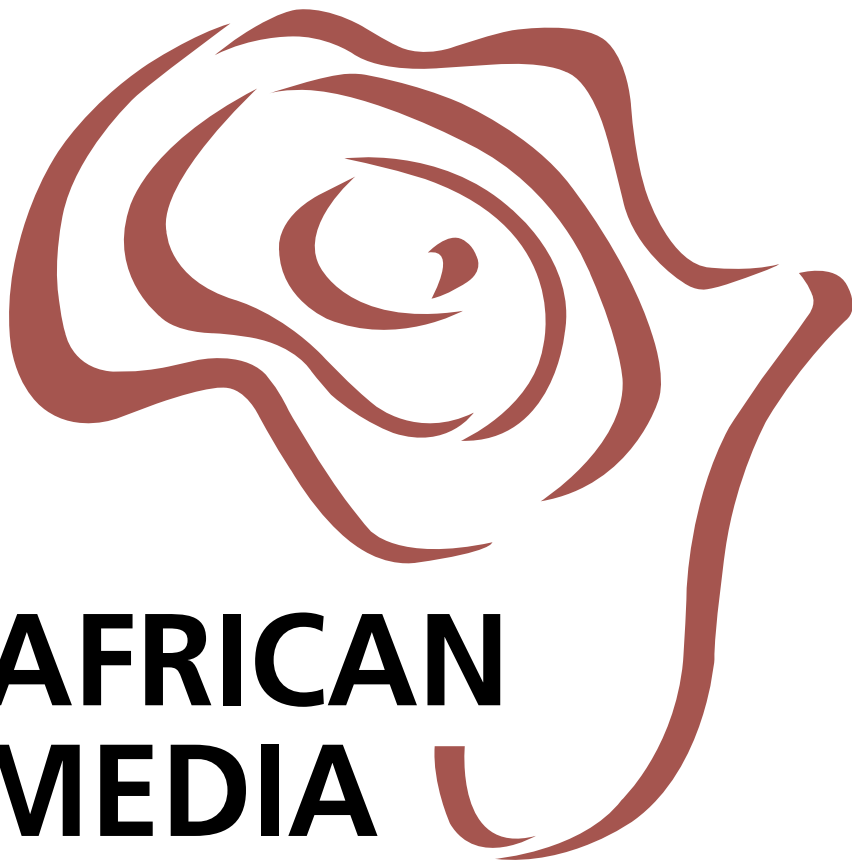


# AFRICAN MEDIA BAROMETER

A home-grown analysis of the  
media landscape in Africa

## ZAMBIA 2021



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media landscape in Africa

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The African Media Barometer (AMB) is a perception index. The findings, interpretations and conclusions reported are those of panellists drawn from civil society and media organisations for the purposes of conducting the AMB, and do not necessarily reflect the views and opinions of *fesmedia* Africa, the Friedrich-Ebert-Stiftung (FES) or the Media Institute of Southern Africa (MISA).



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# The African Media Barometer

The African Media Barometer (AMB) is an in-depth and comprehensive description and measurement system for national media environments on the African continent. Unlike other press surveys or media indices the AMB is a self-assessment exercise based on home-grown criteria derived from African Protocols and Declarations such as the Declaration of Principles on Freedom of Expression in Africa (2002) by the African Commission for Human and Peoples' Rights. The instrument was jointly developed by *fesmedia* Africa, the media project of the Friedrich-Ebert-Stiftung (FES) in Africa, and the Media Institute of Southern Africa (MISA) in 2004.

The AMB is an analytical exercise to measure the media situation in a given country which at the same time serves as a practical lobbying tool for media reform. Its results are presented to the public of the respective country to push for an improvement of the media situation using the AU-Declaration and other African standards as benchmarks. The recommendations of the AMB reports are then integrated into the work of the 20 country offices of the FES in sub-Saharan Africa and into the advocacy efforts of other local media organisations such as MISA.

## Methodology and Scoring System

Every three to four years a panel of 10-12 experts, consisting of at least five media practitioners and five representatives from civil society, meets to assess the media situation in their own country. For 1½ days they discuss the national media environment according to 39 predetermined indicators. The discussion and scoring is moderated by an independent consultant who also edits the AMB report.

After the discussion of one indicator, panel members allocate their individual scores to that respective indicator in an anonymous vote according to the following scale:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator

In 2009, 2013 and 2019 some indicators were replaced to align with changes in the media landscape. Consequently, in some instances, the comparison of indicators of previous reports is not applicable (n/a), as the indicator is new or has been amended considerably.

The sum of all individual indicator scores is divided by the number of panel members to determine the average score for each indicator. These average indicator scores are added up to form average sector scores.

## **Outcome**

The final, qualitative report summarises the general content of the discussion and provides the average score for each indicator. Panellists are not quoted by name in the report, in order to protect them from possible repercussions. The reports can be used as a tool for possible political discussion on media reform.

In countries where English is not the official language, the report is published in a bilingual edition.

In facilitating the AMB, the FES and MISA only serve as a convener of the panel and as guarantor of the methodology. The content of the discussion and the report is owned by the panel of local experts and does not represent or reflect the view of FES or MISA.

By the end of 2019 the AMB had been successfully completed 121 times in 32 African countries, in some of them for the sixth time already.

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*See above 32 AMB Countries (2005-2021)*

# African Media Barometer

## Zambia 2021

### Summary

Mere days before this national assessment, the government of Zambia enacted a controversial digital security law, the Cyber Security and Cyber Crimes Act of 2021, ostensibly to promote the 'responsible use of social media platforms'. The already treacherous environment for the operation of free and independent media has been dealt an overwhelming blow as this law is widely regarded by civil society to have a chilling effect on freedom of expression, media freedom and Zambians' right to privacy.

Civil society retaliated by launching a legal challenge calling for sections of this legislation to be declared unconstitutional. Local and international media freedom and digital rights advocates have pointed out that the Act falls far short of regional and international standards and instruments on human rights, such as the African Union Convention on Cyber Security and Personal Data Protection (Malabo Convention), which sets the standards for cybersecurity and personal data protection laws as well as capacity building, knowledge exchanges and experience sharing among signatories.

Nonetheless, it would appear that the Zambian government's actions are aligned with a broader regional (Southern African) approach to take pre-emptive measures against perceived external interference, the impact of fake news and abuse of social media, particularly in electoral processes. However, this is considered a pre-emptive strike to curb dissenting voices on social media ahead of the scheduled 2021 General Elections slated for 12 August 2021.

"They control print and broadcasting, but they have struggled to stake a claim in the social media space," a panellist declared, noting that the government's stated ambition is to control the social media space, especially Facebook. This is a strategic response to a steady growth in the use of social media in Zambia, which has spurred an appetite for expanded digital rights. However, through the digital security law, the government can now effectively police the use of social media, legalise spying on citizens and arrest free speech.

Nonetheless, some sections of Zambian society, particularly female politicians, have welcomed the law stating that it offers some level of protection for women from cyberbullying and gender-based violence online.

'The politics of belonging' is a phrase used recurrently by the panellists to describe the polarisation of Zambia on ethno-regional and political lines. This has not escaped the media, many of whom, for their own survival, have opted to sympathise with a certain political party for fear of reprisals. Panellists noted that these reprisals often manifest through acts of intimidation and unadulterated violence by party cadres, largely desperate and unemployed youths, who



constitute an informal police force that tyrannises citizens who do not toe the line or identify with the wishes of those with political influence.

Citizens and journalists not only have a fear of being arrested but also of being beaten by (party) cadres who “will attack you whether you have a media card or not,” a panellist claimed. Panellists referenced a 2020 attack by party cadres who stormed and threatened to burn down a radio station for hosting an opposition party leader on one of its broadcasts. According to panellists, the cadres operate on both sides of the political divide.

Zambia in general and the media specifically was not spared the wide-reaching impact of COVID-19. A flourishing media sector was brought to its knees; like elsewhere in the world, newsrooms shrunk, and print circulation dropped. Panellists expressed concern about the weakening of the media during a pandemic when access to information is a “matter of life and death” and, importantly, ahead of what is touted to be a historical election in Zambia’s history.

On 9 April 2020, Zambia’s broadcasting regulator, the Independent Broadcasting Authority, cancelled the broadcasting licence of Lusaka-based television station *Prime TV*. According to a statement by the authority, its decision was “in the interest of public safety, security, peace, welfare or good order”. Panellists, however, held the view that the decision was prompted by *Prime TV*’s critical reporting of government, particularly on Bill 10. In 2019, the Zambian government introduced the Constitution of Zambia (Amendment) Bill, No. 10 of 2019, otherwise known as Bill 10. They alleged that the Bill aimed at weakening oversight of the Executive by the Legislature, Judiciary and state institutions that provide checks and balances.

A murky relationship exists between the national broadcaster, the Zambia National Broadcasting Corporation (ZNBC) and the Independent Broadcasting Authority (IBA). Efforts to review the existing legislation that regulate the two bodies commenced in 2017 to bring the public broadcaster under the regulatory umbrella of the broadcasting authority.

Civil society organisations, particularly MISA Zambia, have been central to this lobby which they foresee as a measure to promote and establish an independent broadcasting regulator that will act in the public interest.

The IBA is mandated to collect a television levy, previously the role of ZNBC, ostensibly to enhance accountability of the Corporation.

The relationship between the regulator and ZNBC is further complicated by the broadcaster’s controversial 25-year joint venture agreement with Chinese digital television provider, *TopStar*. The joint venture, which was initiated to facilitate digital migration of the national broadcast, affords *TopStar* a 60 percent share in the joint venture. This has irked other private broadcasters as *TopStar* appears to be playing a dual role of content distributor and provider, thus effectively creating a monopoly and unsustainable environment for local non-state broadcasters.

Journalists, particularly those working in private media, are subjected to poor working conditions. They generally earn much lower than their counterparts in the public media, making them more susceptible to ethical breaches and self-censorship, which panellists noted are commonplace and cause declining trust in the media.

A survey conducted by MISA Zambia established the average salary range of journalists as being between ZMK1,000 and ZMK3,500. As a comparison, the living wage in Zambia is ZMK8,000 (US\$440) a month for a family of five. Whilst unions have not proven very effective in improving the working conditions of journalists, panellists noted that the new co-regulatory framework has opened doors for discussions on the possibility of establishing a minimum wage for media workers.

*The panel discussion took place at the Protea Safari Lodge, Chisamba, Zambia from 26-28 March, 2021.*





# SECTOR 1:

Freedom of expression, including freedom of the media, is effectively protected and promoted

## 1.1 Freedom of expression, including freedom of the media, is guaranteed in the constitution and supported by other pieces of legislation

The Zambian Constitution (as amended in 2016) states that 'no person shall be hindered in the enjoyment of his freedom of expression' (20-1). In particular, Article 20-2 makes note of the concept of freedom of the press and that 'no law shall make any provision that derogates from freedom of the press'.

Article 50 of the constitution also gives the media the mandate to cover political parties during elections without restriction. The Electoral Process Act of 2016 (7-9) tasks the media to cover elections.

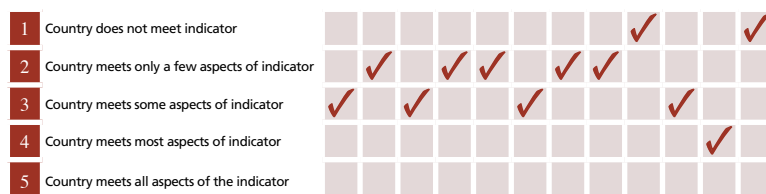
There are also pieces of legislation that support other aspects of freedom of the press, including protection of whistleblowers under the Public Interest Disclosure Act (2010).

However, there are clauses in the constitution, particularly regarding security, which fundamentally compromise these provisions of freedom of the press.

Although Zambia has good prescriptive documents, such as the constitution, there is a disconnect between what the law prescribes and what happens in practice. Respect for the rule of law is sometimes absent.

### Scores:

#### Individual scores:



#### Average score:

2.3

Score of previous years:

2017 = 3.0

## 1.2 The right to freedom of expression is practised and citizens, including journalists, are asserting their rights without fear

Citizens fear to express themselves because of the laws that restrict freedom of expression.

However, it is a complex issue because there are "two types of citizens". Some are free to express themselves without being arrested. But there are those who are arrested when they utter something. This divide is based on political affiliation. "If you support the incumbent regime, you will be fine."

Even journalists in the public media have some sort of freedom, even to defame people in their news. However, private media can be closed at any time. Those who are critical have to practice this freedom with caution; others can practice it carelessly.

So certain media houses will report the truth without censorship, even though it is dangerous for them, and some courageous citizens say what needs to be said. But essentially, it is a matter of being politically correct.

Citizens and journalists not only fear arrest but also being beaten by cadres who "will attack you whether you have a media card or not".

This fear has increased with the passing of the Cyber Security and Cyber Crimes Acts. Now, if you talk to a politician, the journalist will censor how that story should be published or broadcast. If you are from public media, the journalist can report based on what he is thinking at a particular time. The person from private media will look at it differently. This fear will increase, especially as Zambia moves towards elections.

"You don't know what you can write today might lead to an inspector knocking on your door in the morning confiscating your laptop or phone."

This has generated a 'spiral of silence' because of the politics of belonging. If you sympathise with a certain political party, you fear reprisals. This spiral of silence also extends to media houses. They know who to promote and who not to. If you are not in favour, you might be excluded from the media spotlight.

Women experience more attacks, not only on their integrity but also on the way they look. People make comments on a politician's appearance and whether or not they are divorced. This deters women from being in public life and speaking out openly.

### Scores:

**Individual scores:**

[illegible]

**Average score:**

## 2.1

Score of previous years:

2017 = 2.4

### 1.3 There are NO legal restrictions to freedom of expression or laws that interfere with the functioning of the media

Articles 20-2 and 20-3 of the constitution note circumstances in which freedom of expression can be curtailed.

One example is the State Security Act, which was used to arrest an employee of the Ministry of Finance for disclosing what was essentially public information. The charge, brought under Section 4, Chapter 111 of the State Security Act, was subsequently ruled unconstitutional and is thus no longer part of Zambian law. Nonetheless, the laws on sedition also restrict freedom of expression.

Another restrictive law is The Penal Code (69), which criminalises matters such as defamation of the president, publication of false news and seditious practices. Such laws are not to fortify freedom of expression but to limit that freedom.

Other more recent legislation, such as the Cyber Security and Cyber Crimes Act of 2021, gives sweeping powers to ‘cyber inspectors’, who can inspect any premises (in violation of your privacy), seize equipment, and even install devices to intercept communications.

“These acts are devastating to freedom of expression and send a chilling effect into your bones.”

#### Scores:

##### Individual scores:

1	Country does not meet indicator	✓				✓	✓	✓	✓				✓		✓
2	Country meets only a few aspects of indicator		✓	✓						✓	✓		✓		
3	Country meets some aspects of indicator														
4	Country meets most aspects of indicator														
5	Country meets all aspects of the indicator														

##### Average score:

1.4

Score of previous years:

2017 = 2.3

### 1.4 Government honours regional and international instruments on freedom of expression and freedom of the media

Being a member of regional and international bodies such as SADC and the United Nations, Zambia has signed numerous instruments, including the Charter on Human and People's Rights.

However, such agreements have to be domesticated and become a national law before being applicable, and it is here where the country is lagging.

One example of conformity is the United Nations International Covenant of Civil and Political Rights which refers to the concept of freedom of expression. This is supported by the Zambian Constitution.

But other regional and international treaties have yet to be domesticated. In other jurisdictions, such agreements are automatically applied, but in Zambia, they must first be domesticated. Even if there is existing legislation, it has to be revised to conform with the new provisions.

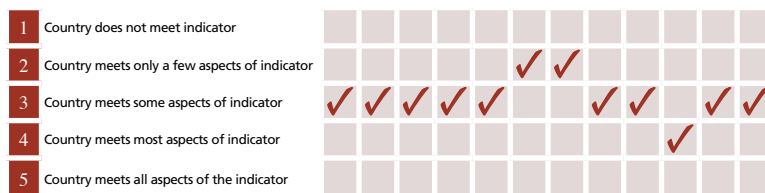
With the Gender Equity and Equality Act (2015), the drafters took many international aspects and incorporated them. But in terms of practice and implementation, the country is lacking. For instance, women's representation in parliament is only 18%. At council level, it is just 8%. 50% is considered to be the ideal.

In addition, a gender commission has not yet been established. Such a commission would have the power to go to any sector and enforce gender mainstreaming.

The SADC Principles and Guidelines Governing Democratic Elections is clear on how media coverage should occur, but there is no reference to this in the Zambian Electoral Process Act (2016).

## Scores:

### Individual scores:



### Average score:

2.1

Score of previous years:

2017 = 2.2

## 1.5 Print publications are not required to obtain permission to publish from state authorities

The Zambian Printed Publications Act (Section 5) requires one to register in order to publish. However, no permission as such is required from state authorities to publish, merely notification of the intention to publish. Copies of the publication must also be deposited with the national archives.

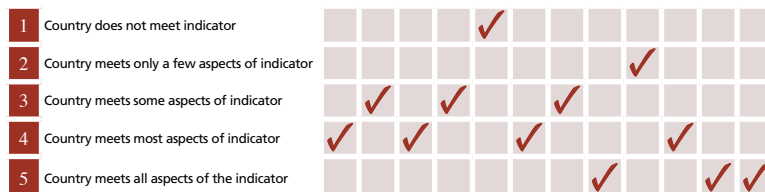
As long as the publication is not political, then there will be no restrictions. However, if one is critical of the government, they will look at one's taxes, whether the person is registered as a journalist, if they are regulated, etc. So, the law, in practice, impedes print media.

"Most people don't even know this law exists. Essentially you are fine as long as you are not critical of the government."



## Scores:

### Individual scores:



### Average score:

3.6

Score of previous years:

2017 = 3.8

## 1.6 Confidential sources of information are protected by law and/or the courts

The Public Interest Disclosure Act of 2010 does protect whistleblowers to some extent.

The provisions of the new Cyber Crimes Acts supersede existing laws, and therefore erodes provisions in the Public Interest Disclosure Act.

“In effect, the whistleblowers’ act has been watered down.”

It is now a provision that one must disclose the information (‘intercepted information’) that one receives. The new Act looks at disclosure of information and therefore puts pressure on internet service providers, who will have powers to intercept, record and keep certain data.

It is also now compulsory for all cell phone SIM cards to be registered. Some people have been arrested, traced through the details on their SIM cards. There are also concerns about the use of biometric data and facial recognition cameras, used without sensitising the public that they are being monitored in this way.

Some media houses will testify against their sources, such as the case of *Muvi TV*, which was asked to release the entire recording of what was said on air. The case involved a human rights activist who appeared on the Assignment current affairs programme and was arrested at the studio and charged under the Penal Code. Activist Paul Kasonkomona was subsequently acquitted in a High Court ruling by His Worship Lameck Ng’ambi in May 2015. Nonetheless, the Penal Code remains in effect, and its arbitrary use poses a threat to free expression.

### Scores:

**Individual scores:**

	1	2	3	4	5
Country does not meet indicator					✓
Country meets only a few aspects of indicator	✓	✓	✓	✓	
Country meets some aspects of indicator					✓
Country meets most aspects of indicator					✓
Country meets all aspects of the indicator					✓

**Average score:**

## 2.2

Score of previous years:

2017 = 3.9

### 1.7 Public information is easily accessible, guaranteed by law, to the public

It remains a struggle to get public information in Zambia. Even a student doing research, who looks for information from a public institution will battle. "You need to know how to outmanoeuvre them."

This stems from an ingrained culture of secrecy in public institutions. "Public servants are obsessed with secrecy."

On the other hand, there are cases where information is available, but people don't use it. "We only get excited about scandals, but no other information." A culture of information-seeking behaviour does not exist, so there is little demand from citizens to use the information that is currently available.

## Scores:

**Individual scores:**

[illegible]

**Average score:**

## 1.2

Score of previous years:

2017 = 13

## 1.8 Websites, blogs and other digital platforms are not required to register with or obtain permission from state authorities

Currently, there is no requirement for websites and blogs to be registered, but the government has signalled that there should be such licensing, as well as proposing digital tax on platforms such as Netflix. The tax will be on the data used by the consumer.

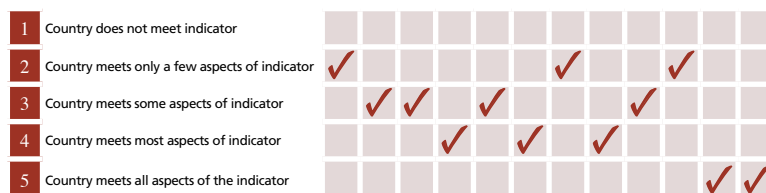
The government has stated that there was abuse, and this is the reason given for the various Cyber Crimes Acts to be tabled. The president has stated that he has gone through the Acts and is satisfied that they protect everyone.

The Acts extend to sites hosted outside the country, and there are also provisions for hearsay to be considered as evidence, even if outside the jurisdiction of the Zambian authorities. The accused will now face the full force of the law, even if just based on hearsay evidence.

In terms of domain names, Zambia has one of the lowest registration of local domains (.zm) because of a fear that the website might be closed down and disappear. In effect, it is mainly the government that uses the .zm domain name.

### Scores:

#### Individual scores:



#### Average score:

3.3

Score of previous years:

2017 = 4.2

## 1.9 The state does not seek to block or filter internet content unless in accordance with laws that provide for restrictions that serve a legitimate interest and are necessary in a democratic society, and which are applied by independent courts

There have been alleged cases of Facebook sites being blocked and filtered, and although an African Court judgement in Togo made it clear that it was illegal for African governments to filter content, the new Zambian Cyber Crimes Acts give powers to the Minister to regulate the internet. He/She even has the power to call for a total shutdown.

There can be justifications for such action, especially regarding pornography, but there is no official action in most cases. “Things are rather done quietly.” No reasons are given for Facebook sites being blocked, and people often only have suspicions as to why this has happened. It is not clear where the filtering is coming from. It could be the government, but it could also be a person’s complaint to Facebook that results in blocking a page or group.

It is also alleged that there is a major Chinese influence in the country, particularly concerning telecoms. Stakeholders have alleged that Chinese companies are conducting the development of infrastructure and surveillance.

The Cyber Crimes Acts have now dealt with issues of blocking and filtering internet content. Because of this, and even before introducing the new legislation, many Zambians host their websites outside the country (e.g. Transparency International) and often use VPNs (Virtual Private Networks) to access blocked sites.

### Scores:

**Individual scores:**

[illegible]

**Average score:**

17

Score of previous years:

 $2017 = 3.5$ 

### 1.10 Civil society in general and media lobby groups actively advance the cause of media freedom

MISA Zambia plays a major role in advocating to ensure freedom of expression is guaranteed and practised. But “it is regarded as a lone voice.”

The Media Liaison Committee (MLC) is a coalition of media organisations and associations as well as media interest groups. In addition, organisations such as Transparency International and the Zambian National Women's Lobby are active in the media field. But the concern is the sustainability of the advocacy and a lack of coordination of activities.

Another active organisation is Bloggers of Zambia (under Richard Mulonga), which has participated in campaigns to fight the Cyber Security and Cyber Crimes Act. They managed to mobilise organisations to provide them with training on developing capacity and becoming involved in the lobbying process.

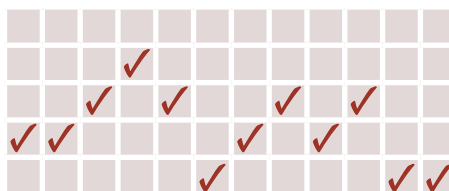
Most of the training was done online. This is a new development, with non-traditional media also being involved in this. GIZ also supports debate and lobbying around Access to Information.

The Media Freedom Committee for Zambia, in association with the World Association of Newspapers, is part of the Free Press initiative in various countries. It includes members from various media organisations, including journalists and editors.

## Scores:

### Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator



### Average score:

3.8

Score of previous years:

2017 = 4.1

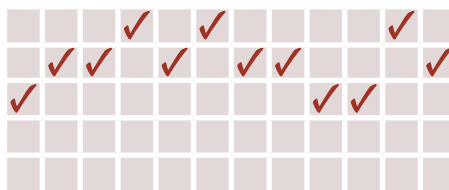
## 1.11 Media legislation evolves from meaningful consultations among state institutions, citizens and interest groups

Consultations do take place but are generally regarded as not meaningful. The Media Development Policy that was debated since 1996, for instance, was only adopted in 2021. It took a long time because of a lack of meaningful consultation.

## Scores:

### Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator



### Average score:

2.0

Score of previous years:

2017 = 3.2

### Overall Score for Sector 1:

2.4



## SECTOR 2:

The media landscape, including new media, is characterised by diversity, independence and sustainability

## 2.1 A wide range of sources of information (print, broadcasting, internet, mobile phones) is accessible and affordable to the public

There are currently over 150 radio stations in Zambia, a range of television stations and several daily newspapers.

However, with print media, affordability is the issue. Buying a newspaper is a luxury that few people can afford, and most newspapers are circulated in urban rather than rural areas. By the time the newspaper is printed, people have already accessed it online, especially in rural areas where it can take up to two days for a printed copy of a newspaper to arrive. There is also the issue of the language and literacy levels required to read a newspaper.

The number of copies being printed and distributed daily has also dramatically decreased, with newspapers previously having circulations of 20,000 now reaching fewer than 5,000.

Newspapers sell for as little as ZMK10 (US\$0.45). But with a loaf of bread costing ZMK15 (US\$0.70), that is an unaffordable luxury for most. "Print is suffering from a natural death – it is dying."

Radio is accessible, with numerous community radio stations providing the rural population with information. "Radios are everywhere." There are very few towns in Zambia which do not have a radio station, although there is little diversity in the content of these stations.

Most television stations are on the *Go-TV*, *DSTV* or *TopStar* bouquets, which require a monthly subscription. *TopStar* is a joint venture between the Zambian government and China. It has a wide reach, and the cost is ZMK30 (US\$1.60) per month for the cheapest package.

Mobile phones with access to the internet and Facebook are more accessible, but data bundles are expensive. E-papers also take up valuable space on a mobile phone.

There is also the challenge of recharging a mobile phone which, in rural areas, can be difficult because of electricity supply issues. Therefore, in rural areas, smaller and simpler phones are popular, but these don't allow full internet access. However, people can still use these basic phones to listen to FM radio.

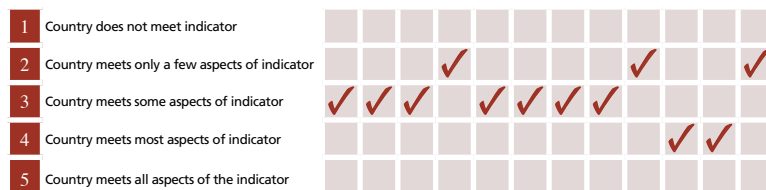
Internet access is increasing, with providers including MTN and Zamtel. The latter has installed over 900 towers in the northern rural areas, expanding coverage. There is also an experimental roll-out of 5G in the Copperbelt area.

Covid has had an impact on media sustainability. There has been a transformation towards online platforms. Although newspapers re-strategised to e-papers, these have not yet been received as a common product by the public, and people don't know how to buy them. They are also in a .pdf format, which is difficult for people to interact with.

Models for online publications differ. Some newspapers will allow full access to an online publication after 24 hours. But even if full access is allowed, one still needs data to access them. Most data packages have expiry dates and require regular renewal, and E-papers normally require regular monthly subscriptions.

## Scores:

### Individual scores:



### Average score:

2.9

Score of previous years:

2017 = 3.3

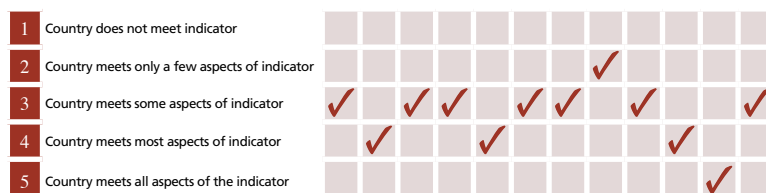
## 2.2 The public access to domestic and international media sources is not restricted by state authorities

*Prime TV* was a television station based in Lusaka which started operating in 2016. However, it was closed in 2020 by the regulator (the Independent Broadcasting Authority) because of an expired licence. However, because the station was often critical of the government, some feel that “the expiry of the licence was just an excuse to close it down”.

Other media houses are dependent on the content that they produce in order to survive. Some, such as *The Post*, were “muscled out of business due to political reasons”. Others, such as *News Diggers*, have received threats and often require the services of lawyers to protect them in the courts.

## Scores:

### Individual scores:



### Average score:

3.3

Score of previous years:

2017 = 4.7



### 2.3 The editorial independence of print and online media published by a public authority is protected adequately against undue political interference

The Zambia National Broadcasting Corporation (ZNBC) regards itself to be independent, with no cases of people "telling them what to do". There are never any directives directly from the Minister, for instance. Editorial content is controlled by the management, not the Minister. Nevertheless, there are issues of inadequate manpower and equipment to cover all stories.

The IBA does not regulate ZNBC, but there are internal policies that deal with professionalism. For example, although ministers will sometimes request a reporter they want to work with on a story, this is not allowed under the ZNBC policy.

The biggest problem is the polarisation of the media. The private media will look for one negative issue in a speech and focus on that. ZNBC will try to accurately reflect the full content of the speech.

Elsewhere, young journalists with critical minds who work in the real world of the newsroom, start by writing stories that are never published. They are then 'coached' to write their stories and ideas in a certain way. This is how censorship is internalised in newsrooms.

Because your productivity is often measured by the number of by-lines you generate each week, it creates insecurity amongst journalists if your stories don't appear.

Allegations were made that there are even 'committees' that 'appoint journalists' to cover certain ministers. These journalists are then also paid certain extra allowances, in some cases given in US dollars, to cover these events.

Nevertheless, the president recently made it clear that no journalist should get any such 'fringe benefits' from ministers.

### Scores:

**Individual scores:**

[illegible]

**Average score:**

## 2.1

Score of previous years:

2017 = 1.6

## 2.4 Transparency of news media ownership is guaranteed by law and enforced

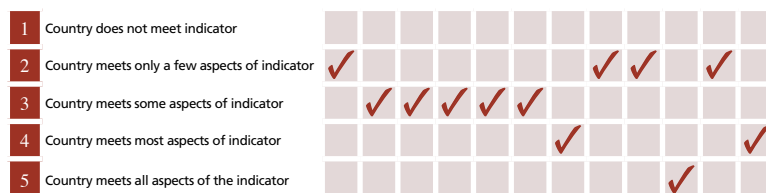
With traditional media houses, ownership can be traced through the Patents and Companies Registration Agency. In addition, the Companies Act (2017) was revised to ensure that the 'human beneficial owners' now need to be specified when registration takes place.

However, there remain some media companies where the directors are merely 'fronts', and the people who actually finance and control the company don't appear on the register.

With online media, it is a lot more difficult to trace who owns and sponsors them.

### Scores:

#### Individual scores:



#### Average score:

3.0

Score of previous years:

2017 = 4.7

## 2.5 Adequate legislation/regulation seeks to promote competition and prevent media concentration and monopolies

There is a Competition and Consumer Protection Commission in Zambia, as well as a tribunal to deal with issues on anti-competitive practices.

However, there is nothing specific addressing the ownership of media houses in Zambia. It has been left to political-economic power to own this. So, the government has substantial control over television and radio stations, as well as newspapers.

Regarding legislation, it exists to promote competition and to manage monopolies. One area where competition would be welcome is broadcasting, where ZNBC should fall under the IBA to be regulated on a level playing field.

As long as there is a restriction on this, ZNBC has a monopoly, and it becomes difficult for fair competition among the media houses to be in this space.

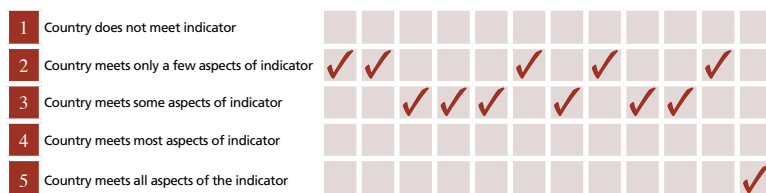
There is also a blurring between a 'carrier' and 'content provider'. Many of the carriers of programmes (such as *TopStar* or *MultiChoice*) are also makers

of television programmes (content providers). IBA has issued a carrier licence and content licence, although the Act does not allow this. This enables them to essentially monopolise both areas.

In addition, a private station wishing to broadcast on these platforms can be further disadvantaged by being downgraded from a High Definition (HD) signal, meaning their channels will not look as professional as others.

## Scores:

### Individual scores:



### Average score:

2.8

Score of previous years:

2017 = 3.2

## 2.6 Government promotes a diverse media landscape with economically sustainable and independent media outlets

Before 1991 there was a limited choice of broadcasting stations. Now, this has expanded, but whether the plethora of broadcasters is economically sustainable is debatable. It is believed that the mushrooming of community radio stations cannot be sustained, and that many will fold over time.

Apart from ZNBC, television and commercial/community radio stations are licensed through the IBA, whose mission is to promote a plural and diverse media

A film policy is in place, providing Zambian film producers with funds to produce local films. Local producers then will give this content to local carriers such as *TopStar*. However, they will then say there is not enough revenue and even ask the producers of the content to pay for it themselves.

The Zambia Revenue Authority lists exemptions on importing broadcasting equipment, but they are very specific. For instance, with a radio station, they will refer only to the microphone and mixer as tax-exempt. If you have imported an amplifier for your station, they will then demand tax on that. They have come up with very specific lists of items that are included and excluded for tax purposes.

There is also a department – the Press and Media Development Department (PMD) within the Ministry of Information and Broadcasting Services. However, it is not entirely clear what their activities are.

### Scores:

**Individual scores:**

[illegible]

**Average score:**

## 2.3

Score of previous years:

2017 = 3.1

## 2.7 All media fairly represent the voices of all gender

Gender is not fairly represented. Most coverage of women is negative. One example was coverage of a by-election with three candidates – one female and two males. The female was on an independent ticket. The coverage focused on the two males, but when one of the male candidates brought up a ‘scandal’ regarding land, only the female candidate made headlines.

Journalists will say they are working on tight deadlines and ignore female sources who “need time to get ready” for an interview. “Women have to understand that journalists work under those deadlines.”

Consultants have been engaged by the women's movement to draw up a policy to assist journalists in understanding gender issues and that men and women operate differently. The policy guides were launched recently.

The media also fails in explaining how issues affect men and women differently. In covering the budget, the news will discuss overall figures but not specific details on how it will affect men and women.

The *Daily Mail* has a regular gender page with specific journalists who write on gender issues, but this is not mainstreamed content.

### Scores:

**Individual scores:**

Indicator	1	2	3	4	5
Country does not meet indicator					
Country meets only a few aspects of indicator	✓	✓	✓		
Country meets some aspects of indicator				✓	✓
Country meets most aspects of indicator					✓
Country meets all aspects of the indicator					

**Average score:**

## 2.4

Score of previous years:

2017 = 3.2

## 2.8 All media fairly represent the diversity of voices of society

The media are diverse, and many voices are represented. If one media house doesn't cover you, there are others you can go to. However, some media houses have specific target audiences.

Regarding the coverage of women, youths and children, media pay less attention to these sections of society. Women often make headlines as wives of ministers or the president, while youths rarely make headlines.

In covering LGBTQI issues, the community often doesn't come into the open because their activities are currently illegal and the social and cultural stigma. However, some bloggers write on LGBTQI issues, receiving international coverage.

The constitution denotes Zambia as a 'Christian' nation, and there are core values of 'morality and ethics'. The church is seen as being anti-LGBTQI issues and was outspoken against gay rights during the constitutional amendments of 2020, so these activities are still perceived as 'not Christian and not moral'.

### Scores:

#### Individual scores:

1	Country does not meet indicator							✓				✓	
2	Country meets only a few aspects of indicator	✓		✓	✓	✓	✓			✓			
3	Country meets some aspects of indicator		✓										✓
4	Country meets most aspects of indicator						✓						
5	Country meets all aspects of the indicator										✓		

#### Average score:

2.4

Score of previous years:

2017 = 2.8

## 2.9 Media cover the full spectrum of economic, cultural, political, social, national and local perspectives including through investigative reports

Certain media houses such as *News Diggers* focus on investigative reporting and are engaged in ongoing training for investigative journalists, but this is a rarity. Some of the reasons why there is so little coverage elsewhere include a lack of resources and low staffing levels. In this regard, Covid has had an impact on newsrooms that are generally cutting staffing levels. Most newsrooms do not have a dedicated investigative desk.

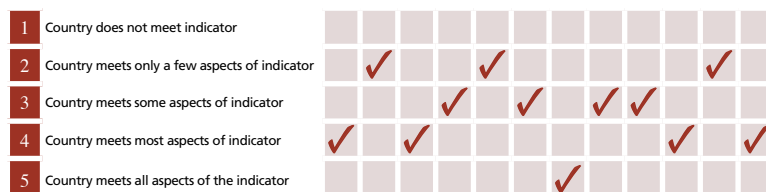
In terms of public media, there are problems when reporting on the economy. Only 'positive' economic issues are covered. When it comes to politics, "political

perspectives have to be oriented so that the government is not put in a bad light”.

Public media will also not talk about problems with the economy – they only focus on positive economic issues. On the other hand, certain media houses only focus on anti-government stories and cover stories on how badly the economy performs.

## Scores:

### Individual scores:



### Average score:

3.3

Score of previous years:

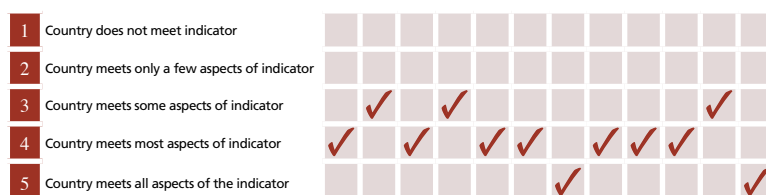
2017 = 2.7

## 2.10 Private broadcasters deliver a minimum of quality public interest programmes

Radio stations discuss many issues affecting people and cover issues of public interest. The IBA also has a series of guidelines that require broadcast licence applicants to produce a certain minimum amount of local content.

## Scores:

### Individual scores:



### Average score:

3.9

Score of previous years:

2017 = 4.3

**2.11 The country has a coherent and comprehensive ICT policy framework and/or the government promotes and implements measures, which meet the information needs of the public, including underserved communities**

There is a great deal of law reform currently taking place in the ICT sector. However, the discussion mainly takes place at the government level and ignores other relevant actors.

The existing ICT Policy Framework is not comprehensive and is currently being updated. It currently doesn't even mention the aspect of mobile phones.

There is also the Data Protection Act and Electronic Communications and Transactions Act.

With regard to public access, there are still many places with no internet access or even access to ZNBC radio. In some border areas, people will even listen to Namibian radio stations for information.

The Cyber Crimes Acts “were rushed”, and there were many aspects that should have been under discussion since 2006.

### Scores:

**Individual scores:**

[illegible]

**Average score:**

## 2.5

Score of previous years:

2017 = 2.9

## 2.12 Government does not use its power over the placement of advertisements as a means to interfere with editorial content

Although usually nothing is committed on paper that prevents government advertising, it is essentially done verbally. "There are no official directives because they are scared of such written directives."

*Prime TV* was an example of a government ban on advertising in 2010, in which guidelines stipulated that no business was to be done with this television station. Unusually, this was done in writing. Previously there was also an advertising and purchase ban on *The Post*.

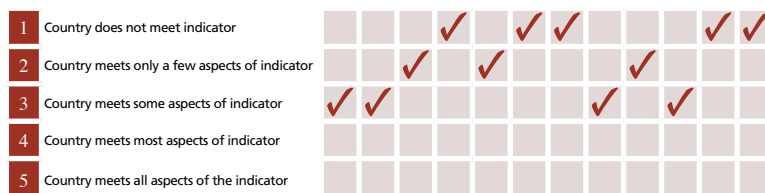
Independent publications such as *News Diggers* and *The Mast* are very thin (as little as four pages) compared to the government-supported *Daily Mail*, *Times* and *Daily Nation*, which can be up to 20 pages and are full of advertisements.

"The public's appreciation of the media's ideological positions is very low." If people are told that a certain private radio station shouldn't be supported, they will obey that order.

There are other publications, such as *The Mast*, which are owned by politicians. Their headlines will, of course, focus on the Socialist Party because the newspaper is owned by the wife of the party leader.

## Scores:

### Individual scores :



### Average score:

1.9

Score of previous years:

2017 = 2.3

## 2.13 The size of the advertising market can support a diversity of media outlets

The IBA has issued numerous licences to television stations. But when a television channel wishes to be distributed via a platform such as *TopStar*, they will be charged ZMK375,000 (US\$17,000) a month for the privilege.

The major advertisers in the country are telecoms providers, banks and manufacturing companies. Fighting for this revenue are over 150 radio stations, several newspapers and over 45 television stations.

The result is that Zambia's small advertising market mostly wants to please the government, and so 80% of the advertising budget will go to government media, with only the remaining 20% shared across private media.

It was claimed that even all advertising in the country could not support even one ZNBC television channel, even though their rates are comparatively low. Even ZMK1,000 (US\$45) for an advertisement is a lot for a non-governmental organisation to spend on advertising.



## Scores:

**Individual scores:**

[illegible]

**Average score:**

## 1.8

Score of previous years:

2017 = 2.2

**Overall Score for Sector 2:**

## 2.7



## SECTOR 3:

Broadcasting regulation is transparent and independent; the state broadcaster is transformed into a truly public broadcaster

### 3.1 Broadcasting legislation is passed and is implemented, and provides for a conducive environment for public, commercial and community broadcasting

The law does provide for a conducive media regulatory environment.

Two main acts regulate broadcasting in Zambia. The IBA Act regulates private commercial and community broadcasters, but ZNBC (the public broadcaster) has its own Act and remains unregulated by the IBA. However, this is changing. There have already been amendments to the IBA Act, and currently, for instance, they are facilitating the collection of the television levy, which used to be done by ZNBC.

Different types of radio stations can be licensed, including commercial, religious or community.

But when stations start operating, there can be issues with a community station, for instance, changing programming to operate as a commercial station because they need to generate extra funding for sustainability. It is important for the IBA to regulate this so that stations stick to their licensing conditions.

The IBA is perceived to favour the authorities rather than the broadcasting stations.

There have been issues of stations not getting a licence or other stations not receiving a licence to broadcast nationwide. Some radio stations were shut down, and had to reapply for new licence conditions or renew their licence under a new name. For those who are perceived to be anti-government or politically incorrect, getting a licence is difficult.

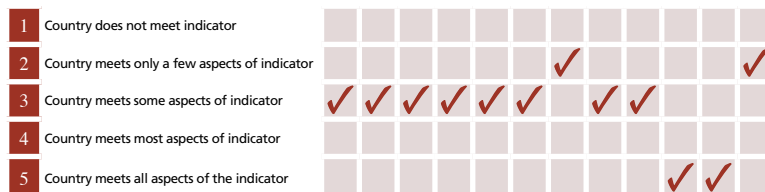
“The IBA has been used to harass media houses that don’t seem to ‘toe the line’.”

There are conditions and obligations for radio stations, and if one can follow these, then the IBA cannot shut down a station. Some stations, such as *Radio Phoenix*, have existed for many years but have never been closed because they follow the guidelines.

There are also new developments that circumvent the IBA regulations. For instance, broadcasting online has, theoretically, an unlimited radius, and stations can broadcast not just nationwide but globally. Currently, the IBA has no power to regulate online channels.

## Scores:

### Individual scores:



### Average score:

3.2

Score of previous years:

2017 = 4.0

## 3.2 Broadcasting is regulated by an independent body adequately protected against interference by law, and whose board is appointed in an open and transparent manner involving civil society and is not dominated by any particular political party

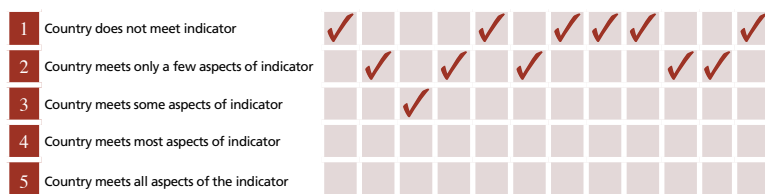
The Minister of Information and Broadcasting fully controls the IBA. The body is not appointed openly and transparently, and it is perceived to be dominated by the ruling party sympathisers.

The Act itself is porous. The Board is appointed directly by the Minister with no public involvement. Originally, the Act proposed an appointment committee where names would be taken to parliament for approval. But these provisions were abolished in 2010, and the Minister now makes the appointments at his or her sole discretion. Even when a parliamentary committee made recommendations on the rejection of certain proposed members, parliament would nevertheless go ahead and appoint them based on a simple majority.

Nevertheless, MISA Zambia is allowed a platform to give an opinion on the selection process, and sometimes an input is adopted, but more often it is rejected.

## Scores:

### Individual scores:



### Average score:

1.6

Score of previous years:

2017 = 2.4

### 3.3 The body regulating broadcasting services and licensing, does so in the public interest and ensures fairness and a diversity of views broadly representing society at large

The IBA does not operate in the public interest but in a sectoral interest with a regulatory mandate. “Many stations have broken regulations and never been closed, but when a private station does it, it is closed down.”

The issue of Covid meant that media was supposed to run free advertising in the public interest, but other stations were paid to broadcast such announcements.

The closure of *Prime TV* was raised as a case in point. The station allegedly refused to provide pro bono messages about Covid in an open forum, and the Managing Director was outspoken on this refusal. A short while later, their licence was revoked.

The station was closed due to ‘misconduct on national security reasons’, but no specific particulars were given. However, the state paid a minimal fee to broadcast media houses across the country for assisting in airing the Covid-19 messages through the IBA.

#### Scores:

##### Individual scores:

1	Country does not meet indicator	✓				✓		✓	✓	✓			✓
2	Country meets only a few aspects of indicator		✓	✓	✓		✓						✓
3	Country meets some aspects of indicator												
4	Country meets most aspects of indicator											✓	
5	Country meets all aspects of the indicator												

##### Average score:

1.7

Score of previous years:

2017 = 2.0

### 3.4 The state/public broadcaster is accountable to the public through an independent board which is representative of society at large and selected in an independent, open and transparent manner

The appointment of the ZNBC board is similar to the process for the appointment of the IBA board. At one stage, the entire board was dissolved. Then, the Permanent Secretary of the line ministry and the Director-General made up the board for two years.

The Auditor General's report on public institutions then raised the issue of loans. Both *TopStar* and ZNBC were involved. Later the decisions of this ‘two-man

board' in this regard were secretly reversed. Positions were also changed under this 'board' but were later reversed.

## Scores:

### Individual scores:

1	Country does not meet indicator	✓			✓	✓	✓	✓	✓	✓	✓		✓	✓
2	Country meets only a few aspects of indicator		✓	✓									✓	
3	Country meets some aspects of indicator													
4	Country meets most aspects of indicator													
5	Country meets all aspects of the indicator													

### Average score:

1.3

Score of previous years:

2017 = 1.8

## 3.5 The editorial independence of the state/public broadcaster from political influence is guaranteed by law and practised to ensure balanced and fair news and current affairs programmes

The law says that ZNBC is autonomous, but whether or not this is the case is debatable. "In practice, there is a lot of political influence editorially."

Generally, the accepted order of the ZNBC news bulletin will be first the president, then Vice-President, then the ministers, etc. In fact, the editorial guidelines of ZNBC speak of ministers being a priority in covering news. You will hear nothing about the opposition, just what the ruling party is doing. "The news on ZNBC should be balanced because this is taxpayer's money."

But ZNBC also faces restraints in its reporting. If, for instance, there are only three reporters and the president and ministers are doing activities, then one has to send a camera and reporter to cover these events. Obviously, the president receives priority.

Sometimes, ZNBC crews are chased away at opposition events. There was even a case where a reporter had to hide in a police station. The ZNBC are reluctant to risk personnel and equipment in this way. "The political environment is such that unfortunately ZNBC becomes demonised."

But other panellists noted an omission of context in this view. The reason ZNBC reporters were chased away was that people who were interviewed at the event were never seen on screen. "People at opposition rallies feel that they are being mocked by the presence of ZNBC."

Female members of the opposition tend to get good coverage by ZNBC, but only if invited by women's organisations. The concerns about ZNBC also extends to religious functions, where it was felt that the essential parts of an event are not covered.

An interesting development is *Parliament TV*, a television channel operated directly by the Zambian parliament. The majority of staff are employed full-time directly by parliament. It has national coverage through the *DSTV* and *TopStar* carriers and also uses one of the ZNBC channels.

## Scores:

### Individual scores:

1	Country does not meet indicator	✓				✓	✓	✓	✓	✓				✓	
2	Country meets only a few aspects of indicator		✓									✓			✓
3	Country meets some aspects of indicator			✓									✓		
4	Country meets most aspects of indicator														
5	Country meets all aspects of the indicator														

### Average score:

1.6

Score of previous years:

2017 = 1.4

## 3.6 The state/public broadcaster is adequately funded in a manner that protects it from political interference through its budget and from commercial pressure

Income from advertising is insufficient to cover the operational budget at ZNBC. In addition, the television levy provides for less than 10% of ZNBC's financial requirements. ZNBC salaries are generally paid through commercial income and, to some extent, the television levy.

In fact, since 1991, when ZNBC changed from being a government department to a state-owned enterprise, there has been no provision in the annual national budget for funding ZNBC, although, by law, they should still be receiving a grant.

However, because of Covid, ZNBC does now get a government grant to ensure coverage on the pandemic. ZNBC also receives an income from masts that are rented out to commercial and community broadcasters.

There are, however, still large debts owed by ZNBC, and these are annually written off by parliament or are treated as 'debt swaps'. And, despite ZNBC pleading poverty, in one case, a political party who wanted to advertise on ZNBC had to get a court order to force ZNBC to accept money for the advertisement.

The government, however, does fund capital projects. Therefore, ZNBC has new well equipped studios, funded by the government.

The television levy is supposed to develop the broadcast industry in Zambia and not just ZNBC.

Therefore, in trying to make it accessible to all, the levy collection was moved to IBA. The idea is to make it a subscriber base, so the regulator was better positioned to collect money and distribute it more fairly. The TV levy is also collected through money from *MultiChoice* and *TopStar*.

Nevertheless, since 2008 private broadcasters have been asking how they could get access to some of the television levy funds, and the IBA has agreed to distribute the money to all stations on their books. However, this process has not yet started.

ZNBC also has shares in both *MultiChoice* and *TopStar*. The policy on digital migration also required the government to obtain a loan to develop digital technologies. It is a loan that will be paid back by *TopStar* (as a shareholder) over time.

## Scores:

### Individual scores:

1	Country does not meet indicator		✓	✓	✓	✓	✓	✓				✓	✓
2	Country meets only a few aspects of indicator	✓							✓				
3	Country meets some aspects of indicator											✓	
4	Country meets most aspects of indicator												
5	Country meets all aspects of the indicator									✓			

### Average score:

1.7

Score of previous years:

2017 = 1.8

## 3.7 The state/public broadcaster offers diverse programming and formats that cater for all interests, including local content and quality public interest programmes

ZNBC caters for seven local languages and is the only television station to offer sign language for the deaf.

The four television channels focus on education, religion, sport, community news, as well as local content and drama.

Therefore, very little of the overall content deals with politics, but people tend to focus on the main evening news bulletin. In fact, there are many diverse programmes in the overall schedule that are well balanced and cover varied interests.

However, other panellists pointed out that the main *TV 1* channel is the focus for Zambian viewers. “The general rule is that a television station is judged by its main news content each evening.”

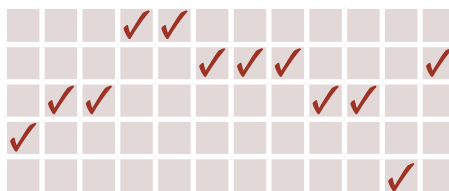


There have also been examples of anti-opposition programming on ZNBC. In the 2011 elections, there was a 'propaganda programme' broadcast for over three months highly critical of an opposition leader. The programme stopped only after ZNBC was taken to court.

## Scores:

### Individual scores:

1	Country does not meet indicator
2	Country meets only a few aspects of indicator
3	Country meets some aspects of indicator
4	Country meets most aspects of indicator
5	Country meets all aspects of the indicator



### Average score:

2.8

Score of previous years:

2017 = 2.1

### Overall Score for Sector 3:

2.0



## SECTOR 4:

The media practise high levels of professional standards

## 4.1 The standard of reporting follows the basic principles of accuracy and fairness

Standards of reporting are generally low, with many young journalists lacking experience and not possessing the background to handle political stories in particular. There is also a lack of specialisation, especially in the field of gender, and a general lack of training. “We lack the basic principles of journalism.”

Stories are published without the required balance of giving the ‘for’ and ‘against’ arguments or a story is either totally untrue or published without the relevant context. Sometimes an editor runs a story without balance, not even trying to get hold of the other party. They will even publish a paragraph stating (incorrectly) that ‘the person failed to respond’, just to protect themselves.

There is also sometimes a conflict of interest, with journalists “being paid to kill a story or paid to create a story. Simple rules in reporting are not being followed”.

On the other hand, the mainstream journalists are generally accurate and will check the stories and there are more trained journalists in the field than five years ago. But practice and training are two different things.

Also, private media such as *News Diggers* and *The Mast* do attempt to cover both angles in a balanced manner. They also strive to adhere to accuracy and fairness in court reporting.

There are cases of those quoted in a story changing their minds after realising that publication could be detrimental to them. To protect themselves, they will later claim the report was inaccurate. It is therefore vital for all journalists to record such interviews for legal purposes.

In fact, the print media in particular follows a strict process, with a story going through editor/sub-editor/proofreader, etc. Thus, it would be unfair to claim that reporters are ‘cooking up news’.

Journalists are also faced with plagiarism, with stories blatantly reproduced on various cross-cutting platforms from online to newspaper to radio, without any attribution.

There remain many untrained journalists in the industry. People are ‘posing’ as journalists who have never been to school nor trained. Even radio presenters (‘disk jockeys’) now call themselves journalists. “You don’t know who to trust anymore.”

There are also ethical issues. Some journalists will call without informing you that they are recording the phone call. The story comes out and what is in the story is not accurate – sometimes they will even change it to the angle they want.

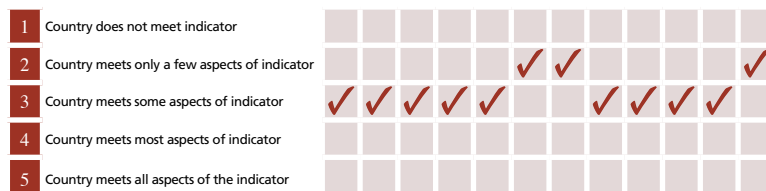
As a result, some sources are now demanding e-mailed questions before they are willing to respond.

There was a feeling that journalists were now operating in a different political/social/economic environment that has overpowered the practice and where the political/economic situation influenced the values of accuracy and fairness.

Court reporting can also be biased. A witness that provides evidence that is adverse to the government position will not receive coverage, but a witness on the side of the government will, even if that evidence is controverted in cross-examination.

## Scores:

### Individual scores:



### Average score:

2.8

Score of previous years:

2017 = 2.3

## 4.2 The media follow voluntary codes of professional standards, which are enforced by independent/non-statutory bodies that deal with complaints from the public

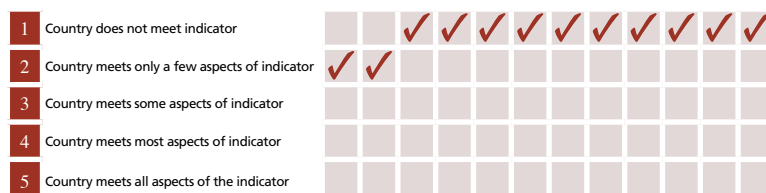
The IBA has a series of guidelines for licensed broadcasters.

There is no official code of conduct for journalists in Zambia, although it is 'under construction' through ZAMEC (the Zambia Media Council), a 'co-regulation body (combining statutory and self-regulatory mechanisms) for media regulation.

However, specific media organisations continue to also have their own policies and rules.

## Scores:

### Individual scores:



### Average score:

1.2

Score of previous years:

2017 = 2.1

### 4.3 Salary levels and general working conditions, including safety, for journalists and other media practitioners, are adequate

Salaries are generally low in the Zambian media. Some presenters on community radio stations only get ZMK20 (US\$1) a day. Most of these presenters, therefore, work just for experience. Journalists working at these stations can receive as little as ZMK240 a month (US\$13).

Within media organisations, there are always different salary levels, varying according to position and also between the media houses. An approximate entry-level salary for a private media reporter with an undergraduate degree could be approximately ZMK2,500 (US\$135) per month.

But with private media, the working conditions are very poor. “Someone worked for a TV station with no contract, and the salary depended on what the manager felt like paying – it was only between ZMK1,000 and ZMK3,000 per month.”

A recent survey by MISA Zambia of 250 journalists established the average salary range was between ZMK1,000 and ZMK3,500. Very few earned above that amount. Those working in the public media were paid better, in the range of over ZMK6,000 (US\$330) per month.

Conditions at the public media are better than private media because they have a union that fights for their rights. ZNBC works with job grades. The minimum entry salary in the newsroom is above ZMK8,000 per month (US\$440).

By comparison, the living wage in Zambia is ZMK8,000 (US\$440) a month for a family of five.

Many journalists in the private media have no contracts. They survive by refunds and transport allowances.

On the issue of safety, journalists are vulnerable. “Anything can happen to them at any time.”

During Covid, journalists were regarded as frontline workers, but management did not put in place enough precautions (sanitisers, face masks, etc.) to protect them. There were also cases of journalists wanting interviewees to remove masks when being interviewed so the ‘viewer could see their face’.

On the other hand, ZNBC is very strict about Covid regulations. Newsrooms are sanitised, and reporters are encouraged to keep their distance when interviewing sources.

But even in the public media, Covid has had an impact. Although the cost of living is rising, there have been no salary increments. Instead, working hours were decreased (which has had a negative impact on salaries). Short-term contract workers have also been released and voluntary separation packages offered for full-time staff.

In the print media, the number of pages in a publication has been decreased because of Covid. Revenue at these publications has been impacted negatively.

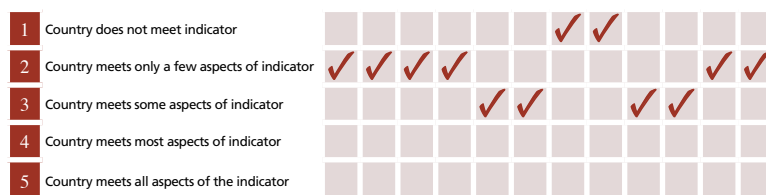
In the private media, with fewer regulations and structures, it was easier to dismiss staff who were not required and to encourage people to work from home. Some institutions also initiated 'compulsory leave days' during the pandemic.

There is also sexual harassment among young female journalists, especially private media institutions. You will be at the whim of the owner/supervisor, and if you refuse sexual favours, you can be fired. However, it was sometimes claimed the sexual harassment comes from the other side as well, with female journalists asking a male manager to buy them items of clothing, etc.

The fact that radio presenters can now also be seen online through studio cameras has also opened them up to online harassment and cyber-bullying.

## Scores:

### Individual scores:



### Average score:

2.2

Score of previous years:

2017 = 1.9

## 4.4 Journalists and other media practitioners are organised in trade unions and/or professional associations, which effectively represent their interests

The Zambia Union of Broadcasters and Other Information Disseminators (ZUBID) represents public broadcast media workers in the country.

Private media workers are not involved – they don't have contracts, and the owners are not willing to accept union membership. "If a person talks to a union, the next day they will be fired."

Media Owners Association of Zambia (MOAZ) represents the interests of media owners.

Journalists also belong to professional associations such as MISA Zambia, as well as the Zambia Bloggers Network (ZBN), the Press Association of Zambia (PAZA) and the Zambia Union of Journalists (ZUJ), which draws its membership from public print and broadcast media. The Zambia Media Women's Association

(ZAMWA) is a national media association for women journalists from the print, electronic media and communication sectors.

However, generally “the state of these professional bodies is poor, and most are limping”. They are dependent on donors, so when the donor pulls out, they collapse. With the forthcoming elections, there may be more support from donors during 2021.

Training is required for organisations to draw up proposals for funding. During Covid, there were many calls for organisations to apply for support and funding, but most failed to to apply because of complex requirements such as three-year audited reports (which many did not have).

### Scores:

**Individual scores:**

Indicator	1	2	3	4	5
Country does not meet indicator					
Country meets only a few aspects of indicator	✓	✓			
Country meets some aspects of indicator			✓	✓	✓
Country meets most aspects of indicator					
Country meets all aspects of the indicator					

**Average score:**

## 2.3

Score of previous years:

2017 = 2.9

#### 4.5 Journalists and media houses have integrity and are not corrupt

There have been no cases of journalists convicted for corruption. Integrity and corruption are sometimes difficult to measure. "There are just a few bad eggs."

However, corruption is linked to integrity. If your integrity is compromised, you can move towards corruption. It is 'receiving gratification or promise of gratification for someone to do something'.

An example of compromised integrity would be poor salaries and lack of transport. If journalists need money to cover the transport cost, then the media house is compromising the journalist. It creates a borderline conflict of interest or corruption.

Similarly, with poor salaries. If a journalist has a salary but is given extra money for a job they have already been paid for, that is also essentially corruption. Journalists are therefore compromised. The integrity of the final product (the story) will be compromised if it is informed by the inducement.

The problem is that "corruption is a very difficult crime to convict". Essentially you are dealing with "two satisfied clients". The one is happy to give the service, and the other is happy to receive it.

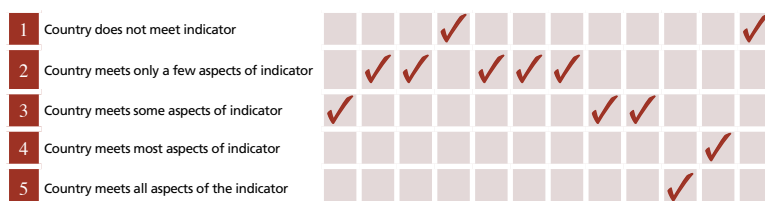
At *The Post*, the organisation catered for everything, so there was no need for extra money. Today most organisations don't provide that kind of arrangement, so the source has to provide the extra funding. Journalists are also working in a very tempting environment.

There may be cases when an editor receives a letter of invitation from an organisation stating that ZMK100 will be given to the journalist who covers the story. "That, however, is NOT corruption because it is transparent."

If an organisation writes a letter of invitation and notes that ZMK100 will be given to the journalist, that is not corruption because it is transparent. But if it is an unexpected gift, then that is corruption.

## Scores:

### Individual scores:



### Average score:

2.5

Score of previous years:

2017 = 2.9

## 4.6 All journalists and editors do NOT practise self-censorship

This affects private and public media, as well as online and offline.

There were feelings that self-censorship happened at public media organisations. "When you work for public media, you know whose interests you represent." So, reporters will take 'certain angles' on a story, and the cadres also think they have the right to tell ZNBC what to do. Self-censorship is "due to an invisible hand". In reality, the issues of political interference are very real.

There is also a new trend of cyber-bullying and hate speech. People are attacked online, and the attackers will hide behind pseudonyms on social media. "That anonymity is an indicator of fear."

When you are online, there is an 'invisible hand' that will make you fear to express yourself openly. "Essentially, what you see is a self-censored internet."



## Scores:

### Individual scores:

1	Country does not meet indicator				✓		✓	✓						✓
2	Country meets only a few aspects of indicator	✓	✓			✓				✓	✓	✓	✓	
3	Country meets some aspects of indicator													
4	Country meets most aspects of indicator													
5	Country meets all aspects of the indicator			✓										

### Average score:

1.9

Score of previous years:

2017 = 1.9

## 4.7 Media professionals have access to training facilities offering formal qualification programmes as well as opportunities to upgrade skills

There are training institutions, both public and private, that offer media training. These include the University of Zambia, Evelyn Hone College and several private universities. The Zambia Institute of Mass Communication (ZAMCOM) also offers tailored courses.

However, access to courses is a concern because of cost. There are also challenges because the staff at a media house can't be released for extended periods to complete a diploma or degree.

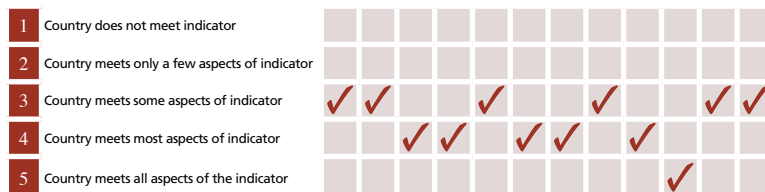
Curriculum reviews at training institutions generally invite media professionals to inform curriculum development.

During Covid, there were challenges in balancing theoretical and practical training at academic institutions. Because students were not physically present, there was more focus on theory and less practical training.

To overcome this, MISA Zambia has adopted the online space for training and advocacy and was able to take advocacy activities online. Nevertheless, online training and video conferencing remain challenging due to communication issues, participants not understanding the technology, a lack of access to data, and load shedding.

## Scores:

### Individual scores:



### Average score:

3.6

Score of previous years:

2017 = 3.4

## 4.8 Equal opportunities regardless of race or ethnicity, social group, gender/sex, religion, disabilities and age are promoted in media house

Equal opportunities have not generally been provided in media houses, and therefore there are few people with disabilities working in this environment. There are challenges with infrastructure, such as the lack of elevators, that also hinder those with physical challenges.

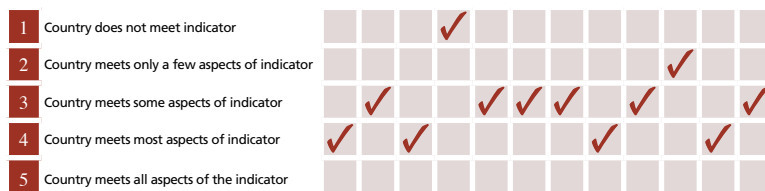
In terms of gender balance, there are now news editors and other senior positions in the industry occupied by women. However, most are in middle management, and there are very few at the top level, such as board representation. There is a glass ceiling that remains at top management. There is also poor recognition given to women who produce stories.

All religions are represented, but perhaps not in equal measure. Christians are given most of the representation.

All people are encouraged to apply, but organisations still fail to have affirmative action policies to encourage those from minority groups to become employed.

## Scores:

### Individual scores:



### Average score:

3.1

Score of previous years:

2017 = 3.3

### Overall Score for Sector 4:

2.4

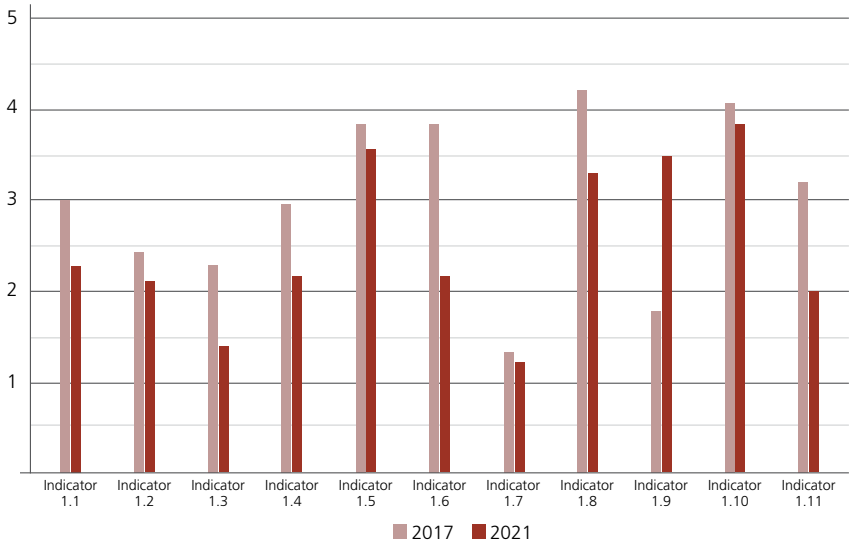




# COMPARATIVE GRAPHS

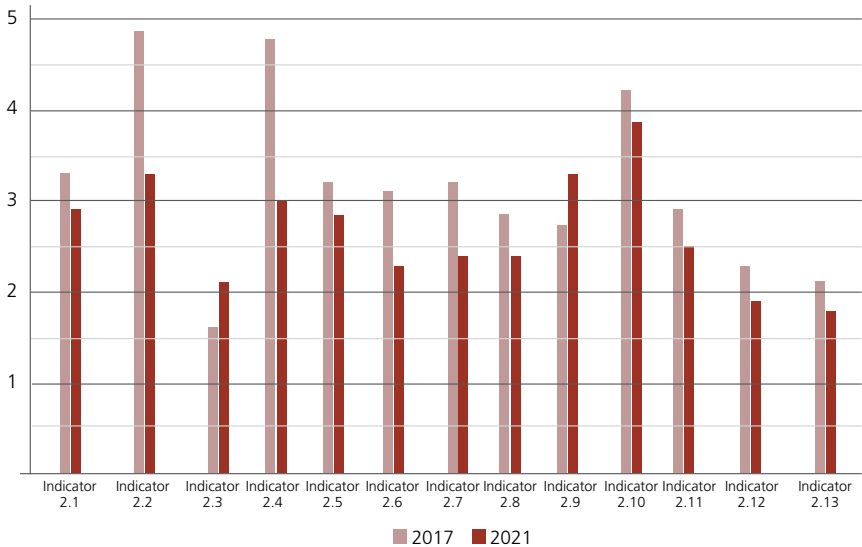
SECTOR 1:

Freedom of expression, including freedom of the media, is effectively protected and promoted



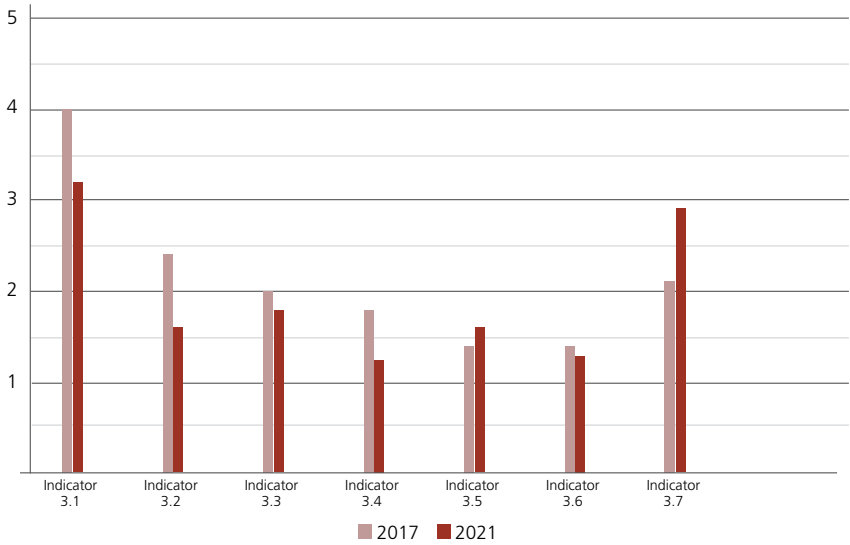
SECTOR 2:

The media landscape, including new media, is characterised by diversity, independence and sustainability



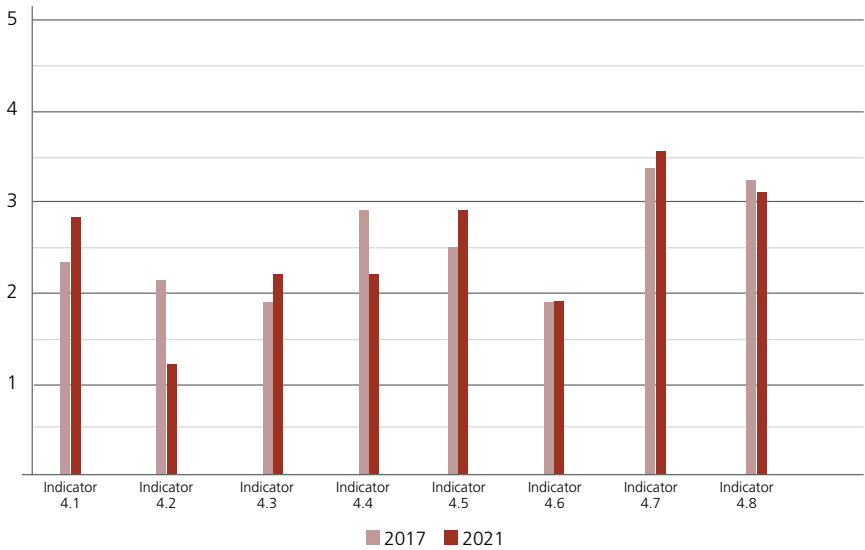
SECTOR 3:

Broadcasting regulation is transparent and independent; the State broadcaster is transformed into a truly public broadcaster

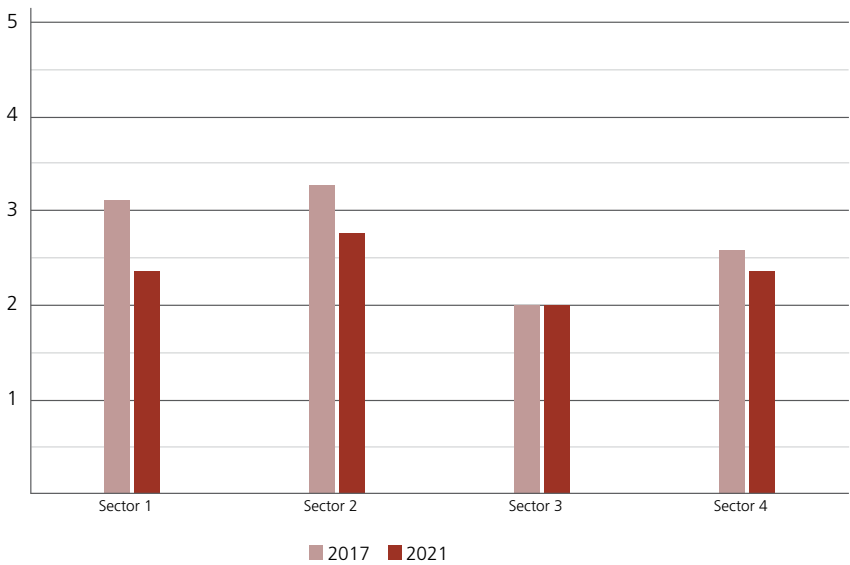


SECTOR 4:

The media practise high levels of professional standards



ALL SECTORS: COMPARING AVERAGE SCORES





# THE WAY FORWARD



# 1. What were the developments in the media environment in the last three to four years?

## Positive Developments

- The emergence of community radio and television stations. This has led to a rise in freedom of expression.
- The emergence of social media platforms, allowing citizens to express themselves. Unfortunately, this may now be curtailed by the new cyber laws.
- Moves towards self-regulation. The proposals regarding statutory self-regulation are still being discussed with the government and are not yet tabled in parliament. The background was that the government had threatened media to regulate; otherwise, they would come up with a law. Given a choice between a government law and media self-regulation, the decision was 'statutory self-regulation'. It was the obvious choice because "we had a gun pointed at our heads." From the year 2000, voluntary self-regulation had failed twice. Most media were not coming forward, despite the threat of statutory regulation. It also failed because media houses were reluctant to give financial contributions to such a body to keep it running. Therefore, it was a compromise to adopt Statutory Self-regulation. There has been a systemic closure of civic space in Zambia. The NGO Bill also threatened to restrict the operations of civil society, but they fought back, with the government eventually being taken to court.

## Negative Developments

- Radio stations are invaded by political party cadres, especially in rural areas, especially if they are critical of the ruling party.
- Covid-19 has impacted the financial sustainability of most media houses. This has affected media freedom. You can't be independent if you are not financially independent.
- The closure of *Prime TV* has created a 'culture of fear'. If a licence is revoked, is it legitimate to then invade the operations of the station? "It sends a cold shiver down the spine of many in the media, including public media. It was a huge blow to the country." When you need balanced information, you could watch both ZNBC news and *Prime TV* news to get a rich cocktail of information. Closing the station was inimicable to the public interest.
- There seems to be a need by the government to control the social media space. They control print and broadcasting, but they have struggled to stake a claim in the social media space. This informs the new Cyber Security and Cyber Crimes Acts. In the social media landscape, there is a polarisation of media houses on social media. The government's stated ambition is to control the social media space, especially Facebook. Efforts are being made to obliterate dissenting voices on social media.

- There is 'fatigue' on lobbying around the Access to Information legislation which started before 2002. Now things have also changed, and emerging issues need to be adopted. Cabinet has approved the bill, but it is unclear now where the bill is, and there has been inertia on the part of the government to have it enacted.
- Regional and continental co-operation and mobilisation need to be strengthened.

### **What kinds of activities are needed over the next four years?**

- There is a need for an audit of laws that infringe on freedom of expression, particularly the Cyber Security and Cyber Crimes Acts. These infringe on the Bill of Rights. Groups need to work together to audit all laws that infringe on these rights, including the law on defamation. "The Cyber Acts have killed investigative journalism."
- Laws that infringe freedom of expression should be repealed, and alternatives developed using regional and international best practices. Regional and international instruments should be incorporated and domesticated into laws.
- Media owners should find ways of valuing the media product and the journalism profession. Advertising should be given its true value with revised rates. This would lead to better salaries, and in this way, pressures that come from the political side can be resisted, and professional standards can be enforced. "It is easy to control a poor profession."
- Regarding the proposed ZNBC regulation by the IBA, a view was expressed that this would not change anything because the same person appoints both boards, and so it would merely be cosmetic. But there are moves behind the scenes for a review of the IBA act so that the IBA becomes more autonomous, without the dominating power being given to the Minister. All media houses should be treated equally and fairly. However, there are currently activities behind the scenes to harmonise the ZNBC and IBA Acts.
- Unions should operate in both the public and private media spheres. MISA could also work to assist journalist's rights in the private sector. If journalists are protected by a body that represents them, that would be the ideal situation. Media workers need a strong professional body. "The media need to speak with one voice on issues." One should be aware that management has a fear of journalists joining such a union, so protection should be provided so that if anyone wants to join a union, they will be covered. The Ministry of Labour has suggested a minimum wage for journalists across the board. This could provide a platform to persuade owners to allow journalists to be unionised. Already when journalists face problems, there is a loose coalition of lawyers able to support them. Professional bodies ensure ethics and standards. Unionism is about the welfare of members. Strengthening both will be good.
- Due to Covid, more people moved online, and so there is a need for people in this area to be safe. Media houses and media personalities should upgrade in terms of safety online.

## Panellists:

### **Media (list in chronological order of surname):**

1. Ernest Chanda, Private media practitioner
2. Andrew Mpandamwike, Public Media Workers Union
3. Moses Nyama, Private media owner
4. Brenda Zulu, Blogger and digital rights activist
5. NN, Public Print Media

### **Civil Society (list in chronological order of surname):**

6. Fr. Emmanuel Chikoya, Council of Churches
7. Wesley Chibamba, Anti-corruption advocate
8. MacDonald Chipenzi, Human Rights activist
9. Juliet Chibuta, Gender & development activist
10. Dr Basil Hamusokwe, Academia University of Zambia (UNZA)
11. Gilbert Phiri, Lawyer
12. Bright Sinkala, Trade Unionist

### **Rapporteur:**

Robin Tyson

### **Moderator:**

Zoé Titus

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