental in the dispensation of democracy, this study will help MISA Zambia and its stakeholders to have the basis on which to promote the freedom of expression, media freedoms, and digital rights space in Zambia. It is further hoped that this report will help the Government as a key player as well as stakeholders in the process of freedom of expression, media freedoms, and digital rights policy formulation and ultimately implementation.

1.2 Objectives of the Study

The main objective of the study was to analyze the current state of media freedoms, freedom of expression, and digital rights in Zambia covering the period from January to June 2024. The following were the specific objectives of the study:

2.21 To understand the current level of media freedoms, freedom of expression, and digital rights in Zambia.

2.22 To investigate factors limiting or enhancing the enjoyment of media freedoms, freedom of expression, and digital rights in Zambia.

2.23 To determine the current level of understanding of digital rights among digital users in Zambia covering a period between January to June 2024.

Methodology

2.1 Study Design

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

2.2 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 organizations (CSO), and human rights defenders. Some provinces had the privilege of being visited by the researchers to get a feel of what is pertaining on the ground.

2.3 Sampling and Sample Size

The study was conducted among 190 journalists out of the targeted 200 drawn from public and private media. It also comprised 15 media bodies representatives, 30 bloggers, 3 media and communication lecturers, 30 civil society organizations and human rights activists, 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.

2.4 Data Collection and Analysis

The study employed mixed methods (qualitative and quantitative) with the use of structured questionnaires, interview guides and analysis of different reports about media freedoms, freedom of expression and digital rights to collect the data. The qualitative data was analysed using thematic analysis while quantitative data was analysed through SPSS (Statistical Package for Social Sciences) tool. Purposive sampling was used to select study participants (participants were selected based on their knowledge of issues).

Presentation of Results

3.1 Background Characteristics of Respondents

The study (January to June 2024) on media freedoms, freedom of expression and digital rights targeted 283 respondents. The breakdown of respondents is highlighted in table 1 below:

Table 1: Respondents

TYPE OF RESPONDENTS	TARGET NUMBER
Journalists	200
Bloggers	30
Human Rights Activists	15
Civil Society Organisation	15
ZICTA	1
Media Lecturers	3
IBA	1
Zambia Police	0
Political Parties	5

Table 2: Media House Representation

TYPE OF MEDIA	NUMBER OF RESPONDENTS
Private Broadcast media	72
Community Broadcast media	37
Private Print Media	20
Public Broadcasting media	28
Public Print Media	14
Religious Broadcasting media	19

Figure 1: Responses From Journalists

Journalists were interviewed from various parts of the country in the 10 provinces. From the initial 200 targeted Journalist that were targeted, the research managed to reach 190 respondents. From the responses, 109 were male to a total of 57% and 81 were female to a total of 43% out of a possible 100%.

Figure 1: Journalists Response by Gender

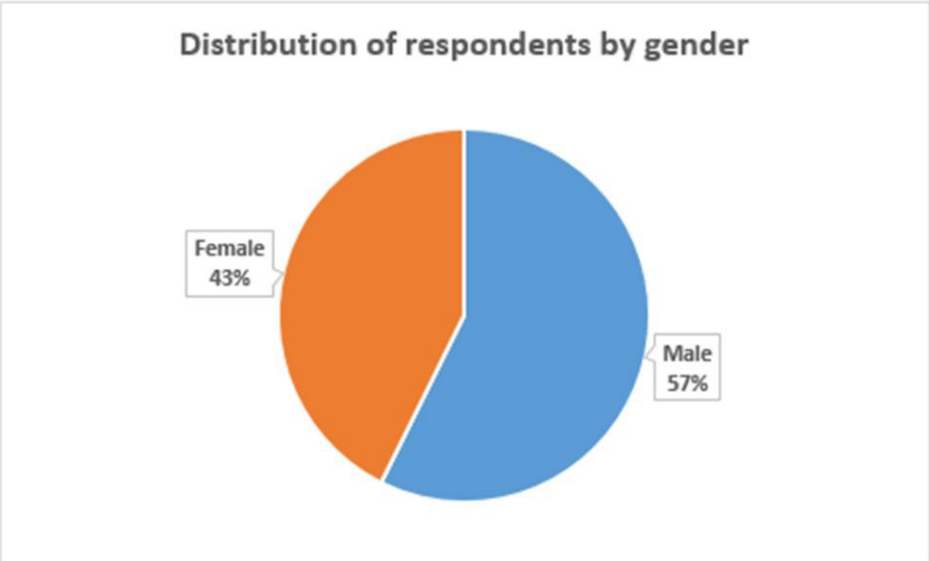
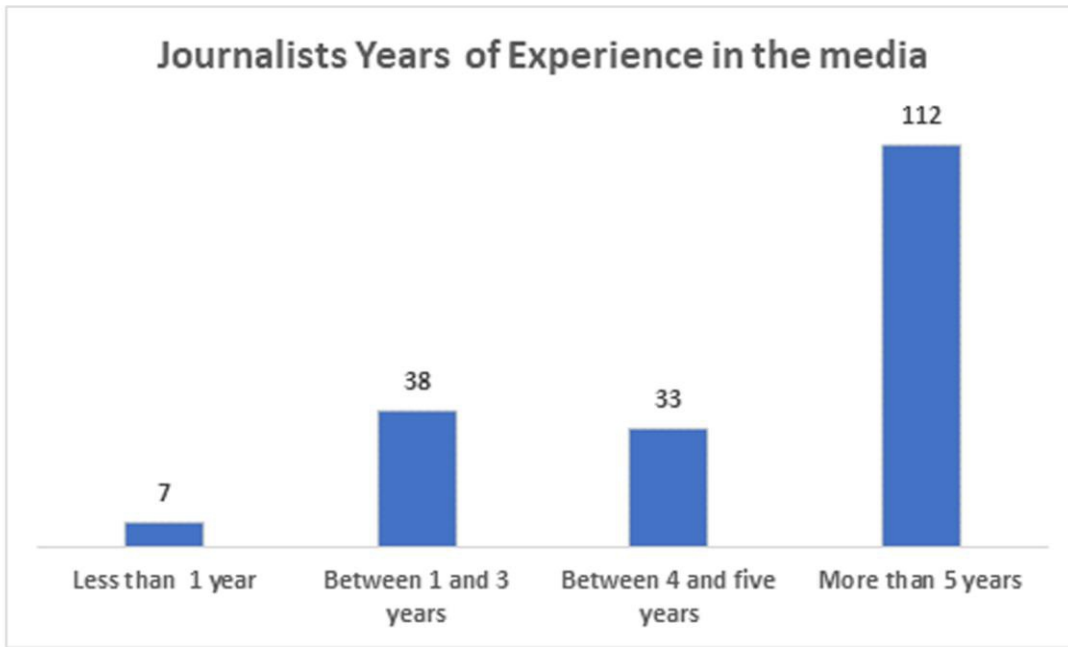


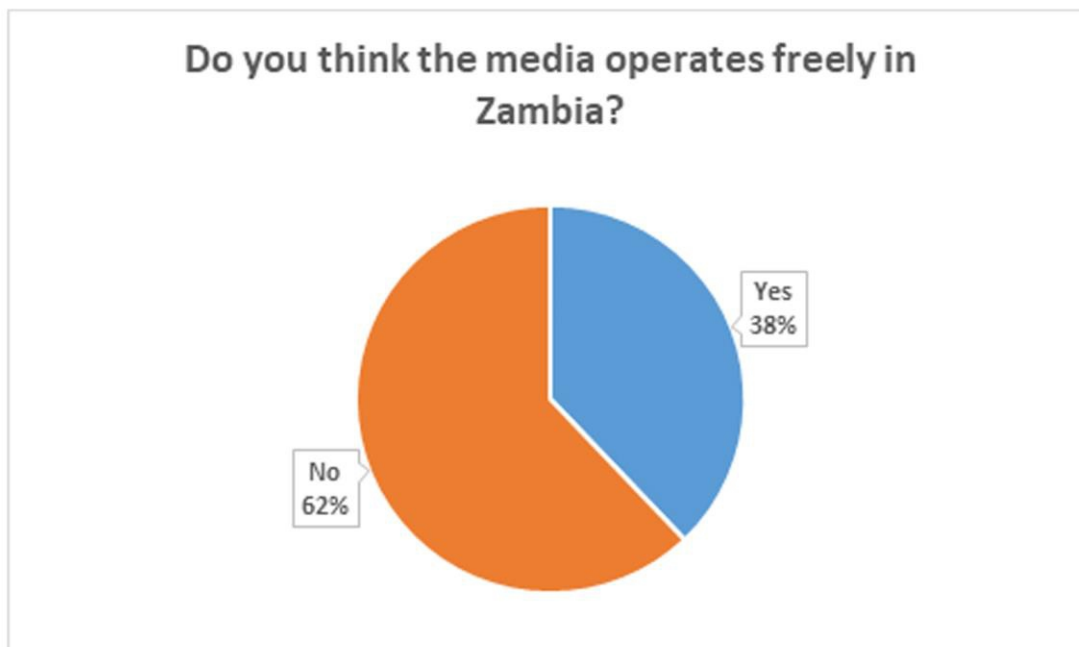
Figure 2: Journalists Years of Experience in Media

Journalists were interviewed from various parts of the country in the 10 provinces. From the initial 200 targeted Journalist that were targeted, the research managed to reach 190 respondents. From the responses, 109 were male to a total of 57% and 81 were female to a total of 43% out of a possible 100%.



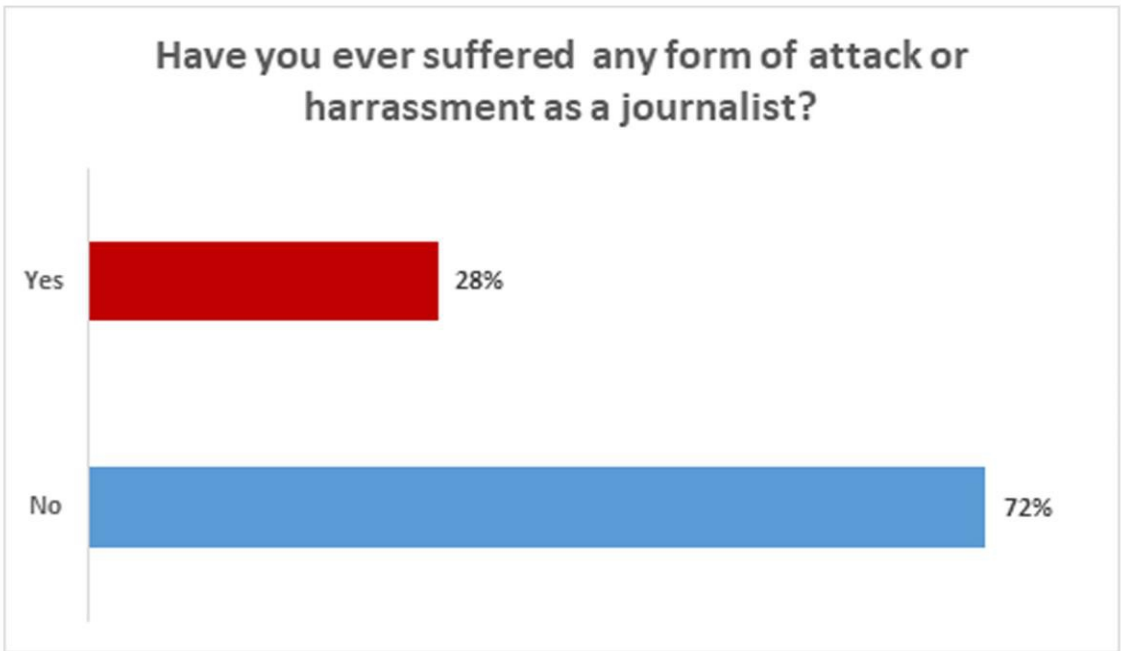
Journalists were asked in terms of years of experience in media. About 112 had served for more than five years, while 33 had served between four and five year; 38 had served between one to three years and 7 had less than one year or experience.

Figure 3: Journalists perception on Media Freedom



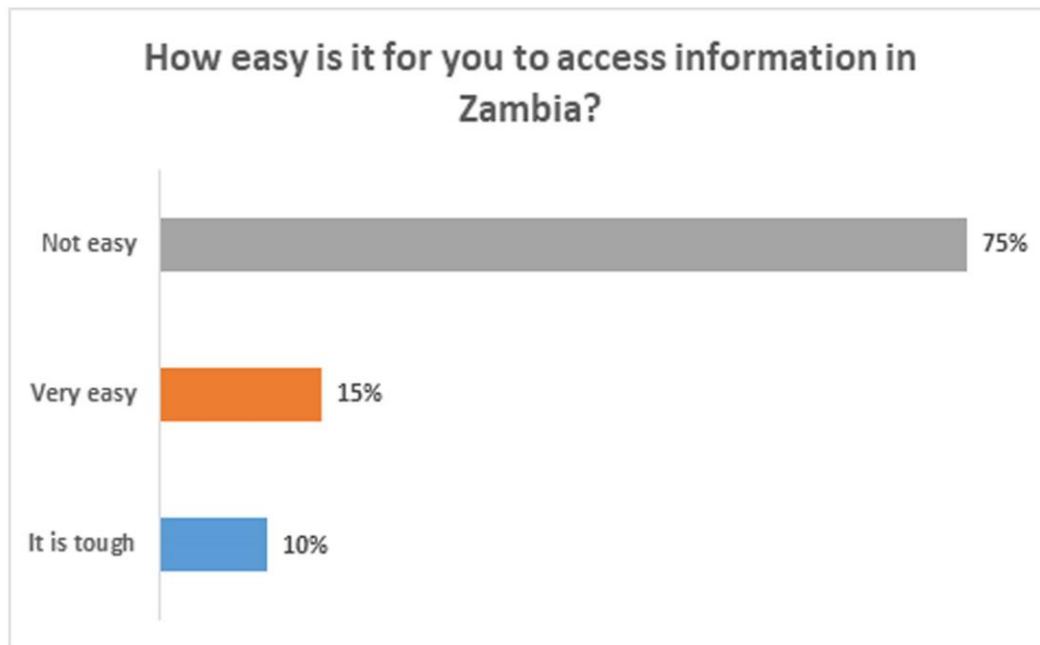
The journalists were asked according to their perception whether the media operated freely in Zambia. About 118 (62%) responded that the media does not operate freely in Zambia especially in this period (January to June 2024) analysis, while 72(38%) indicated in the affirmative that the media operated freely. In the last half presentation between July to December 2023, the results showed the following statistics: 73.7% had indicated that the media was operating freely and only 26.3% had indicated the media not operating freely. This is a huge gap in comparison, indicating that in the last six months of the study there was an indication that the media did not operate freely. This is owing to some comments from journalists and media houses that were subjected to harassment.

Figure 4: Harassment of Journalists while on Duty



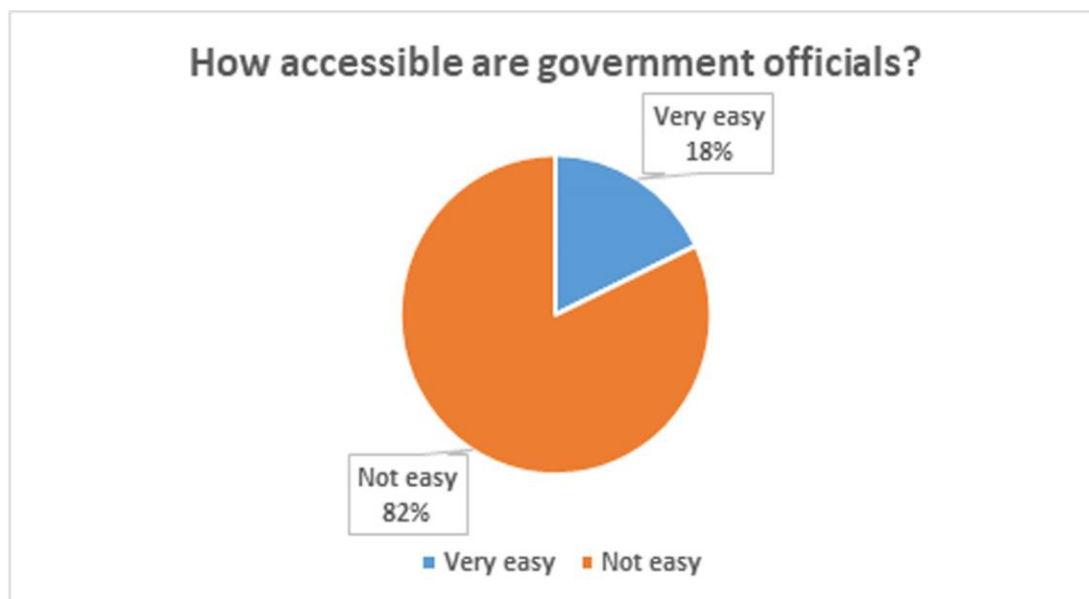
In terms of any form of attack or harassment, the feedback from journalists showed that 137 (72%) had not experienced any form of attack or harassment while 53 (28%) did experience some form of attack or harassment. In comparison to the previous report covering the period July to December 2023, those who experienced some form of attack or harassment had increased by around 10%, reducing the level of non-harassment by the same average margin of 10%. These results confirm that there was a change in terms of the healthiness of a freed media environment during this current study.

Figure 5: Access to Information (Journalist views)



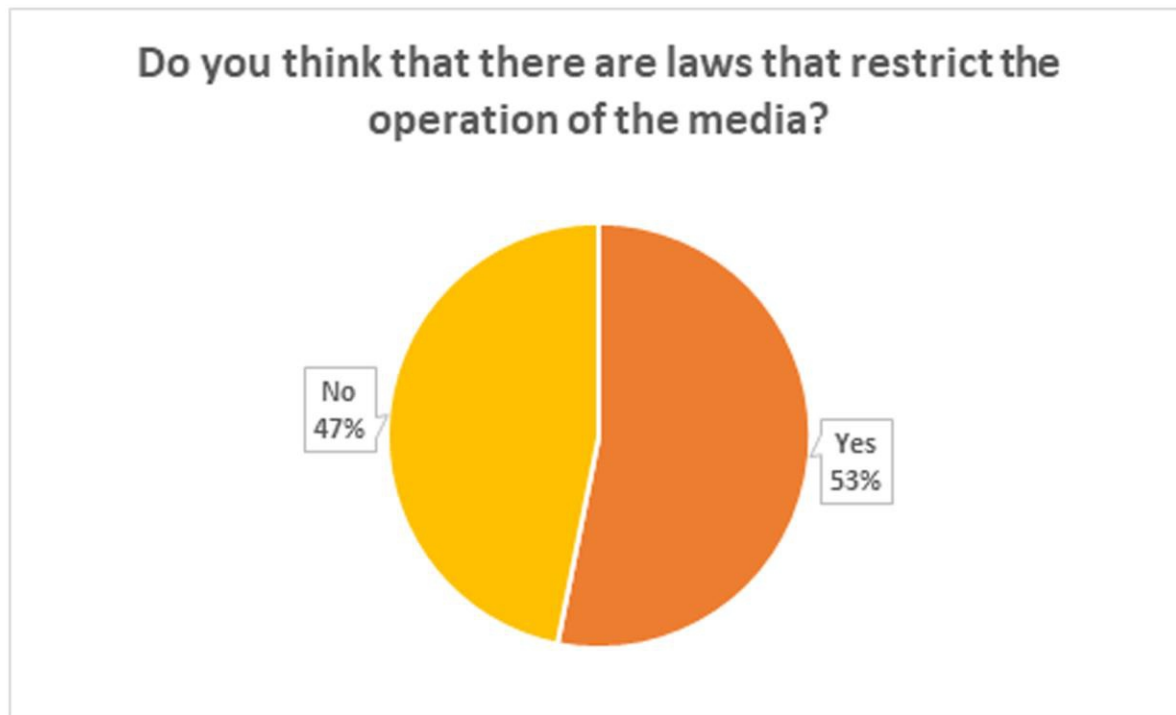
The access to information questionnaire put the journalist's responses into three categories in terms of accessing information, that is, "It is Tough", "Very Easy" or "Not Easy". About 19 (10%) of the journalists responded that "It is Tough" to access information, while, some journalists around 19(15%) were of the view that it was very easy? to access information and finally around 142 (75%) the majority indicated that it was "Not Easy" to access information. In the previous report, 62% of the journalists indicated, that it was not easy to access information, meaning that the levels of not easy to access information have increased by 13%, indicating that the levels of accessing information had dropped tremendously.

Figure 6: Journalists accessibility to government officials



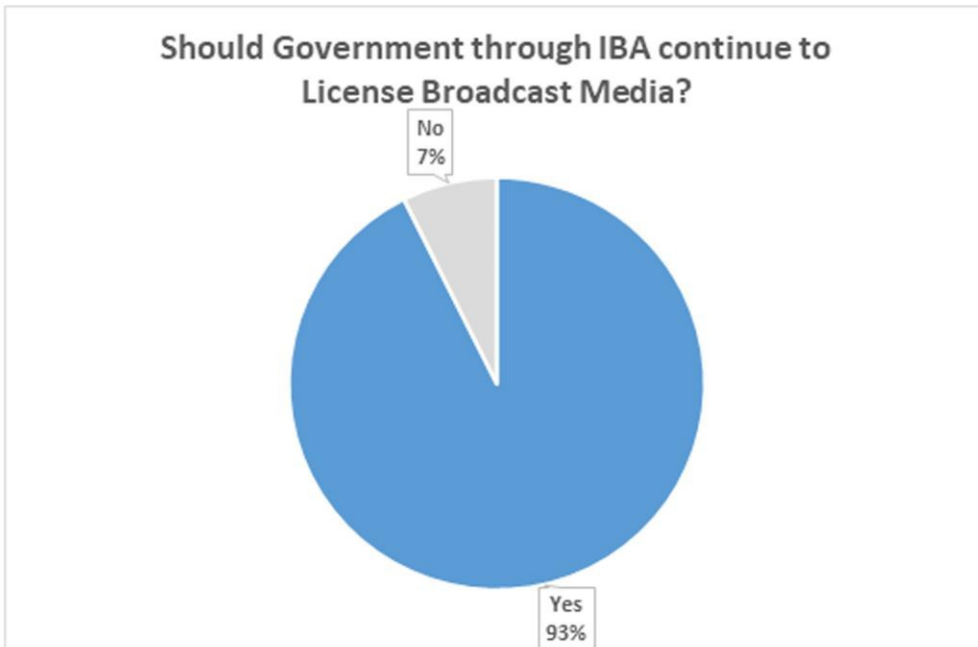
Accessing government officials is another important aspect of this study and research. Based on the responses from the journalists it shows that 18% of the journalists found it very easy to access government officials, while 82% indicated that it was not easy in this period of study. In comparison to the previous report, 72.2% of journalists had indicated that it was not easy to have access to government officials whereas 27.8% had responded in the affirmative that it was easy. This means that the level not easy-to-access government officials had increased by 10%, indicating that this aspect of information gathering remains one of the most key challenges in terms of governance and accountability.

Figure 7: whether there are laws that restrict the operation of the media



As to whether there are laws that restrict the operation of the media in Zambia, journalists that 101(53%) indicated that there were laws that restrict the operation of the media. On the other hand, 89(47%) of the journalists indicated that they did not know of any law that restrict operations of the media. Compared with the previous report were the majority of the respondents felt strongly that there were laws that are very restrictive while 19% indicated otherwise. If you compare with the current study there is a huge reduction to almost 50/50 in terms of restrictions.

Figure 8: Journalists views on Government and licensing through IBA



The journalists were asked whether the government through IBA should continue to license Broadcast Media. A total of 176 (93%) of the journalists overwhelmingly felt that the government should continue to license the media while 14 (7%) said government should not regulate the media. In the previous report, those who wanted the government to still give licenses to broadcasting media houses came to 67% while those against were about 33%. There is a 26% gap that feels that government must continue to license the broadcast media while those who had said no, their number reduced by the same margin of 26%.

Figure 9: Journalists Measure of Media Freedom in the Last Six Months

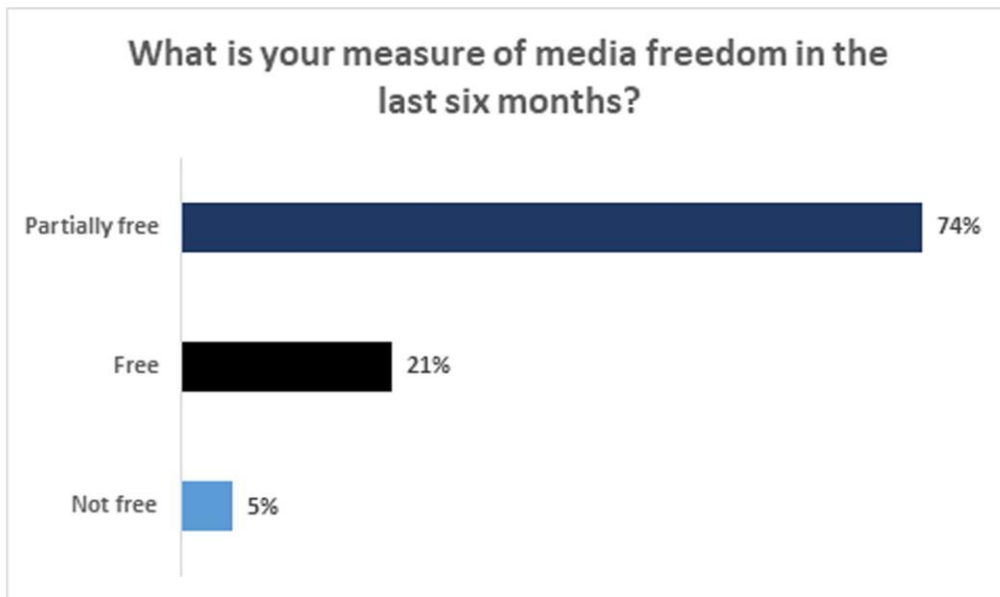
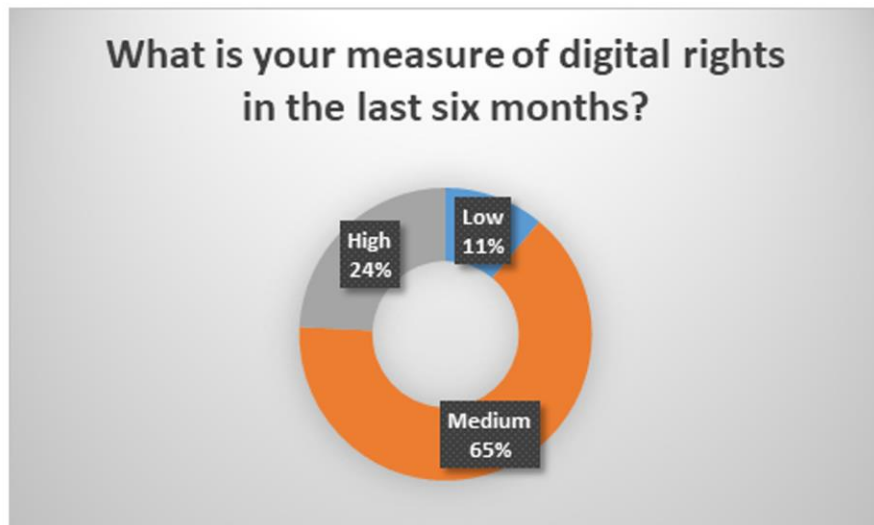
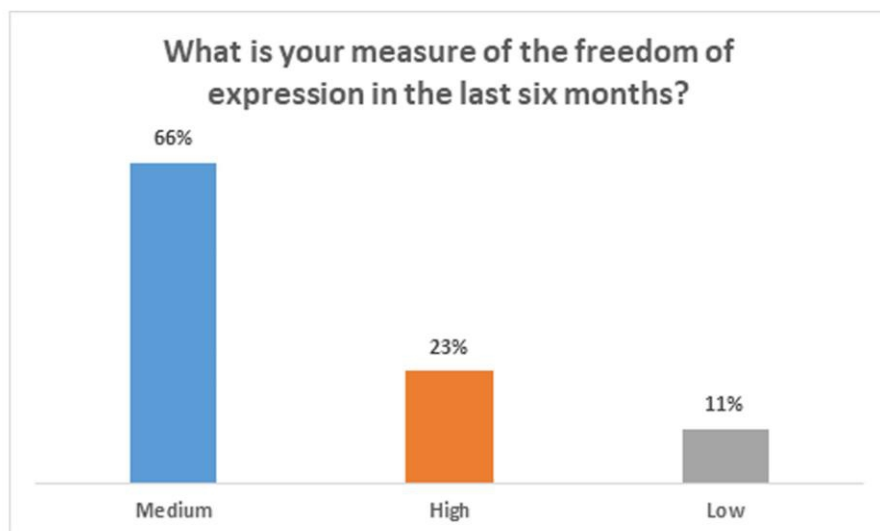


Figure 10: Journalist Measure of digital rights in the Last Six Months



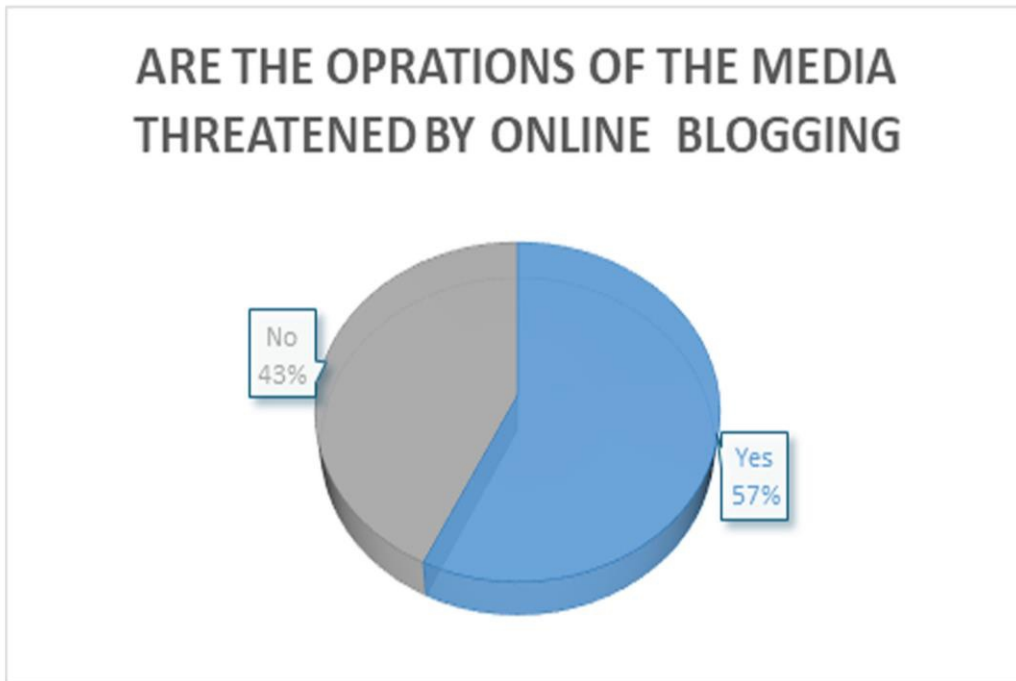
Digital rights have been one of the most critical aspects of studying the level of media freedoms and freedom of expressions in Zambia. The questionnaire probed to what extent are digital rights respected in Zambia on the scale of low, medium and high. A few respondents 21(11%) indicated that it was low; the majority 123 (65%) indicated that it was medium and on the high level 46 (24%) felt that it was high. In the previous study it was observed that on digital rights and freedom of expression, 52% had indicated that they were fine with digital rights prevailing while 48% thought that more needed to be done. In comparison to this year’s study between the medium level and high the gap has widened in terms of respect for digital rights and freedom of expression.

Figure 11: Measure of freedom of expression in the Last Six Months



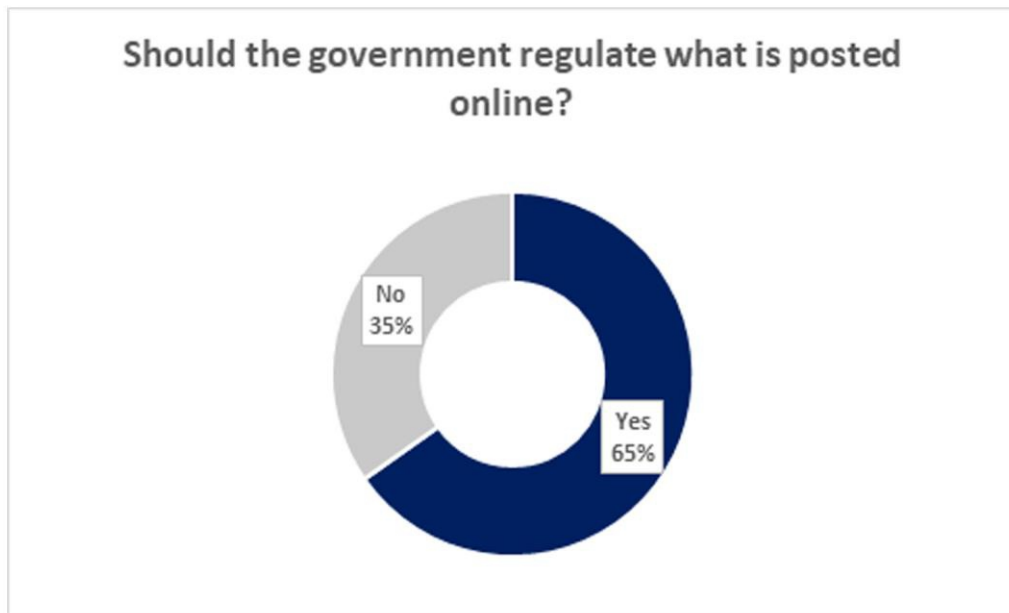
Asked about the measure of freedom of expression in the Last Six Months, the majority of journalists 66% indicated that it was medium, while 23% were of the view that it was high and 11% felt that it was low. Just like the digital rights in the above analysis, there is a feeling that the freedom of expression is leaning more towards media and high meaning that there is still a lot of work that needs to be done in Zambia in as far as freedom of expression is concerned.

Figure 12: Whether Operations of the Media are threatened by Online Bloggers



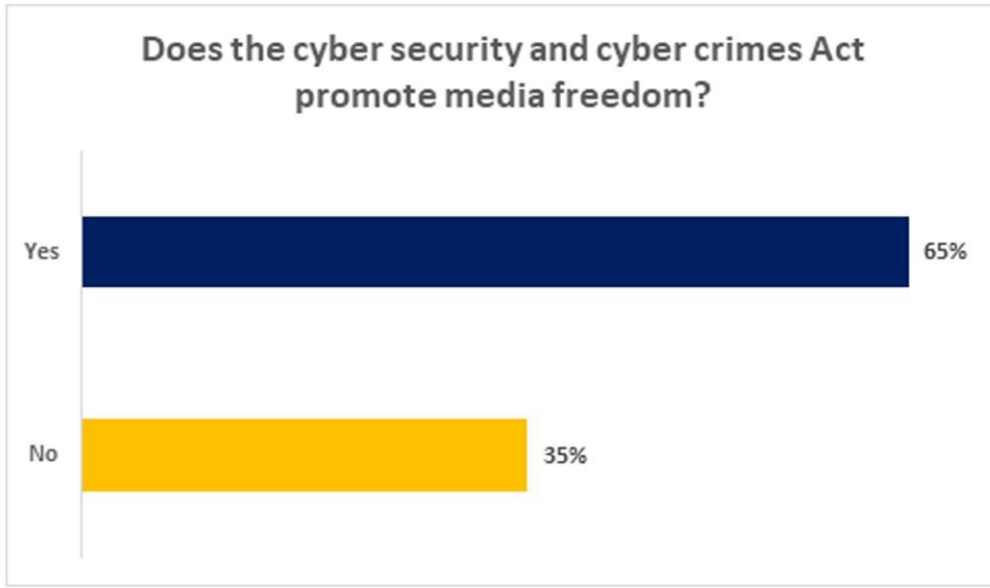
The findings also touched on the subject of the relationship between the media versus bloggers. This was in line as to whether the operations of the media are threatened by online blogging. Around 108 (57%) of the journalists responded in the affirmative while 82(43%) responded in the negative. This indicates that there is a need for both the mainline media and bloggers to work collaboratively as they cover various aspects of both media and online digital and freedom of expression culture. This came out strongly during a field visit in the Southern province at one of the radio stations and how they were put in an awkward position owing to the release of information by a blogger as they were trying to verify the same information before it aired on radio.

Figure 13: On whether Government should regulate what is posted online



On whether the government should regulate what is posted online, most of the journalists 123 (65%) indicated in the affirmative that YES government should regulate postings online. While 66(35%) of the journalists were of the view that the government should not. In comparison to the previous report, the journalists who were for government regulating what is posted online was 55.6% versus those who opposed government interventions at 44.4%. Meaning that in this current study, the number of journalists who opted for government regulation increased by 9.5%. This makes for interesting analysis even though it is a perception we are looking at.

Figure 14: Whether the Cyber Security and Cyber Crimes Act promotes media freedoms



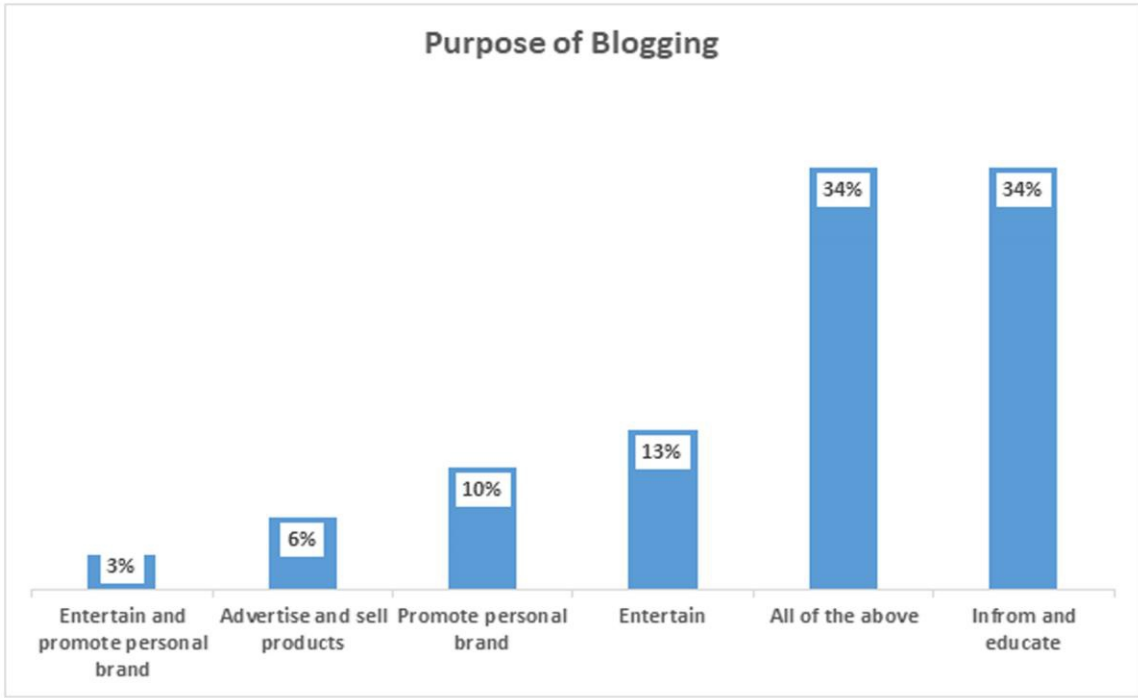
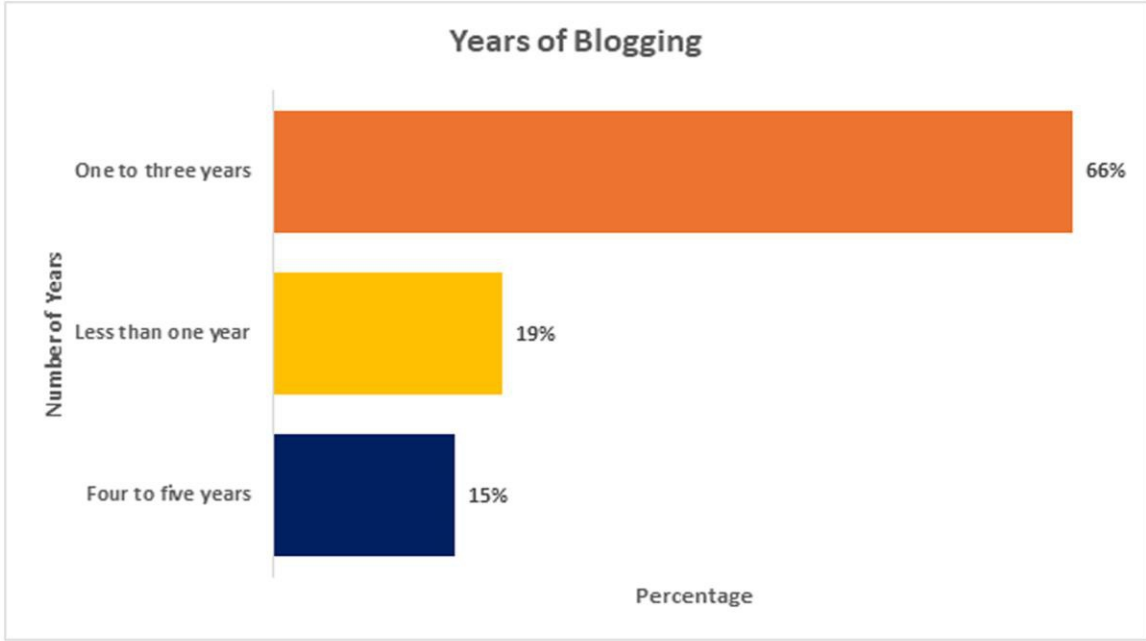
The Cyber Security and Cyber Crimes Act promulgated in 2021 can be said to have come with mixed feelings. However, for the journalists in this period of study (January to July 2024) asked about whether this Act promotes media freedoms, the respondents in the majority 124 (65%) in the affirmative while 66 (35%) responded in the negative. What does it mean?

RESPONSES FROM BLOGGERS

We had 19 (male) respondents and 13 (female) respondents. Of the 32 upon further questioning indicated that 23 were trained journalists, while 9 were not trained.

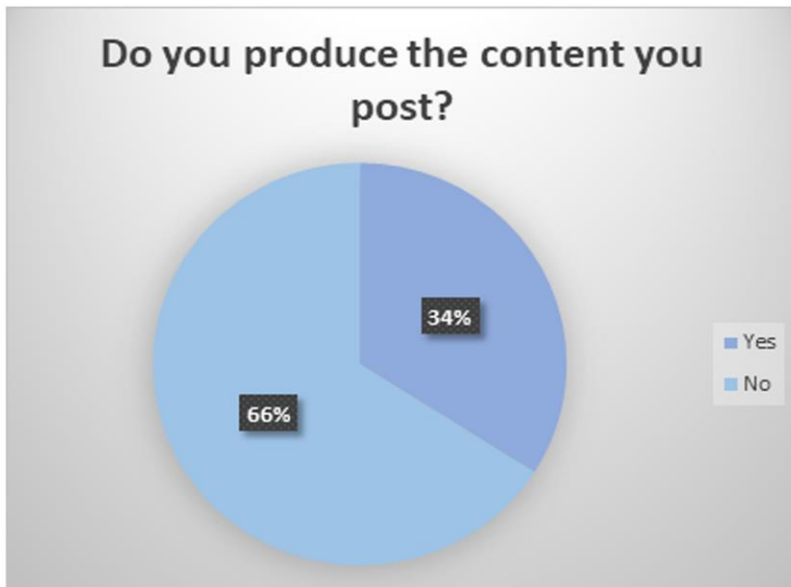
Figure 15: Years of blogging

The study asserts the number of years individuals have been blogging. Those between one to three years were around 66%; those blogging for less than one year were 19% and four to five years were 15%.



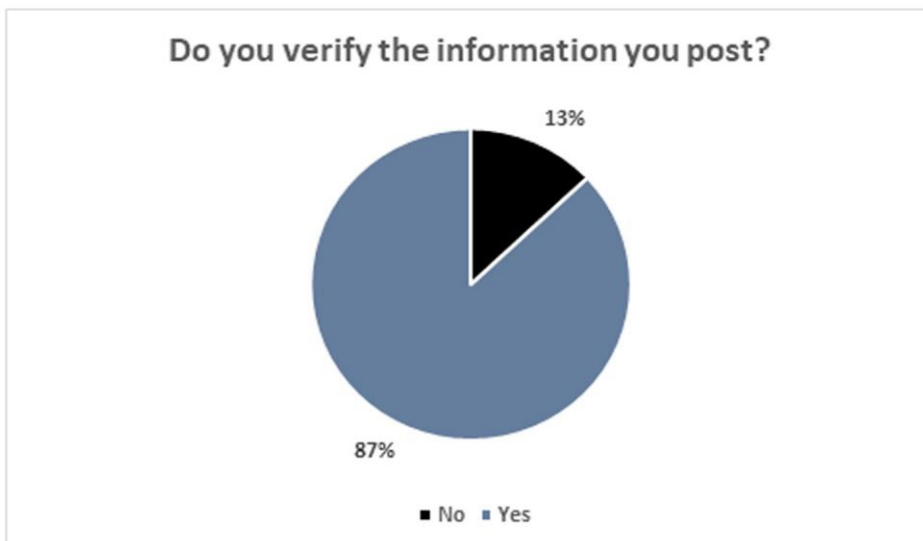
This gives a picture of various aspects of blogging within the competence of bloggers; about 34% indicated that they use blogging for all of the above such as to entertain and promote personal brands, advertise and sell products, promote personal brands, and entertain only. While another 34% were of the view that they use it to inform and educate the public. On informing and educating in the previous report we recorded around 60%, meaning that in this study attention went to other aspects of blogging by a 26% margin; this is quite a leap from last year's end of the last half of last year's report. Entertainment had risen from 6.7% to 13% for example.

Figure 17: On production of content by bloggers



On production of content 21 (66%) indicated that they did not produce the content they posted, while 11(34%) produced the content they posted. When asked where they get content if they don't produce it? They responded that they relied on getting information mostly from the traditional media.

Figure 18: Whether Bloggers verify the information they post

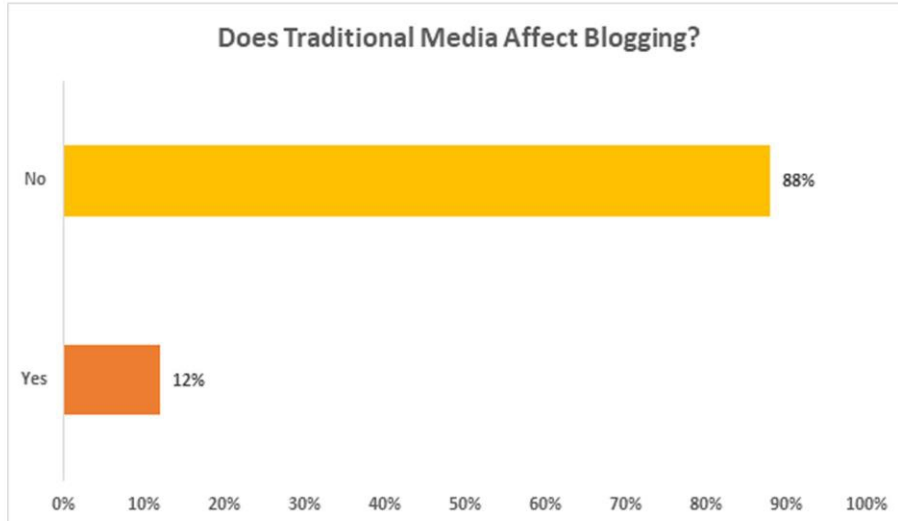


Bloggers were asked as to whether they verify information they post online. Overwhelmingly 28(87%) indicated in the affirmative that they do verify information while 4(13%) do not. Asked about how information is verified by the majority, they indicated that:

- “they normally verify with traditional stations”*
- “sometimes through further research on a subject”*
- “sometimes through official sites or official statements and reports”*
- “Sometimes by cross-referencing with multiple reputable sources, checking for official statements or reports, and sometimes contacting experts for confirmation”*
- “by contacting sources for confirmation”*

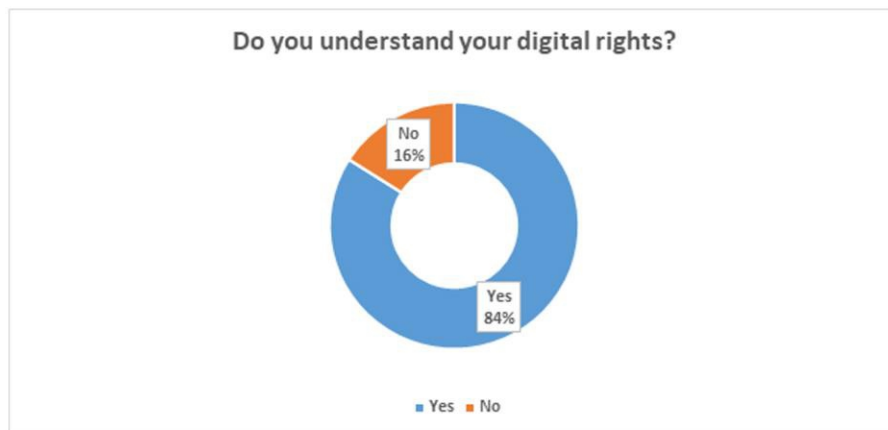
Apart from verifying information, more than 50% of the bloggers also indicated that they censor the information they post to avoid legal implications.

Figure 19: Whether traditional media affects blogging.



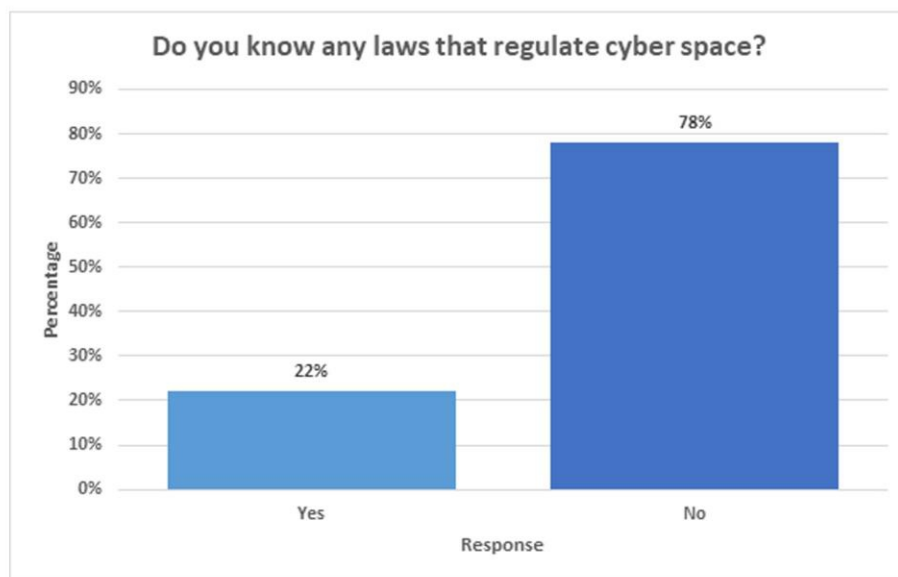
Bloggers were asked as to whether traditional media does affect their blogging; 88% indicated that they were not affected while 12% indicated that yes they were. This can mean that blogging has found its niche to be able to express opinions on the media and freedom of expression scene.

Figure 20: blogging and digital rights



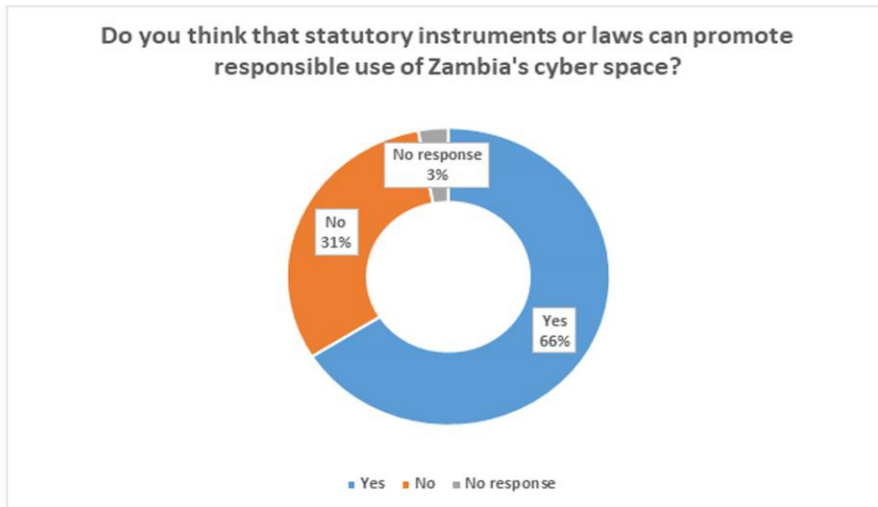
On digital rights the bloggers 27(84%) overwhelmingly indicated that they understood their digital rights, while 5(16%) did not. On the other hand all of them (100%) agreed that freedom of expression applies to both online and offline spaces and same was true with the right to privacy.

Figure 21: On whether bloggers knew any laws that regulate cyber space.



Further bloggers were asked as to whether they knew laws that regulate the cyberspace, 25(78%) said they did not know any laws, while 7(22%) knew of these cyber laws; those who knew pointed to the Cyber Security and Cyber Crimes Act 2021. They were able to point out that ***“this law provides a framework for cybersecurity in Zambia, including the prevention and prosecution of cybercrimes. It addresses unauthorized access to computer systems, data interference, system interference, and cyber fraud.”*** However, in the previous report, the opposite was true where 86.6% had indicated that they knew laws that regulate cyberspace and 13.4% had said they did not. This is quite a shift in perspective.

Figure 22: On statutory instruments or laws that can promote responsible use of Zambia’s cyberspace



The bloggers were further asked as to whether they think that statutory instruments or laws can promote responsible use of Zambia’s cyberspace. About 21(66%) indicated that yes the named instruments (Cyber Security and Cyber Crimes Law) would promote responsible use of Zambia ‘s cyberspace; 10(31%) said no and 1(3%) did not answer. Asked what would be the justification for promoting these instruments, some bloggers responded as follows:

“to regulate the dissemination of fake information”

“As a people, it is best to be governed by rules and laws to understand where the limit can be drawn”

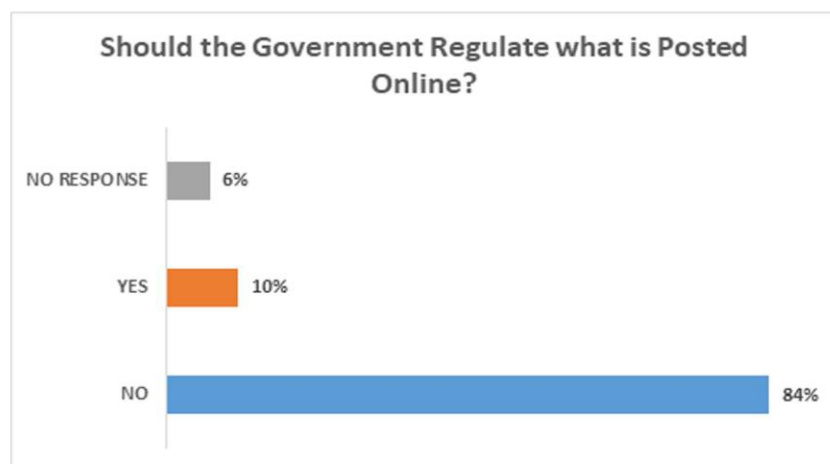
“ Most people will be afraid of breaking the laws and having to face the consequences, therefore they will have to abide by the laws”

“The law is the most powerful tool in the land and everyone would adhere to it”
“ Proper regulation can help protect cyber crimes”

“It will hold everyone accountable for their content”

“Proper regulations can help prevent cybercrimes, protect personal data, and ensure responsible use of online platforms”

Figure 23: On government to regulate what is posted online



Should the government regulate what is posted online? The majority of bloggers 84% were of the view that the government should not regulate what is posted online, while 10% indicated that government should regulate and 6% did not give any response. The responses were grouped according to various justifications for or against regulation as follows:

They indicated that there was a need “to promote the peaceful transmission of information” and that “as a libertarian press, we have a right to express our views for as long as they are within the laws without the intervention of the government”, there was a view that “It restricts the ability to discuss sensitive issues”. Some of the reasons are indicated below:

1. Protecting National Security:

- Governments may need to control online content to prevent the spread of extremist materials, incitement to violence, and other national security threats.

2. Preventing Harmful Content:

- Regulation can help prevent the dissemination of harmful content such as child exploitation, hate speech, and misinformation that can lead to public harm.

3. Ensuring Public Safety:

- Governments can act to restrict content that may cause panic, such as false information during emergencies or health crises.

4. Protecting Privacy and Personal Data:

- Regulations can enforce standards for data protection, ensuring that personal information is not misused or exposed without consent.

5. Combating Cybercrimes:

- Government control can help reduce cybercrimes such as fraud, identity theft, and cyberbullying by enforcing strict laws and penalties

Some felt that:

“Government controlling what is posted online might mean the freedom of expression will be lessened or rather stripped away”

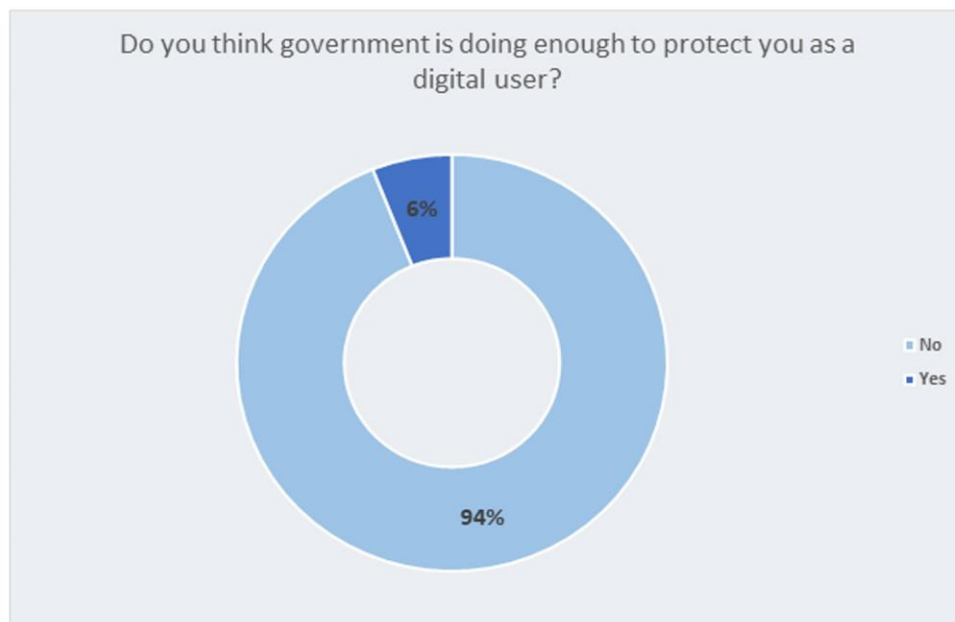
“Media practitioners should control the content online because they are better experienced in the field”
“It suppresses free speech “

“It hinders freedom of expression”

“Excessive government control could lead to censorship and suppression of free speech”

“Excessive government control could lead to censorship and suppression of free speech”

Figure 24: On whether government is doing enough to protect digital users



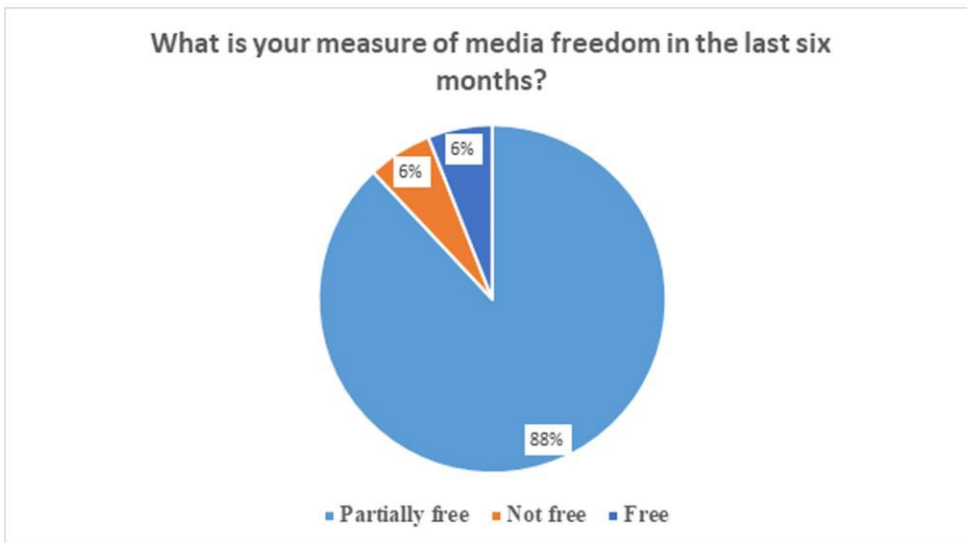
Overwhelmingly bloggers 94% felt that the government was not doing enough to protect digital users while a few 6% responded in the affirmative. This means that more needs to be done from the government's perspective to ensure that digital rights are highly respected and affirmed by the same, such a high level of dissension can be the breaking point between freedom of expression and digital rights in a country like Zambia.

Figure 25: threats or attacks based on what is posted online



Further asked about threats or attacks for the information posted online majority 88% responded positively of not having been attacked, while 12% felt threatened or attacked for what they posted. This is a plus in one’s freedom to express themselves freely.

Figure 26: the measure of media freedom in the last six months



The bloggers were also asked about their perception in terms of media freedom majority of the bloggers 28(88%) indicated that the media was partially free. In comparison, 2(6 %) felt that the press was not free,which was the same percentage for those who felt that the media was free at 2(6%). Among comments included the fact that:

“There’s certain information that is not condoned to be shared anyhow”

“I cannot discuss some items because they are considered immoral or against the country’s Christian values”

“Media freedom in Zambia has seen both improvements and challenges over the past six months. Positive strides include the repeal of repressive laws such as the defamation of the president clause, enhancing the legal landscape for journalists”

“The government is trying to take full control over what people post on media. Many people are being arrested for expressing their views online”

“There are still attacks on bloggers”

“There are some restrictions and pressures on media outlets that affect their ability to report freely”

Generally most agree that this period under study has seen the levels of infringement rise to unprecedented levels. Though there is a call for people to speak freely, especially journalists the opposite is true that matters of political comments have made individuals across the section of society besides media personnel, clergy have also had the blunt of the harrasmemt. matters concerning politics even though are free to speak on, sometimes individuals are called upon to be answerable to their views or take them down.

MEASURE OF ENJOYMENT OF DIGITAL RIGHTS

The study showed that 31 bloggers felt that the measure of enjoyment of digital rights was medium while one indicated that it was high. Justifying why the measure is medium-high some of the comments include:

“Everyone is free to speak, but if their information appears sensitive to the particular parties involved in most cases (government officials) it is immediately regarded as void and to be taken down”

“There is fear of posting or sharing opinions freely”

“suppression is still rampant”

“There are still government-controlling media stations”

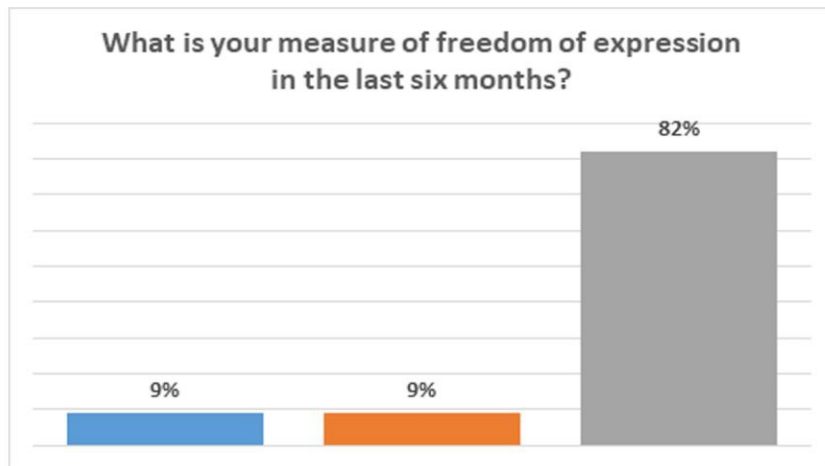
“still arresting people”

“While there is some level of freedom, there are still concerns about surveillance and data privacy”

“A Zambian blogger that was arrested for expressing his views on the current government leadership shows how he does not fully have the freedom to express himself or to speak freely”

Anything posted against the government leads to negative reactions from them.

Figure 27: measure of freedom of expression in the last six months



The essence of the report is to find out the levels of media freedoms and freedom of expression inclusive of digital rights. At this point the questionnaire intended to find out the measure of freedom of expression in the last six months; 82% felt that it was medium, while those indicating partially free and not free tallied at 9% each. In retrospect, it can be observed that if you lean towards not free and partially free, the level of no freedom at all would indicate a larger percentage of 91%. Consistently with other findings like freedom of the media, the last six months showed that there were infringements of freedom of expression. We asked the justification for this perception, and the following were some of the reasons advanced:

“They have been reports on journalists harassment”

“We do not have freedom of expression at its full degree”

“As stated, the government has been trying to control the media”

“Journalists are being arrested for expressing themselves”

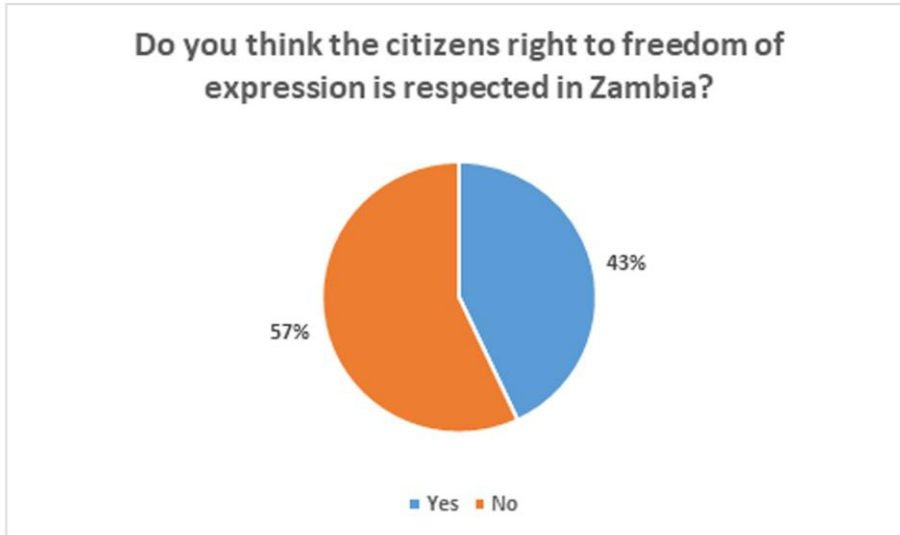
“Suppression is still rampant”

“Fear has been instilled in the people making it hard for them to post freely”

RESPONSES FROM CIVIL SOCIETY ORGANISATIONS

Civil society organizations play a vital role in advocating for journalist's and individual's rights as well as supporting the freedom of the media, freedom of expression and digital rights. A questionnaire was also given to CSOs totaling 30 (25 males and 5 females) and all of them indicated that they were engaged in human rights activities.

Figure 28: whether citizens rights to freedom of expression are respected in Zambia



Asked about whether the citizens right to freedom of expression is respected in Zambia 13 (43%) of the respondents indicated in the affirmative that they were respected while 17(57%) felt that they were not. While the gap may not be huge it still validates what the journalists and bloggers have indicated about the lack of freedom of expression even from the perspective of CSOs. The questionnaire further probed to understand their misgivings and the following were some of the responses given:

“Frequent reports of suppression of dissent, arrests, and intimidation of those who speak out”

“There have been instances of media censorship, harassment of journalists, and restrictive laws that limit free speech”

“Frequent reports of suppression of dissent, arrests”

“Because harassment of journalists, and restrictive laws that limit free speech are still rampant”

“There have been instances of media censorship”

“intimidation is still rampant and harassments of journalists”

“The extent at which they are respected is very minimal to agree with the questions as we see political leaders taking powers for granted”

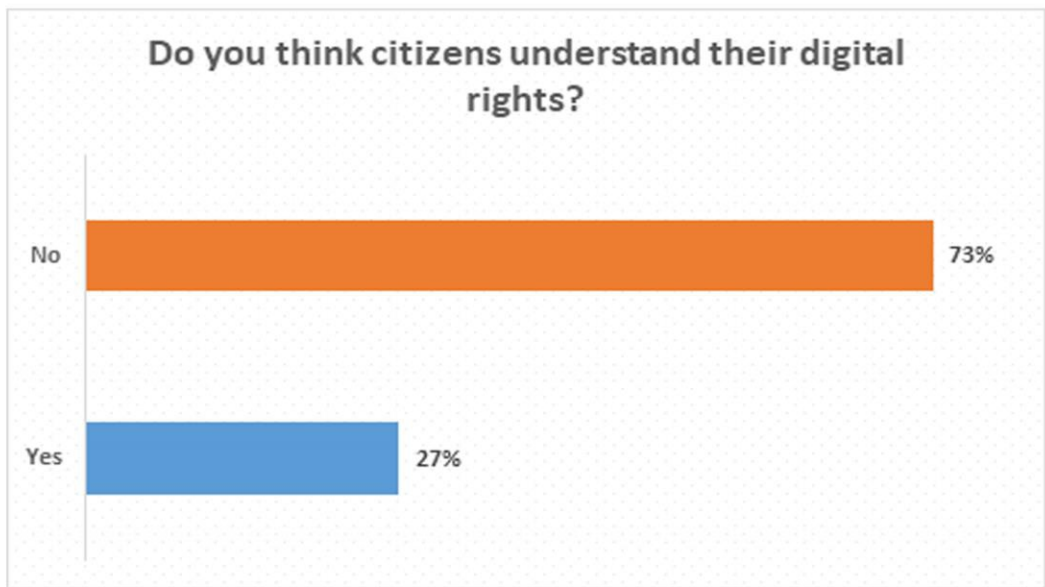
Those who felt that there was still freedom of expression indicated as follows:

“To some extent its given because there are laws that protect the rights of people”

“There are laws protecting media freedom in the constitution”

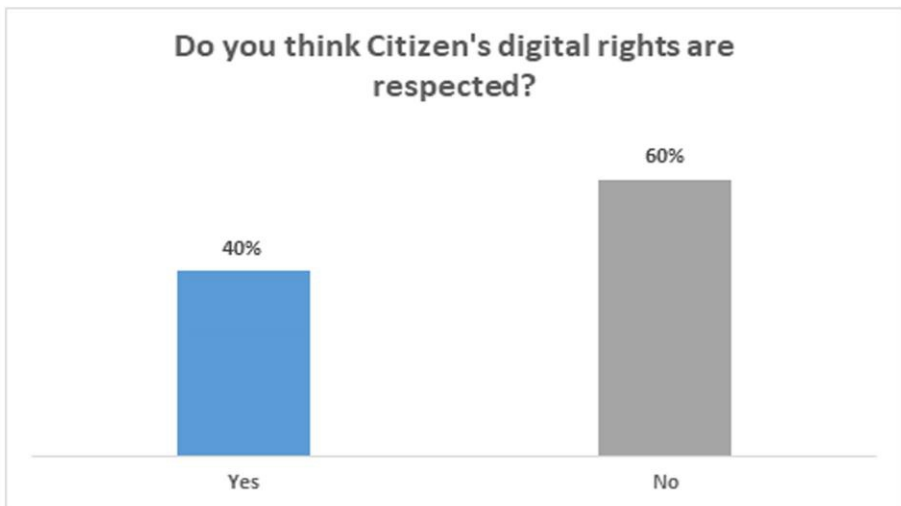
“At some extent they are because citizens are able to share anything online”

Figure 29: whether citizens understand their digital rights?



CSOs were also asked as to whether in their perception citizens understand their digital rights; 22 (73%) indicated that citizens do not know their digital rights while 8(27%) felt that citizens do know their rights. in terms of prevalence the number is quite high if we consider how many feel that citizens do not know their rights. This is in contrast to the previous study that indicated a 100% in the affirmative that citizens understood their rights. The current responses give a realistic picture of what is obtaining on the ground in Zambia’s media and digital spaces.

Figure 30: whether Citizen's digital rights are respected.



Further asked about whether citizens's rights are respected 12(40%) indicated in the affirmative while 18(60%) felt that citizen's digital rights were not respected. Some of those who answered in the negative felt that there should be sensitization on digital rights to ordinary citizens on their digital rights. Some further indicated that:

“Strengthen laws to protect digital rights and enforce them effectively”

“Strengthen legal frameworks to protect digital rights”

“raise awareness about digital rights amont the public”

“raise public awareness and education on ditigal rights”

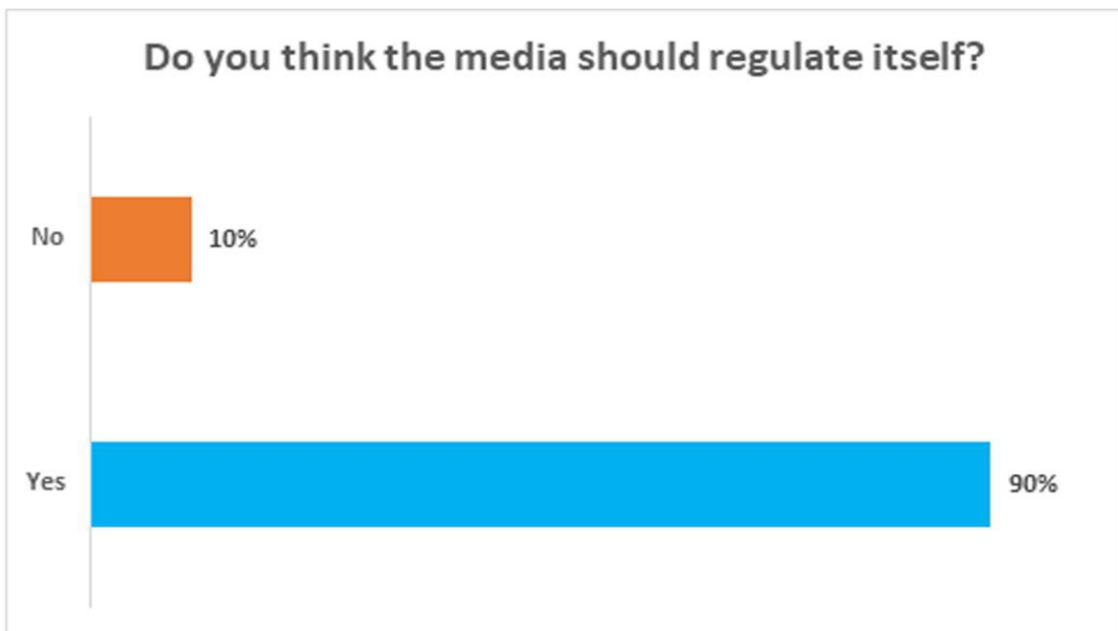
“sensitization and education”

“raise public aware ness and education on digital rights making sure citizens understand their rights”

“do campaigns on digital rights”

“All of them indicated that there is need for capacity building for Rights defenders”

Figure 31: on whether media should regulate itself



On whether the media should regulate itself overwhelmingly the majority 27(90%) responded in the affirmative while 3(10) said no. This gives the impression that the powers that-be need to be aware of the desire for citizens to want a self-regulated media. In comparison to the previous report 28 (93.3%) felt that the media was capable of regulating itself without external force and 2 (6.7%) indicated that the media -was not capable of regulating itself. In this regard, the difference is not much in upholding the importance of media self-regulation. however, it is also appropriate to listen to the views of citizens about the importance of media self-regulation as follows:

“Self-regulation can help maintain journalistic standards and ethics, reducing the need for government intervention”

“Media self-regulation can enhance professional standards and ethical journalism practices while reducing government interference”

“To regulate independently without interference from the government”
“Self regulation promotes professionalism in reporting”

“Self regulation of the media helps the journalist and the press to operate freely without”

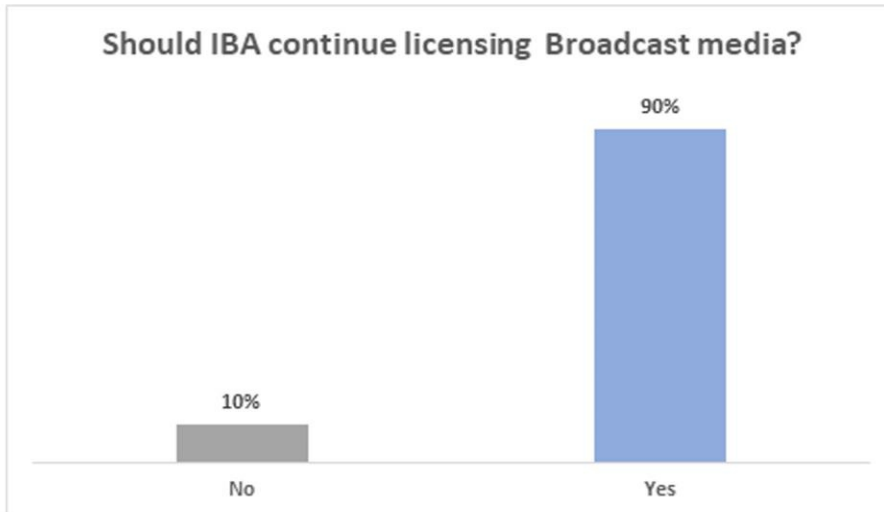
One of the dissenting views indicated that:

“Media has to be regulated to minimize false information and hate speech”

LAWS AFFECTING FREEDOM OF EXPRESSION

Further asked about knowledge of laws affecting freedom of expression, some were able to indicate and name laws such as the Public Order Act which had a 50% popularity among respondents; Cyber Security and Cyber Crimes Act; rights to freedom of expression.

Figure 32: Should IBA continue licensing Broadcast Media?



From the perspective of CSOs, there was an overwhelming response of 27(90%) that IBA must continue to regulate the media while 3(10%) felt otherwise. Some of the reasons justifying why the IBA should regulate licensing include:

“Licensing ensures that broadcasters adhere to professional standards and operate in the public interest, but it should be done impartially”

“To follow professional standards...But it should be done transparently”

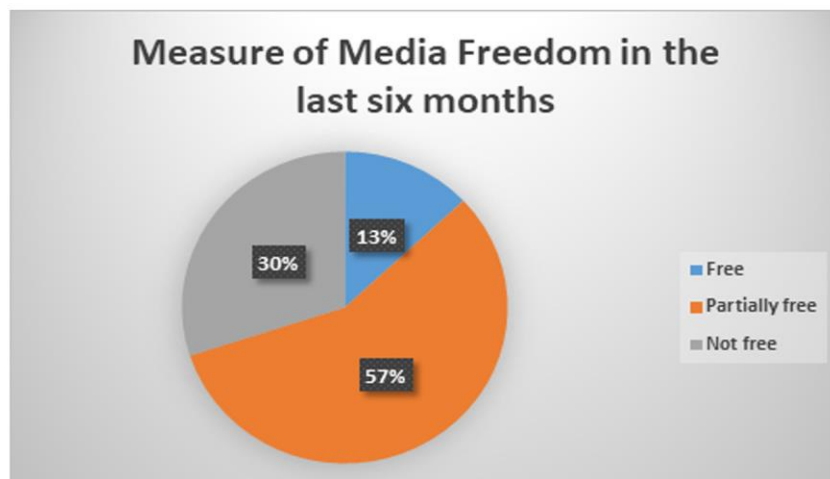
“Licensing can ensure that media outlets meet certain standards”

“For media to operate democratically it needs to have a referee at some point”

“It will help regulate unwanted materials flooring on media”

However, the dissenting views pointed out that “the IBA does not work on its own will but government’s” Another added that “they operate under a government which is not democratic at all”.

Figure 33: Measure of media freedom in the last six months



The Civil Society thought that 17(57%) in terms of the measure of media freedom were partially free, while 9(30%) felt that it was not free and 4(13%) the measure of media freedom was free. The reasons for justifying why the media is partially freed can be attributed to the following reasons:

“Persistent censorship, intimidation, and harassment of media professionals”

“Increased reports of media harassment, censorship, and restrictive regulations”

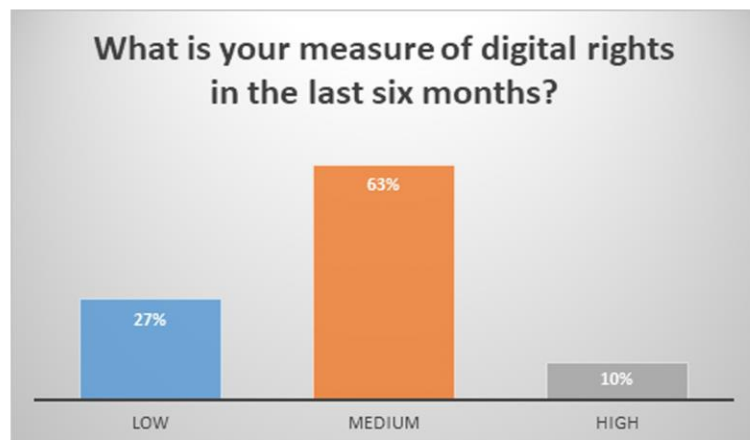
“It's not free hundred percent”

“Some people feel scared due to the way the current government is ruling”

“Increased reports of media harassment and journalists getting beaten up”

Those who felt otherwise indicated that “the reduction of reports on infringement of the digital right to media personnel amount to how much freedom the citizen have at the moment” and that “there is minimal infringement”

Figure 34: the measure of digital rights in the last six months



In terms of the measure of digital rights over the last six months:

- Medium: 19 respondents (63%)
- Low: 8 respondents (27%)
- High: 3 respondents (10%)

The gap remains significant in evaluating digital rights, as both journalists and bloggers report concerns about the current state. Ideally, efforts should be directed towards achieving a higher percentage closer to 100% to ensure robust digital rights protection. The reasons provided for the low to medium ratings include:

“Lack of robust legal protections, frequent surveillance, and internet shutdowns”

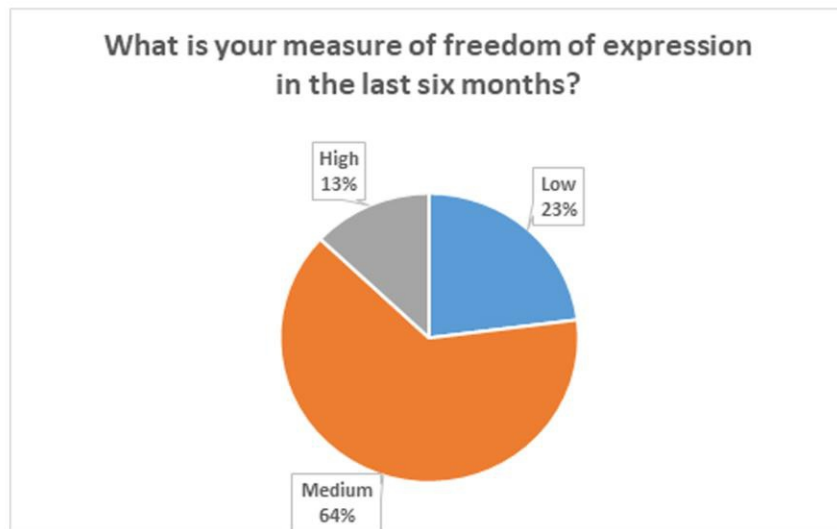
“There is still government interference”

“Lack of legal protections”

“People do not understand their digital rights which result in the government taking advantage”

Those who felt that the measure of digital rights was free made the argument that “Citizens can disseminate information freely on the media”; “the new dawn government is tolerant with people expressing themselves”. The reality pointed out indicates that most people do not understand their digital rights hence government can take advantage of such a situation.

Figure 35: the measure of freedom of expression in the last six months



On freedom of expression in the last six months, civil society organizations reported the following:

- Medium: 19 respondents (64%)
- Low: 7 respondents (23%)
- High: 4 respondents (13%)

Comparing these views to freedom of the media, freedom of expression, and digital rights, the average for medium ratings is approximately 63%. When combined with the low average, the total exceeds 80%, indicating ongoing and significant concerns regarding media freedom, freedom of expression, and digital rights.

When asked to justify their medium and low ratings, respondents provided the following reason:

“They are still government intervention”

‘Intimidation and legal actions against individuals expressing dissenting opinions

“Legal and extralegal measures to silence dissent and criticism”

“Intimidation and legal actions against individuals expressing dissenting opinions”

“fear of being jailed”

“People are not free which results in arrests”

“Arrests of activists and opposition members for social media posts”

POLITICAL PARTIES

In the research, five political parties were asked to respond to the questionnaire, and four out of the five provided feedback. The questionnaire covered several key areas:

a. Measure of Media Freedom

Two political parties indicated that media freedom in the last six months was partially free, one party said it was free, and one said not free. Those who said it was not free or partially free pointed out that the media in Zambia is heavily controlled, with journalists receiving threats and being targeted. They also noted that mainstream media houses were afraid to report anything negative about the government. One example cited was a local radio station being harassed by a media body for presenting opposing views on the ruling government.

b. Measure of Digital Rights

Regarding digital rights, the political parties responded as follows:

- Low: 1 party
- Medium: 1 party
- High: 2 parties

The party that rated digital rights low felt the government continues to bully the public, citing cases where the government was accused of regionalism and prosecuting dissenting views. Those who rated digital rights high argued that most communication and information sharing happens digitally, with many people having access to phones and the internet. They believed citizens can use digital platforms freely.

c. Measure of Freedom of Expression

On freedom of expression, the political parties responded as follows:

- Low: 3 parties
- Medium: 1 party
- High: 0 parties

Three parties indicated that freedom of expression was quite low because people were being arrested for expressing their views freely. They noted that the government often sends police to silence those who challenge it or express divergent views. One party stated, "People are free to express themselves, but we have seen others arrested for what they said." Another party added, "Individuals have been harassed simply for speaking from an opposition perspective," while acknowledging that "the President is making efforts, starting with his cadres, to curb harassment."

d. Disciplinary Measures Political Parties Have Implemented

Political parties shared the disciplinary measures they have put in place to ensure their members respect media freedom and expression:

- A member risks expulsion if evidence shows hostility towards the media.
- Members who harass the media or fail to respond to a media inquiry within 24 hours are subject to disciplinary measures, including suspension and expulsion.
- Members are subject to the laws of the land.
- Party members are provided with the party constitution regarding conduct toward the media, and a disciplinary committee addresses cases where members err.

General Observations

The interviewed parties felt that the government must "walk the talk" instead of just "talking the talk." They stressed that the President needs to set the right tone, which they felt was lacking. They called for the government to abide by laws that guarantee freedoms, emphasizing the need for favorable laws to ensure all operate within the framework of the law.

Recommendations from Political Parties

- Cooperating partners should remind the government that media freedom is essential to a democratic dispensation.
- While citizens are free to express themselves, they should also be held accountable.
- Laws that protect citizens must be enacted, and effective pressure groups must be established.

Independent Broadcasting Authority (IBA)

The research also included public institutions, and the IBA was one of the key participants. The interviewee from the IBA explained that the authority's role is to promote media freedom through the licensing of radio and television stations, giving communities platforms for the exchange of information, ideas, business, and news on various local and international matters.

The IBA's mandate, as outlined in the IBA Act No. 17 of 2002, the IBA (Amendment) Act No. 26 of 2010, and Act No. 18 of 2017, is to promote a pluralistic and diverse broadcasting sector in Zambia. Although the IBA does not regulate media freedoms directly, its licensing process is intended to be transparent.

Current Licensing

The IBA reported no withdrawals of broadcasting licenses so far. Currently, there are 260 broadcasting stations in Zambia: 192 radio stations, 62 television stations (content providers), and 6 subscriber management services.

IBA's View on Media Freedom

The IBA believes media in Zambia is free because broadcasting stations operate independently, following their editorial policies without coercion from external forces such as political or commercial pressure.

IBA's View on Digital Rights

The IBA rated digital rights as medium, acknowledging that some people do not yet fully understand their digital rights or have access to the internet and smartphones.

IBA's View on Freedom of Expression

The IBA rated freedom of expression as high, noting that people are free to express themselves on various platforms within the confines of the law, including internet-based platforms like Facebook, X, YouTube, and TikTok, as well as radio and television programs.

IBA's Role in Promoting Media Freedoms

The IBA feels the government is doing enough to promote media freedoms, digital rights, and freedom of expression in Zambia. They emphasized the need for more sensitization around digital rights and the limits of freedom of expression within the law.

Lecturers Perception

Three lecturers provided a broader perspective. When asked about their perception of media freedom in Zambia, all agreed that it was partially free, citing reasons such as "government interference" and the impact of "certain legal frameworks that raise major concerns about freedom of expression."

Regarding digital rights, the lecturers rated the situation as medium, stating that "government actions and laws have curtailed these freedoms in practice." One lecturer pointed out that "even after the passing of the ATI Bill into law, it remains difficult to access information."

The general perception from these institutions of higher learning is that the academic community plays a key role in supporting the government through scholarly research and raising awareness about media freedom, freedom of expression, and digital rights. Additionally, the lecturers highlighted the importance of integrating digital rights education into the curriculum to prepare students for the rapidly evolving media landscape.

Discussion of Findings

5.1 State of Media Freedom and Freedom of Expression in Zambia

Media Landscape:

The first and second objectives of our study were to assess the current state of media freedoms and freedom of expression in Zambia. These fundamental rights are critical to the development of any nation, as they foster citizen participation in governance, and Zambia is no exception. A general overview of the media landscape from January to June 2024 reveals a concerning decline, with increasing harassment targeting journalists, ordinary citizens, and even clergy members. Law enforcement officers have not adequately protected these groups, largely due to a lack of adherence to due process and the rule of law.

During this period, several clergymen faced intimidation either for their own statements or for hosting opposition members who visited them. This raises serious concerns: if religious leaders, often regarded as the voice of the voiceless, can be subjected to such intimidation, what protection exists for ordinary citizens and professionals like journalists, whose role is to report truthfully on societal issues?

Moreover, there has been a rise in the arrest of opposition leaders for expressing dissent or dissatisfaction with the current government, further highlighting a shrinking space for divergent views. Upholding the principles of democracy requires fostering free speech through media freedom, freedom of expression, and digital rights.

In terms of data, 62% of respondents in our study indicated that the media does not operate freely in Zambia, a significant decline from the 73% in a previous report who believed the media was free. This drop indicates a decrease in tolerance for journalists' critical views toward the government and its systems in the first half of 2024. Even more concerning is the 10% increase in reported harassment of journalists compared to the previous period. Any rise in harassment is a clear indicator that the environment for media freedom and freedom of expression has become increasingly hostile.

Media freedoms and freedom of expression

Media freedoms and freedom of expression are fundamental pillars of democracy and good governance. Access to information is often regarded as the lifeblood of democracy. During the period under review, The study found that 75% of respondents did not find it easy to access information, with 10% describing the process as very difficult, and only 15% stating it was very easy. Additionally, there was a 13% increase in those reporting difficulty in accessing information within Zambia's media landscape. These findings highlight that despite efforts over the years, there is still much work to be done to improve access to information, regardless of which government is in power.

While the passing of the Access to Information Act of 2023 is a significant achievement, the implementation of this law must be expedited. Adding to the challenge, 82% of journalists found it difficult to access government officials during this study period, a 10% increase from previous findings. This difficulty underscores the importance of the ATI Law in ensuring journalists can perform their duties freely and without hindrance. Government officials must recognize that providing information when requested not only protects them but also enhances public understanding of the government's agenda.

Regarding media freedom, freedom of expression, and digital rights, 53% of respondents agreed that certain laws restricted media operations in Zambia, with the Public Order Act (POA) being a key example. The current government has promised to review the POA, and it is hoped that these revisions will be implemented to allow journalists and civil society to engage in democratic processes without fear of intimidation or denial of lawful assembly.

On the issue of licensing by the Independent Broadcasting Authority (IBA), 93% of journalists expressed a preference for the government to continue overseeing media licensing. Respondents believed that government involvement in licensing helps ensure professionalism and ethics in journalism. This period of study saw a higher approval rate for radio license applications, particularly for community radio stations, reflecting positively on the IBA's professionalism.

In assessing media freedoms during the study period, 74% of respondents indicated that the media in Zambia is only partially free. This finding reinforces ongoing challenges, particularly with access to information. Journalists emphasized that while digital rights in Zambia were rated as medium by 65% of respondents, 21% felt they were quite low. Harassment and intimidation of journalists, especially bloggers, for their online posts contribute to the difficulties surrounding digital rights.

In terms of freedom of expression over the past six months, 66% of respondents rated it as medium, 11% as low, and 23% as high. These figures indicate that there is a need for greater protection of freedom of expression, regardless of societal or political differences.

When asked whether the government should regulate online content, 65% of respondents agreed. This response can be understood in the context of tension between bloggers and traditional journalists, where some felt that unverified posts by bloggers undermine journalistic standards. As a result, 57% of journalists felt that online blogging threatens traditional media operations. Despite this, 65% agreed that the Cyber Security and Cyber Crimes Act promotes media freedom, while 35% felt otherwise.

5.2 State of Digital Rights and Freedom of Expression in Zambia

With the rapid growth of digital platforms as a primary source of news, digital rights have become a permanent feature of modern communication. While digital media offers many opportunities, it also presents challenges that affect both the current media landscape and future generations.

In this study, 84% of bloggers indicated that they understood their digital rights, while 16% admitted they were unaware of them. Despite this gap, all respondents agreed that freedom of expression should apply equally to both online and offline spaces. However, a significant concern emerged regarding bloggers' awareness of laws regulating cyberspace: 78% of bloggers confessed ignorance of such laws, while only 22% were aware of them. Those familiar with these laws pointed out their role in curbing cybercrimes and regulating the spread of misinformation, noting that proper regulations could "help prevent cybercrimes, protect personal data, and ensure responsible use of online platforms."

When asked whether the government should regulate online content, 84% of respondents opposed such regulation, while 10% supported it, and 6% abstained from answering. The majority view emphasized the importance of respecting digital rights to safeguard freedom of expression and media independence. Some respondents expressed concerns that government control of online content could lead to censorship, with one commenting, "Government control might lessen or strip away freedom of expression," while another warned of "censorship and suppression of free speech."

When asked whether the government is doing enough to protect digital rights, an overwhelming 94% felt that the government was failing in this regard, while only 6% believed the government was adequately protecting users' digital rights. This demonstrates the pressing need for more robust government efforts to protect digital users from intimidation and harassment. Despite these concerns, 88% of bloggers reported that they did not experience any direct threats or attacks during the study period.

Regarding the overall measure of media and digital freedom over the last six months, 88% of bloggers felt that the media was only partially free, with 6% indicating that it was entirely free and another 6% stating that it was not free at all. Respondents who rated media freedom as partial highlighted issues such as government interference in online content, noting that "many people are being arrested for expressing their views online" and that "pressures on media outlets affect their ability to report freely."

When assessing the enjoyment of digital rights, 93% of respondents rated it as medium, with only one participant rating it as high. Those who rated it as medium expressed concerns such as: "Everyone is free to speak, but if their information is sensitive to certain parties, particularly government officials, it is often regarded as void and taken down." Another respondent noted, "Suppression is still rampant," citing a case where a blogger was arrested for their views on the government.

In terms of freedom of expression, 82% of bloggers rated it as medium over the past six months, with 9% rating it as not free and another 9% as free. These findings suggest that freedom of expression continues to face challenges, as the arrest of journalists and bloggers has created a climate of fear, making it difficult for individuals to express concerns or report freely online.

COMMENTS FROM CIVIL SOCIETY ORGANISATIONS (CSO)

One of the key factors in the study of media freedoms, freedom of expression, and digital rights is engaging stakeholders from across society. Civil society organizations (CSOs) play a vital role in contributing to the governance of the country, complementing the efforts of both journalists and bloggers. When asked whether citizens' rights to freedom of expression are respected in Zambia, 57% of CSO respondents felt that these rights were not respected, while 43% believed they were. Although the gap is not vast, it reinforces the concerns of bloggers and journalists who also felt that freedom of expression is not being upheld as it should in a democratic society. Those who believed there was a lack of respect for free expression cited "frequent reports of suppression of dissent, arrests, and intimidation of those who speak out" as well as "instances of media censorship, harassment of journalists, and restrictive laws limiting free speech."

When it came to whether citizens understand their digital rights, 73% of CSOs shared the opinion that citizens do not, echoing the views of bloggers. This is concerning, as a lack of understanding of digital rights can hinder citizens' participation in advocating for human rights and other freedoms. Furthermore, 60% of CSO respondents felt that digital rights were not respected, aligning with earlier findings from journalists and bloggers regarding the inadequate protection of individual rights during the period under study.

On the subject of media self-regulation, 90% of CSOs expressed strong support for the idea, with only 10% disagreeing. This overwhelming support suggests that the establishment of a self-regulatory body for the media should be taken seriously by authorities. Such a body, as several respondents noted, could "enhance professional standards and ethical journalism practices while reducing government interference." Self-regulation was also seen as a way to "avoid state interference," a critical factor in fostering responsible journalism that holds leaders accountable.

In response to which laws affect freedom of expression, 50% of CSO respondents cited the Public Order Act, while others pointed to the Cyber Security and Cyber Crimes Act and the Penal Code as particularly problematic for free speech. These laws were seen as key obstacles in allowing citizens and the media to express themselves freely. Regarding the Independent Broadcasting Authority (IBA) and its role in licensing broadcast media, 90% of CSO respondents supported continued regulation by the IBA. They reasoned that licensing ensures broadcasters "adhere to professional standards and operate in the public interest," though some believed that this regulation should be done impartially. Despite this support, some respondents expressed concern about the IBA's independence, questioning whether it could truly act free from government control.

On the measure of media freedom over the last six months, 57% of respondents felt that the media is only partially free, while 30% believed it was not free at all. Only 13% felt that the media was fully free. This aligns with findings from journalists and bloggers, reinforcing the idea that Zambia's media landscape faces significant challenges, including pressures that limit full media freedom.

Regarding digital rights, 63% of respondents rated their measure as medium, 10% as high, and 27% as low. Reasons for this lower perception of digital rights included a "lack of robust legal protections, frequent surveillance, and internet shutdowns," along with perceptions of "government interference." Some respondents also emphasized the need for more education on digital rights, suggesting that greater literacy in this area could improve citizens' ability to exercise and protect these rights.

As for freedom of expression, 64% of respondents rated it as medium, mirroring the sentiment about digital rights. This highlights the need to re-examine Zambia's media landscape and freedom of expression, particularly considering the restrictions currently in place.

Finally, when asked whether human rights are respected in Zambia, respondents noted that the period under study was one of the most challenging since these studies began. The suppression of individuals, political party leaders, concerned citizens, and clergy raised serious questions about the state of civil liberties in the country. Human rights are fundamental to the democratization process, and violations of these rights impact not just the media, but also the broader interests of ordinary citizens, whose freedoms should be protected by the state they have chosen to represent them.

Conclusion

The study conducted from January to June 2024 sought to assess the perceptions of journalists, bloggers, civil society, and other community groups on safeguarding media freedom, freedom of expression, and digital rights in Zambia. The findings reveal a consensus that the media space has significantly shrunk in the past six months, with the environment of harassment and intimidation targeting journalists, bloggers, and civil society leaders—including those from faith-based organizations—leading to a perception that these freedoms are only "partially free." Over 65% of respondents shared this view, while another 24% felt that the media, expression, and digital rights spaces were "not free at all." This troubling observation highlights the need for an honest reflection and post-mortem by the government on what went wrong and how the country can reinforce these critical elements of democracy.

One persistent issue raised in the study is access to information and government officials. For several years, this has been a major challenge, and in this current study, 75% of respondents reported difficulty in accessing information as journalists, with only 15% saying it was easy, and 10% indicating it was very tough. Accessing government officials proved even more difficult, with 82% of journalists reporting challenges, compared to only 18% who said it was easy. These figures suggest that there is a need for a focused effort to address this ongoing issue, particularly as it pertains to media freedom, freedom of expression, and digital rights.

Another key area of concern highlighted by the study is the regulation of digital rights. Bloggers overwhelmingly (84%) expressed opposition to government regulation of online content, fearing that it could infringe on their freedom of expression. This sentiment was echoed by civil society, which emphasized that citizens should be allowed to express themselves freely within the confines of the law. Additionally, 94% of bloggers felt that the government is not doing enough to protect digital users, highlighting a major gap in the protection of digital rights.

Opposition political parties were also given the opportunity to weigh in on the current state of media freedom, freedom of expression, and digital rights. Three out of four political parties expressed concern that the measure of freedom of expression was quite low. They pointed out that a healthy democracy requires the tolerance to hear divergent views from opposition parties and citizens alike. The opposition's role is not solely to oppose but to provide alternative solutions and serve as a check on the ruling government. This responsibility is essential in upholding freedom of the press and the rights of the general population.

In summary, respondents in the study stressed the need for improved protection of journalists and the promotion of free speech, as journalists play a crucial role in disseminating information and fostering justice. To improve the state of media freedom, freedom of expression, and digital rights in Zambia, a multifaceted approach is needed. This includes legal reforms, promoting media independence, enhancing digital rights protections, and creating a supportive environment for civil society organizations. Moreover, the government is urged to implement fair media regulations that protect free speech both online and offline, uphold human rights, and actualize key laws such as the Access to Information (ATI) law.

Recommendations

Based on the study presented for the period January to June 2024, the following are recommendations put forward for follow-up:

ZAMBIA POLICE SERVICE:

- There is need to develop and embed specialized training programs for law enforcement officers in their training curriculum on protecting journalists, bloggers, and activists to foster a culture of media protection and to enhance freedom of expression and the role of the media in good governance.
- Need to create a dedicated media protection unit within the police force that responds to cases of harassment or intimidation against media workers.
- Need to build trust between the public and law enforcement officers by ensuring officers respect democratic freedoms and uphold justice impartially by setting up independent review boards to investigate and act upon complaints of misconduct by law enforcement officers.

MINISTRY OF INFORMATION AND MEDIA:

- Due to the consistent challenge of access to information and accessing government officials by the Journalists, there is a need to expedite the implementation of the ATI Law and develop policies requiring government officials to provide requested information to the media and public promptly.
- Amend and enforce laws to ensure the protection of journalists, citizens, and clergy from harassment and intimidation.
- Establish oversight bodies that monitor law enforcement agencies' adherence to due process, particularly concerning media personnel and citizens expressing dissenting views.
- Develop and facilitate sensitization programmes of the public on accessing information using the ATI Law to enhance government transparency and accountability.
- Improve Digital Rights Awareness and Protection by conducting campaigns to educate citizens about their digital rights and provide clear guidelines on cyberspace regulations.
- Ensure that the Cyber Security and Cyber Crimes Act is enforced to protect digital rights rather than suppress freedom of expression.

MEDIA AND CIVIL SOCIETY IN DEMOCRATIC ENGAGEMENT:

- There is need for the media and CSO's to establish communication channels between law enforcement agencies and media organizations to facilitate peaceful and constructive interactions.

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MISA-ZAMBIA Freedom of Expression Open Spaces July to December 2023 Report

APPENDIX 1: QUESTIONNAIRE FOR JOURNALISTS



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 1
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!!



OPEN SPACES ZAMBIA INTERVIEW GUIDE FOR MEDIA ADVOCAY 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
4. What is the current number of years the stated field?
 - 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 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 B: 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 3: INTERVIEW GUIDE FOR POLITICAL PARTIES



Introduction

Greetings, my name is -----

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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 4: QUESTIONNAIRE FOR BLOGGERS



OPEN SPACES ZAMBIA QUESTIONNAIRE FOR BLOGGERS

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

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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

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
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 verify 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 sources?
 - a) Yes
 - b) No
15. Do you think your blogging affects the practice of traditional journalism?
 - a) Yes
 - b) No
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

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 -----

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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

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

APPENDIX 6: 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!

