

REPORT OF THE COMMITTEE ON INFORMATION AND BROADCASTING SERVICES FOR THE THIRD SESSION OF THE ELEVENTH NATIONAL ASSEMBLY, APPOINTED ON 26th SEPTEMBER, 2013

Consisting of:

Mr K J Pande, MP, (Chairperson); Mrs M C Mazoka, MP; Mr S Chungu, MP; Mr B Chitafu, MP; Dr E C Lungu, MP; Mr D Mwila, MP; Mr M J Z Katambo, MP; and Dr C K Kalila, MP.

The Honourable Mr Speaker
National Assembly
Parliament Buildings
LUSAKA

Sir

Your Committee has the honour to present its Report for the Third Session of the Eleventh National Assembly.

Functions of the Committee

2.0 The functions of your Committee, as set out in the National Assembly Standing Orders, are as follows:

- (i) study, report and make appropriate recommendations to the Government, through the House on the mandate, management and operations of the Ministry of Information and Broadcasting Services, departments and agencies under its portfolio;
- (ii) carry out detailed scrutiny of certain activities being undertaken by the Ministry of Information and Broadcasting Services, departments and/or agencies under its portfolio and make appropriate recommendations to the House for ultimate consideration by the Government;
- (iii) make, if considered necessary, recommendations to the Government on the need to review certain policies and/or certain existing legislation relating to the Ministry of Information and Broadcasting Services;
- (iv) examine annual reports of the Ministry of Information and Broadcasting Services, departments and/or agencies under its portfolio in the context of the autonomy and efficiency of Government Ministries and departments and determine whether the affairs of the said bodies are being managed according to relevant Acts of Parliament, established regulations, rules and general orders; and
- (v) consider any Bills that may be referred to it by the House.

Meetings of the Committee

3.0 Your Committee held fifteen meetings during the period under review. Your Committee's report is divided into three parts. Part I contains your Committee's topical issue, Media Ethics in Zambia; Part II is on the Local Tour; and Part III

contains the outstanding issues from the Action-Taken Report on your Committee's Report for the Second Session of the Eleventh National Assembly.

Committee's Programme of Work

4.0 Your Committee considered and adopted the following programme of work:

- (a) consideration of the Action-Taken Report for the Second Session of the Eleventh National Assembly;
- (b) consideration of the topical issue, Media Ethics in Zambia;
- (c) local tour of Lusaka, Copperbelt, and Luapula Provinces relating to Media Ethics in Zambia in order to have a clear understanding of what was prevailing on the ground; and
- (d) consideration and adoption of the minutes and Draft Report.

Procedure Adopted by the Committee

5.0 Your Committee sought both written and oral submissions from the Ministry of Information and Broadcasting Services, public and private radio and television stations, print media houses, training institutions, Journalism unions and Non-Governmental Organisations on the topic under study.

PART I

CONSIDERATION OF THE TOPICAL ISSUE

MEDIA ETHICS IN ZAMBIA

Background

6.0 Your Committee recognised that ethics are important in all aspects of public life and the media is no exception. Both the print and electronic media have the capacity to influence people in society who tend to believe every information published by media houses. Thus, the media's potential to influence society's opinion on various issues in the public domain could not be over emphasised. Therefore, adherence to ethics in this regard becomes important.

In Zambia, however, the media had on several instances been taken to court for publishing stories and statements that had bordered on defamation, or innuendos and also faced the challenge of lack of objectivity by the media houses and unverified facts, among others. The non-adherence to ethics by the media had, therefore, resulted in the loss of large sums of money in court cases. For instance, the Zambia National Broadcasting Cooperation (ZNBC) incurred legal costs amounting to K606, 210,000 (K606,210.00 rebased) in respect of two (2) legal cases for "Stand up for Zambia" (Report of the Auditor-General on the Accounts of Parastatal Bodies for the year ended 31st December 2011). It was in this vein that your Committee resolved to undertake a study on *Media Ethics in Zambia*.

In order to gain insight into the topic, your Committee invited as witnesses from among stakeholders, Government ministries, public and private radio and

television stations, print media houses, training institutions, Journalism Unions and Non-Governmental Organisations as follows:

- (i) Ministry of Information and Broadcasting Services;
- (ii) Media Institute of Southern Africa (MISA);
- (iii) Press Association of Zambia (PAZA);
- (iv) Zambia Media Council (ZAMEC);
- (v) Independent Broadcasting Authority (IBA);
- (vi) Zambia Union of Journalists (ZUJ);
- (vii) Zambia Union of Broadcasters and Information Disseminators (ZUBID);
- (viii) Catholic Media Services (CMS);
- (ix) University of Zambia, Department of Mass Communication;
- (x) Media Studies, Evelyn Hone College of Applied Arts and Commerce;
- (xi) Zambia National Broadcasting Corporation (ZNBC);
- (xii) Trinity Broadcasting Network (TBN);
- (xiii) MUVI TV;
- (xiv) Zambia Daily Mail;
- (xv) The Press Freedom Committee of the Post;
- (xvi) Times of Zambia;
- (xvii) Radio Phoenix;
- (xviii) Radio Christian Voice; and
- (xix) HOT FM.

CONSOLIDATED SUMMARY OF STAKEHOLDERS' SUBMISSIONS

The Role of the Media

6.1 According to the Oxford Advanced Learners Dictionary, the media is “the main ways that large numbers of people receive information and entertainment.” The three main types of media include the print media which consists of newspapers, books, pamphlets and magazines among others; the electronic media which comprises television and radio; and the new age media which consists of the internet.

The media had often been described as the Fourth Estate, alongside the Executive, Judiciary and Legislative arms of Government. This idea reflects the realisation

that the media was a center of power in its own right. The role and power of the media in shaping society could not be doubted as it could either mislead or destroy a society, just as it could help create a vibrant and thriving society based on democratic tenets.

However, for the media to play its role effectively, it needs to be independent vibrant, viable, diverse, pluralistic, responsible and professional. This means that the media needs to be professional and ethical at all times. By so doing, it would put public interest first when discharging its function.

In recent times, Zambia had seen a rapid growth in both the electronic and print media industries. There was also the new media which was commonly known as the social media. The growth of the social media was rapid due to the fact that it was internet based and communication technology was developing at a very fast rate. This growth in the media and the ever growing needs for information among the public meant that information dissemination was happening at a rapid rate and was being diverse in fashion.

Your Committee was informed that this phenomenal development came with challenges. One of the challenges was to ensure that the media did not abandon professional and ethical reporting because of the need to always have the exclusive story, beat deadlines, be the first to break news and other pressures that went with the practice of competitive Journalism.

Your Committee learnt that since the return to multi-partism in Zambia, the role of the media had become increasingly important to help Zambia grow its democracy. Therefore, its performance or lack of it had a bearing on how the emerging democracy grew.

Media ethics and their importance in media coverage

6.2 Your Committee was informed that ethics according to <http://www.oxforddictionaries.com/definition/english/ethics> were defined as:

- (i) (usually treated as plural) moral principles (values) that govern a person's behaviour or the conducting of an activity; and
- (ii) (usually treated as singular) the branch of knowledge that deals with moral principles.

The word ethics is, therefore, connected intrinsically with questions of correct conduct within society.

Media ethics on the other hand, are professional codes of conduct that govern or regulate the journalism profession. They are principles and standards of professional conduct in the media industry that include electronic and print media, film, theatre, arts, and the internet.

The media, therefore, would be ethical if it reported accurately, truthfully, balanced/fairly, objectively, published information that was in the public interest, respected the right to privacy and carried content that was in good taste.

With regard to the importance of media ethics in media coverage, your Committee was informed that media ethics helped journalists determine what was right, by

giving the journalist standards by which they could judge actions to be right or wrong, good or bad, responsible or irresponsible. Furthermore, media ethics defined what was good or bad journalism and detailed the obligations of journalists to the profession, society and to democracy. It was against this background that each media house had its own ethics and code of conduct that journalists and editors adhered to.

Your Committee further was informed that everything that the media did had ethical implications, to a lesser or greater extent. This was because everything that the media published or neglected to publish had an influence on people. When the media acted irresponsibly, the wellbeing of democracy suffered; unnecessary harm was done to people; the media lost credibility and its vital role as a watchdog of society was weakened.

Furthermore, the media could be a source of conflict depending on what they published. When media practitioners did their work unprofessionally, their products could be potentially harmful to individuals, organisations, societies and the nation at large. It was a known fact that harmful media products could incite hatred and violent conflicts, damage people's and organisations' reputations, businesses and disrupt social and economic life in general. This was why adherence to media ethics could not be over emphasised.

The level of adherence to media ethics

6.3 The stakeholders submitted that the level of adherence to media ethics by journalists and media houses in Zambia was not impressive. Most media houses tended to have specific biases in their reporting. This applied to both the public and private media. Evidence of shortcomings in media ethics application was evidenced through the number of court cases that had been lost by the media houses resulting in the payment of huge sums of money and in some instances, issuance of apologies. Further, inaccuracies, lies, biased and subjective reporting had unfortunately manifested in some media outlets.

Stakeholders further submitted that individual media houses had set editorial guidelines which served as a guide to their journalists in order to ensure that they adhered to ethical conduct during their work. Regrettably, in spite of these clear guidelines, some journalists, especially in the public media, succumbed to political pressure and engaged in slanderous reporting, resulting in libel and defamation law-suits and loss of public confidence due to lack of fairness and objectivity in the news reports.

Your Committee was informed that with the increased number of media houses operating in the country, be it print or electronic, competition was rife. Every media house, in using whatever medium wanted to be the first to inform the public and capture the market. This had to some degree caused journalists to compromise ethics. Issues surrounding this compromise included misquoting of newsmakers, incorrect captions being provided, broadcast journalists being unprepared for live interviews, and self-censorship based on fear. Furthermore, the emerging of new media, such as online publications, had further worsened the situation. The new media had brought in the aspect of anonymity which had made it easier for people to publish inaccurate, unfounded falsehood, biased and subjective reports against those they did not like.

The emergence and growth of the new media had been promoted by declining faith in the mainstream media as a growing number of people believed that the mainstream media represented the interests of powerful interest groups who controlled and owned them (mainstream media). As a result, people resorted to using the social media despite it ignoring media ethics.

Some emerging media houses had employed unqualified staff and had not developed a code of conduct which was expected to be followed by their reporters and editors. As a result, adherence to media ethics was difficult. Furthermore, some individual journalists felt that the observance of ethics was not tenable because of the challenges that they faced.

It was also brought to the attention of your Committee that media owners naturally had great influence on how an organisation performed and this was mostly dictated by their interests and inevitably this had a bearing on the editorial policy of a media institution. For example, public media institutions in Zambia had regularly been forced to tow the Ruling Party line and, therefore, promoted the aspirations of that particular party. This had been done at the exclusion of other political parties or institutions that may have a different opinion from that of the ruling party. In the process, journalists violated media ethics as they published stories that may not be fair and accurate or even balanced.

In addition, the rate at which Journalists especially media heads were changed at the state owned media was also another indicator of state control. This change had also been extended to the Ministry of Information and Broadcasting Services where ministers and permanent secretaries who propelled the agenda of media reforms forward were usually transferred to other ministries.

Similarly, journalists in private media houses faced situations where they were forced to publish stories according to the liking of the media owner whether for commercial or political interests.

It was also reported that most media institutions earned revenue through advertisements. This poses a risk where a major advertiser may not be covered with complete impartiality. There was a risk, therefore, that media institutions could lose their objectivity when dealing with such institutions, which could lead to unethical conduct.

Further, concerns were raised over some “nude” pictures that were published by some private commercial newspapers. The stakeholders wondered whether these pictures were subjected to ethical reporting as they were in conflict with our Zambia’s culture and an eye sore to families and children.

In addition, your Committee was informed that currently, most media institutions faced serious financial challenges which implied that they were unable to have adequate equipment and logistics. This problem also adversely affected their ability to remunerate their staff reasonably. As a result, observance of media ethics was compromised as practitioners depended on news sources based on the provision of transport, allowances, and entrance to public functions. Your Committee learnt that this situation affected both the private and public media.

The stakeholders further lamented that the Zambian general public was not sensitised on the need to demand ethical conduct by the media. It was rare that

the public would rise against unethical conduct by the media. As a result, the public were subjected to all manner of unprofessional Journalism. The Government and other interest groups such as civil societies had complained at times about unethical conduct by the media, though such complaints had been made to foster and protect the interests of those raising them.

Policy and Legal Framework

6.4 There had been a lengthened battle between the Government and journalists over the regulation of the media. On one hand, the Government had been advocating for statutory regulation, while on the other, journalists had championed self-regulation.

However, a media self-regulation mechanism called the Zambia Media Council (ZAMEC) has been put in place and became operational in June, 2013. ZAMEC was a culmination of a sustained campaign by the media fraternity, working under the auspices of the Media Liaison Committee, to establish a voluntary, self-regulatory and non-statutory media body to oversee the enforcement of media ethics. Some stakeholders were, however, of the view that ZAMEC had not made a serious impact on media regulation in Zambia due to lack of authority to impose sanctions and financial challenges. Further, your Committee learnt that the Independent Broadcasting Authority (IBA) was established through an Act of Parliament to regulate the broadcasting industry in Zambia.

Your Committee was also informed that there were, however, several pieces of legislation, including the Republican Constitution that regulate adherence to media ethics in Zambia. The notable pieces of legislation that regulate the adherence to media ethics in Zambia were submitted as set out below.

- i) The Penal Code, Cap. 87 of the Laws of Zambia, which contains a number of provisions, including:
 - (a) Sections 53, 54 and 55 empowers the President to declare a publication or series of publications to be prohibited if he considers them to be contrary to public interest and make other provisions relating to prohibited publications;
 - (b) Section 57 (i) which prohibits printing, publishing, selling offering for sale, distributing or reproducing any seditious publication;
 - (c) Section 69 which protects the President's reputation and dignity of his office by providing that "any person who, with intent to bring the President into hatred, ridicule or contempt, publish any defamatory or insulting matter, whether by writing, print, word of mouth or in any other manner, is guilty of an offence;"
 - (d) Section 71 makes it an offence for any person "without justification or excuse as would be deemed sufficient in the case of defamation of a private person" to publish anything that has the effect of degrading, reviling or exposing "to hatred or contempt any foreign prince, potentate, ambassador or other foreign dignitary with intent to disturb the peace and friendship between Zambia and the country to which such a prince, potentate, ambassador or dignitary belongs;"

- (e) Section 116 which provides for the offence of contempt of Court and is aimed at protecting the integrity of the Court and avoids trying cases which are before the courts of law in the media; and
- (f) Section 177 (i) deals with obscene matters or things, including pictures, prints, obscene writings or any other object tending to corrupt morals. There is no provision, however, no definition of obscenity or tending to corrupt morals.

Your Committee was further informed that:

- (i) the *State Security Act, Cap 111* prohibits the publication of any article or information which might be or is intended to be directly or indirectly useful to a foreign power; and
- (ii) the *Defamation Act, Cap 68*, prohibits bringing any person into hatred, ridicule or contempt by publishing any insulting matter, whether by writing, print or word of mouth.

Other stakeholders were, however, of the view that some of these pieces of legislation worked against the enjoyment of press freedom thereby limiting the critical role of the media in a democratic dispensation.

They argued that some current and newly suggested pieces of legislation contained some clauses and articles that were anti-media, a situation which was rather detrimental to the flourishing of democracy. Some progressive laws had only been partially implemented following amendments which were meant to place back power in the hands of the Government. They argued that successive Governments had paid little attention to the demands for media reforms.

Effectiveness of Journalism training in promoting ethical reporting

6.5 Your Committee was also informed that journalism training was efficient in promoting ethical reporting in Zambia. Training Institutions had a curriculum that they strictly adhered to and it also enabled them impart ideal ethical reporting tenets to their trainees. However, ethical reporting was mutilated at the operational level where interests of the media owners overrode what was generally acceptable. During training, trainees generally received the same media educational skills. At no time were they separated so as to prepare them for either the public or private media, or, ethical or unethical media. Most unethical reporting, therefore, came in the guise of “editorial policy” and “house style”.

Stakeholders also lamented that proper collaboration between the training institutions and the media industry was lacking. Students in training institutions were more trained with theory on issues of ethics rather than the practical experience. Students, therefore, need more practical engagement to fully understand how ethics come into play when they start to practice their profession. Worse still, stakeholders observed that even though the University of Zambia offered an undergraduate degree in Mass Communication, there was no other training institution that offered Journalism training at degree level.

Your Committee was further informed that public media training institutions were poorly funded by the Government. This poor funding results in these institutions having challenges in providing adequate training for their students. An example

was cited where Evelyn Hone College of Applied Arts and Commerce only has two video cameras to be used by over two hundred students, no transportation to ferry students to gather news and the Institution has very limited recorders.

Your Committee also heard that fake Journalism schools that had mushroomed in the country compromised the quality of journalists who were produced by such institutions. Additionally, most training Institutions were either ill equipped or poorly staffed. As a result, journalists were not adequately trained for the real world in order to carry out their assignments.

Practising of Journalism by non-Journalists contributing to the non-adherence of media ethics

6.6 Some stakeholders were of the view that anyone could be a reporter, but not every reporter could be a journalist. Journalists had to be trained to do the job correctly. It was evident that some articles that were published as works of reporters, lacked journalistic attributes. It was, however, the responsibility of editors of respective organisations to ensure that articles met ethical standards before they were published in order to avoid litigation.

Other stakeholders, however, were of the view that the question whether the practice of Journalism by non-Journalists had contributed to the non-adherence to media ethics was not validated. This was because some well-trained journalists had often turned out to be the worst propagandists guilty of repulsive conduct. Media ethics was about morals and values. Training could not make one a principled person; training complemented the values and principles which a person already possessed. It was against that background that many people believed that Journalism ought to remain a free profession, as far as entry was concerned, because restricting practice would have an injurious impact on free speech. Some of the best journalists in the world had never been to a Journalism school.

Some stakeholders were of the view that it was quite obvious that the practising of journalism by non-journalists had contributed to the non-adherence to media ethics. Therefore, there was need for every person practising as a journalist to understand (not just being aware of) the implications of ignoring ethics. This could only happen if they passed through a training programme which dealt with media ethics in detail.

Programmes in place for promoting professionalism

6.7 Your Committee was informed that the formation of ZAMEC was the most serious step by the media fraternity to promote the highest levels of professional and ethical conduct. Further, media houses had also been advised to formulate editorial policies and guidelines that promote professionalism. Furthermore, the Government, in collaboration with media associations such as the Press Association of Zambia (PAZA), Media Institute of Southern Africa (MISA) – Zambia Chapter, among others, had tried to hold training clinics for media practitioners on the need for professionalism. However, most of this training was donor driven. Additionally, most media houses also instituted quite a number of in-house training as a way of promoting professionalism.

Regional or International Commitments on Media Ethics

6.8 Your Committee was informed that Zambia is a signatory to a number of regional and international declarations or protocols on media ethics. However, most of these commitments had not been domesticated in the country's laws.

PART II

LOCAL TOUR OF LUSAKA, COPPERBELT AND LUAPULA PROVINCES

Objective

7.0 In its quest to appreciate what was obtaining on the ground, your Committee toured selected public, commercial, Christian and community media houses in Lusaka, Copperbelt, and Luapula Provinces. To further appreciate the views of the people in relation to the performance of the media regarding media ethics, your Committee held a public hearing in Luapula Province.

In line with the objectives of the tour, your Committee toured the following institutions:

- (i) Radio Ichengelo, ZNBC Kitwe Studio, Yar FM Radio and the Times of Zambia on the Copperbelt Province;
- (ii) ZANIS Offices, KFM Radio and Radio Yangeni in Luapula Province; and
- (iii) Zambia Daily Mail, Radio Phoenix, MUVI TV, ZNBC Studio and the Post Newspaper in Lusaka Province.

Committee's Findings

7.1 During its deliberations, your Committee interacted with media heads and practitioners from the print and electronic media as well as the general public. From your Committee's interaction with the stakeholders, it came to light that media practitioners compromised their professional ethics because of some of the reasons set out here under:

a) Political interference

Your Committee was informed that the media industry in Zambia had been highly politicised resulting in factions in the newsroom to an extent where journalists became loyal to news sources. The stakeholders argued that political interference was a fundamental issue that leaders in authority need to address because it affects all public institutions whether media or not. They explained that there were times when an assignment editor drew a programme for the reporters; however, the reporters would phone the editor informing him that they had been given another assignment by senior Government officials.

The stakeholders wondered whether the principle of subordinates receiving lawful instructions from their employer was there, which from the human resource point of view was one of the basic ingredients in the administration of the employment

contract. They submitted that it became a challenge to manage reporters because their allegiance was to another invisible hand.

They added that interference also came through covering political stories when politicians sometimes demanded that their story be broadcast during primetime. They stated that sometimes some politicians phoned editors to find out when their story would be published or broadcast and when it was not published or broadcast at the requested time, reporters were accused of being anti-Government.

The stakeholders further submitted that overly excited politicians negatively affected the work of the journalists. This was because some politicians from the ruling party demand for coverage even on private personal events. Journalists from both public and private media houses submitted that a named Minister was in the habit of intimidating journalists and at one time demanded for media coverage for his personal functions such as matebeto and kitchen parties.

They further added that politicians had personal preference forgetting that all journalists were qualified and able to undertake any assignment. As a result, some journalists felt left out especially when it came to foreign tours. They argued that journalists from some public institutions were mostly being utilised during local tours and not foreign tours. They stated that the politicians phoned editors and requested the services of particular journalists.

b) Self-censorship

The stakeholders submitted that self-censorship had somehow become a 'cultural' issue that needs to be addressed. This was because it stemmed from the interaction between media practitioners and the people in authority. The stakeholders submitted that journalists were not confident that they would operate freely and project media ethics as they would be in constant fear of being fired as it had happened to their colleagues in the past. They argued that for those that had been fired before and reinstated, the natural tendency would be to remain loyal to the system in power for fear of being dismissed again. They lamented that unless journalists were helped and protected, most of them would continue to work under fear of losing employment. They observed that until journalists' problems were resolved, books and books would be written, but journalists would continue to protect their jobs.

Your Committee further heard that sometimes media houses failed to act professionally due to threats of withdrawal of broadcasting licenses. This was the reason why sayings like, "*throw your ethics outside the window and follow what the owners of the company want*" had been coined.

c) Intimidation

Your Committee was informed that some reporters were barred from covering stories from State House because they were perceived to be anti-Government as they were concentrating on issues pertaining to the Constitution.

Stakeholders further observed that the police had turned the media into their extended wing or department where they even demanded for footage for their investigative stories. When the footage was provided, media houses unknowingly became State witnesses. They argued that such actions eroded the issues of confidentiality, trust and confidence building that needed to be taken into

consideration. They also felt that the police were using them to get at people who were perceived to be their enemies which put the media in a very uncomfortable position. Further, the media had been subpoenaed against their will to testify in a manner that was ethically unacceptable.

Your Committee also learnt that there were times when social activists were invited for live programmes, but the police sometimes wanted to force their way into studios to arrest the activists. This induced fear and intimidation into the people as well as journalists. They argued that the action dented the reputation of media houses because they were perceived to be sell-outs.

The stakeholders added that intimidation also came from business organisations who sometimes demand that their stories be broadcast during primetime because they give a lot of business to the Institution and felt that it was important that their stories or programmes were published or broadcast during primetime.

d) Fear of loss of employment

Your Committee was informed that sometimes media managers received instructions not to transfer individuals to a particular station or section where management felt that their services according to their competencies were most required. They argued that one of the functions of management was to employ and supply staff to right positions at the right time. However, when time to transfer members of staff came, management received instructions from higher authorities not to effect the transfers which in the stakeholders' view was frustrating. As a result, people in management resort to obeying instructions in order to keep their jobs as disobeying instructions could result in the loss of their employment.

e) Poor funding

Your Committee learnt that most public media organisations were poorly funded. As a result, these institutions did not have adequate resources such as cameras, recorders and transport. Some media houses also failed to pay allowances to their reporters when they were required to work outside their stations. As a result, journalists resorted to lobbying to accompany politicians and companies in order to report on their activities as these individuals and companies were ready to fund their logistic expenses. Further, most private media institutions did not have adequate funds to enable them retain trained journalists.

Your Committee also observed that journalists from some Christian and private media organisations were apprehensive as they could not speak about the challenges they were facing in their institutions. However, those spoken to lamented the poor conditions of service which result in high brain drain in those media houses.

f) Loyalty

The stakeholders submitted that because of what happened in the past where almost the entire newsroom from a named media house were sent into foreign service after elections, media practitioners tend to incline themselves to political parties with a view to being given jobs in future.

g) Technology

Your Committee was informed that online media houses were of no fixed abode. This gave them a leeway to abrogate ethical conduct as they could not be called upon to clarify their stories.

h) Elections

Your Committee was informed that the election period was the most critical time for journalists. During this period, journalists receive instructions from some politicians not to write stories about certain politicians. Further, the language used during campaigns pose a challenge on media practitioners as they report on what transpired during campaigns.

i) Inadequate resources

Your Committee was informed that most public institutions face operational challenges. For instance, ZNBC Kitwe Studio has four television cameras which need to be shared between the newsroom, marketing and, when Parliament was on recess, Ministers and Members of Parliament who want reporters to accompany them as they try to explain Government policies to the people in their constituencies.

j) Sensational reporting

The stakeholders submitted that some news organisations used headlines that were not in conformity with the body of the story. They observed that the goal of sensational reporting was to increase or sustain viewership or readership, from which media houses could price their advertising higher to increase their profits. Sometimes this leads to a lesser focus on objective Journalism in favour of a profit motive in which editorial choices were based upon sensational stories to increase advertising revenue.

k) Laws

The stakeholders submitted that a number of laws enacted by Parliament impede on the operations of the media. They cited the criminal defamation law which had been repealed in many jurisdictions. They argued that this law was inherited from the British who enacted it to protect their monarch. They added that there were also other laws relating to the coverage of elections which did not go well with election coverage. The stakeholders noted that most of these laws were documented in the past and the media fraternity had been waiting for more than twenty-three years for some of them to be repealed.

l) Language

The stakeholders submitted that some politicians used unpalatable language against each other which the media carried. Unfortunately, this turned out as though journalists were bad. They argued that when politicians talked about the media, they needed to also look at their own contributions to the current media that the country had today because it was created by politicians themselves. The stakeholders stated that what was published in the media was what politicians themselves had said. However, politicians sometimes paid less attention to what they said, but attributed it to the journalists. It was further argued that politicians

needed to know that there could never be a better media without other institutions functioning in a better way.

m) Training

The stakeholders called upon the legislators to pay attention to the quality of education in general and in the media in particular. This was because it was impossible to expect graduate journalists from universities and colleges to work as expected. In this regard, every year, media houses such as the Post Newspaper retrained its journalists for three months to enable them work as expected.

Public Hearing – Mansa

7.2 During the public hearing, stakeholders were concerned about the near nude pictures that appear in the Post Newspaper on Fridays. They wondered what the motive of publishing such pictures was. They also expressed concern regarding some suggestive songs that were being played on radio and television which they felt were not in line with the Zambian culture.

Tour of the Post Newspapers

7.3 Following the public hearing in Mansa, your Committee expressed the concerns raised by some stakeholders with the Post Newspaper during the tour to the Media House. In response to the concerns, the Post Newspaper Managing Editor submitted that the issue of culture was a very complex and extremely fluid one. He argued that a society that intended to limit people's dressing or conduct was headed for a disaster. He, however, observed that there were enough laws to deal with nudity in the country and that the definition of nude was very clear in Zambian laws as well as in the dictionary. Therefore, if one attempted to walk naked on the street, the police would arrest them. He argued that not long ago, young men stripped young ladies who wore mini dresses and skirts. The same voices condemning pictures today were the same voices that defended the rights of those young ladies. Dressing was never part of freedom of expression. No one could be arrested because of exposing their breasts. They had the right to dress like that.

He observed that people had Digital Satellite Television (DSTV) in their homes which were being watched by people of different cultures. Zambia's input, as a culture, on DSTV was very small. What was being described as nude because it had appeared in a Zambian newspaper would not have the same definition if viewed on DSTV. He stated that it was a lost debate and a waste of time because there were better causes on which to spend more energy because the latter was chasing after the wind which could never be caught because it was changing every day.

The Managing Editor added that the Post Newspaper was part of the culture in which they operated. They were members of the community and were part of the community and come from the same community. As much as they were agents of change in one way or another, they were also carriers of our tradition and preservers of it.

Your Committee was informed that there were pictures of how Zambians dressed in the 1920s in museums and if published today in papers as front page pictures, many people would be horrified, but that was the way people moved about. The

way Zambians were dressing today was not the way they dressed thirty years ago. The things women were currently wearing and moving around comfortably in could not be imagined thirty years ago.

He argued that dressing had been globalised just like the world economy. Zambians were not different. As a result, they were dressing just like other people were elsewhere. What was not acceptable in certain age groups was acceptable today because people of a certain age group were dressing in that way. The media was the mirror of society because it showed people what was happening, palatable or unpalatable. If people did not like what they were seeing, they should not shoot the messengers, but go and deal with the issue.

He concluded his submission by stating that some of the young ladies who sometimes appeared in the Post Newspaper came from politicians' homes. They were not artificial faces or images, but people with identities. They were children with surnames that could be traced. Therefore, if people did not like that, they had to deal with it, but society needed to know that this was the way Zambians were dancing, dressing and behaving. Journalists were merely recorders of history. Those who will write the history of Zambia will enable Zambians fifty or 100 years from now see how the country was at this time. They would go to the national archives to look at the newspapers and pick images. It was a challenge to keep the status quo and also to keep change because journalists were catalysts or conveyors, but did not determine the way people should dress.

Committee's Observations and Recommendations

7.4 After a detailed analysis of the written memoranda and careful consideration of oral submissions from the stakeholders and the subsequent findings from the local tour, your Committee makes the observations set out hereunder.

- i. While the establishment of the Zambia Media Council (ZAMEC) is key to media ethics adherence, the regulatory body has just been established and needs legal backing for it to be strengthened and supported. Further, membership to the regulatory body is on voluntary basis, thereby allowing some media institutions to choose whether to be affiliated to it or not.
- ii. The Media Policy, which should serve as a major source of guidance for standards in the media profession has not been put in place.
- iii. The country is operating under pieces of legislation that are restrictive on the operations of the traditional media such as limited access to information. Therefore, members of the public have resorted to using unethical online publications for news sources which are providing them with information that is perceived to be withheld by the traditional media.
- iv. There is some interference in the selection of the content to be broadcast and published by owners of public and private media houses.
- v. Some media houses especially upcoming private community media houses have not developed editorial guidelines or codes of conduct.
- vi. Most media institutions have financial challenges which affects their ability to remunerate their staff reasonably. As a result, adherence to media ethics is compromised as practitioners depend on news sources for their logistics.

- vii. Public media training institutions are poorly funded by the Government resulting in these institutions facing operational challenges.
- viii. Proper collaboration between training institutions and the media industry is lacking. Students in training institutions are more equipped with theories on issues of ethics rather than the practical experience.
- ix. The training curriculum for journalists does not have a strong component of media ethics. Further, even though the University of Zambia offers an undergraduate degree in Mass Communication, there is no training institution that offers Journalism training at degree level.
- x. Information Communication Technologies (ICTs) in Journalism is becoming increasingly important. Regrettably, media institutions have not invested much in on line training.
- xi. Members of the public have been subjected to all manner of unprofessional Journalism because there is no clear channel of communication where their complaints against unethical reporting can be directed.
- xii. There is perceived interference in the operations of reporters and senior managers in public institutions. As a result, they cannot perform their duties as expected because of fear of losing employment. Further, some private media houses also incline themselves to the ruling party because of fear of losing broadcasting licences.
- xiii. Some politicians from both the ruling and opposition parties and business organisations prefer specific journalists to undertake their assignments. As a result, such journalists become loyal to them and ultimately compromise their ethical conduct because a major advertiser may not be covered with complete impartiality and institutions could lose their objectivity.
- xiv. Zambia has not domesticated any regional or international commitments on media ethics.

In view of the above observations, your Committee strongly recommends that:

- i. the Government must strengthen ZAMEC by establishing it through an Act of Parliament compelling all media bodies and independent journalists to subscribe to it; further, all subscribers to the regulatory body must be compelled to make financial contributions to sustain its operations;
- ii. the Government should immediately formulate the media policy which will guide the operations of the media;
- iii. the Government must ensure that Zambian media laws that impede on media freedom are repealed in order to bring them in line with current media trends to facilitate for media freedom;
- iv. the Government must present amendment bills to Parliament which should reinstate the Appointments Committee that was repealed in the 2010 ZNBC and IBA Acts, as the absence of the Committee has given a lot of power to the Minister to nominate the names of people to sit on the ZNBC and IBA Boards; this, in your Committee's, view has eluded the principle of diffusing

Government control over ZNBC and the need for private broadcast media houses to be regulated by an independent body. Additionally, the IBA Board should be ratified by Parliament bearing in mind that the ZNBC Board is ratified by Parliament. Furthermore, the Government and private media owners are strongly being urged to refrain from interfering in their newsroom;

- v. the Government must ensure that emerging media institutions must have a code of conduct prior to the issuance of operating licences;
- vi. the Government should monitor private and public media houses to ensure that journalists are adequately remunerated in order to motivate and encourage them to discharge their duties professionally, and your Committee strongly urges journalists to uphold high moral standards in order not to be enticed by incentives that will compromise their ethical standards;
- vii. the Government must adequately fund public training institutions and ensure the timely release of funds to enable them purchase modern equipment that will respond to current media trends;
- viii. the Government must ensure that Journalism training institutions work closely with media houses, in order for students to have hands –on experiences to fully understand how ethics come into play when they start to practice their profession;
- ix. the Government must ensure that training institutions incorporate a thorough course on media ethics in their curricula; and Journalism training must be upgraded from diploma to degree level by upgrading existing media training colleges such as the Evelyn Hone College and ZAMCOM into universities;
- x. the Government must revise the current Journalism and mass communication curriculum taking into account the concept of the online media in order to address the emerging demands of the profession and tackle issues of unethical online publications;
- xi. the Government must ensure that all media houses establish an in-house office of the Ombudsman to handle complaints from the readers and the public. Ombudsmen should, among other responsibilities, make sure that the media houses adhere to their code of ethics as they execute their work. Further, media houses must run adverts to sensitise members of the public on the importance of these offices and their right to complain;
- xii. the Government must ensure that media houses as well as journalists operate independently without fear of losing employment or threats of losing broadcasting licences. The Government should also put in place punitive measures that will deter Government officials from threatening journalists and media houses;
- xiii. the Government must ensure that interested parties such as politicians and business organisations avoid choosing who should cover their stories, but allow assignment editors to do so. Journalists should also strive to observe ethical standards as this will prevent them from being value laden; and

- xiv. Zambia must domesticate the regional and international commitments relating to the media that it is a signatory to.

PART III

CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE REPORT OF THE COMMITTEE ON INFORMATION AND BROADCASTING SERVICES FOR THE SECOND SESSION OF THE ELEVENTH NATIONAL ASSEMBLY

8.0 Your Committee noted the responses by the Government to the issues raised in its previous report. However, your Committee resolved to follow up the issues set out below.

8.1 SADC REGIONAL DIGITAL SWITCHOVER

Specific Ministry to Supervise the Implementation of the DTT Project

8.1.1 Your previous Committee had recommended that the Department of Communications from the Ministry of Transport, Works, Supply and Communications be merged with the Ministry of Information and Broadcasting Services in order for the ICT sector to be more effective and receive the attention it deserved. The Ministry would further lay the foundation for the accelerated use and development of ICT in the country and also co-ordinate information management within the Government.

It was reported in the Action-Taken Report that the Ministries of Information and Broadcasting Services and Transport, Works, Supply and Communications had been amicably working together and collaborating in implementing the Information and Communication Technologies (ICTs). The Government committed itself to ensuring that this collaboration was enhanced.

Committee's Observations and Recommendations

Your Committee awaits a progress report on the enhancement of the collaboration between the Ministry of Transport, Works, Supply and Communications and the Ministry of Information and Broadcasting Services in implementing the Information and Communication Technologies (ICTs).

Digital Terrestrial Television Policy

8.1.2 Your previous Committee had recommended that a DTT policy should be put in place to guide the implementation programme. It should also be made available to all the stakeholders to enable them study and comment on the policy and related guidelines. The policy should also harmonise and reform the existing laws such as the *ZNBC Act*, *ICT Act*, *CEEC Act*, *IBA Act* and *Consumer Protection and Competition Act*.

It was reported in the Action-Taken Report that the Government had prepared a draft Digital Migration Policy. This draft had been circulated to all key stakeholders for their comments. Valuable comments had been received and the draft had been revised taking into account the comments from the stakeholders.

The main aim of the Policy was to ensure that information became universally accessible across the country through broadcasting. It was the intention of the Government to have a well coordinated, effectively managed digital migration process that was responsive to the diverse information needs of the public. The following were the Policy objectives:

- (a) develop a digital broadcasting market structure and licencing framework;
- (b) define national technical standards in order to ensure interoperability, economies of scale and safeguarding universal services;
- (c) provide a framework for content development and regulation in order to promote diversity and create jobs;
- (d) develop and provide guidelines for the establishment and operation of signal distributors;
- (e) facilitate public consultation and awareness and provide mechanism for consumer protection; and
- (f) provide a timeframe and schedule of digital transition in order to undertake orderly switch over and switch-off, soon going to be sent to Cabinet for approval.

The Government, therefore, committed itself to implementing the policy once it was approved.

Committee's Observations and Recommendations

Your Committee awaits a progress report on the implementation of the Policy and whether the Policy has been harmonised with existing laws such as the *ZNBC Act*, *ICT Act*, *CEEC Act*, *IBA Act* and *Consumer Protection and Competition Act*.

Funds for ITU and SADC

8.1.3 Your previous Committee had implored the Government to ensure that adequate funds were allocated and disbursed on time so that the country did not fail to meet both the ITU and SADC deadlines.

It was reported in the Action-Taken Report that the Government recognised the observation that implementing the DTT would require a lot of funds. The Government committed itself to ensure that funds were available to implement the project. In this regard, the Government directed the Ministry of Finance to ensure that adequate funds were made available for the implementation of the DTT project and smooth digital migration process.

Committee's Observations and Recommendations

Your Committee requests for detailed information on what steps the Ministry of Finance has taken to ensure that adequate funds have been made available for the implementation of the DTT project.

Institutions to Champion the DTT Migration Programme

8.1.4 Your previous Committee had implored ZNBC to take the leading role in the implementation of the DTT programme in order to have a smooth transition. Further, the Ministry of Information and Broadcasting Services had to collaborate with the Committee on Information and Broadcasting Services, ZICTA and ZNBC to effectively implement the programme. Your Committee should also draw lessons from counterpart in Namibia and tour all the provinces in order to appreciate the progress that was being made in that regard.

It was reported in the Action-Taken Report that the Government recognised the need to involve many stakeholders in the execution of the DTT programme. The DTT programme was being implemented at three main levels; policy, regulatory and implementation.

At policy level, the Ministry of Information and Broadcasting Services was the lead institution responsible for policy formulation and overall responsibility of the implementation of the programme. The Ministry also coordinated awareness campaigns at national level and overall mobilisation of funds for the programme.

At regulatory level, the DTT programme was implemented by two Agencies namely the Zambia Information and Communication Technology Authority (ZICTA) and the Independent Broadcasting Authority (IBA). The ZICTA regulated network operations including frequencies while IBA regulated broadcasting content and services.

The Government, however, took note of the recommendations that ZNBC must take a leading role in the implementation of the DTT programme.

Committee's Observations and Recommendations

In noting the response, your Committee implores the Government to give ZNBC the leading role in the implementation of the DTT programme in order to have a smooth transition especially that ZNBC had a wide coverage area in the country.

Set Top Boxes (STBs)

8.1.5 Your previous Committee had recommended that drawing lessons from Namibia, ZNBC should be mandated to distribute STBs in order to protect consumers from purchasing counterfeit products.

It was reported in the Action-Taken Report that the Government would ensure the protection of the consumer and guarantee access to information by putting in place policy guidelines to ensure that the distribution of set-top boxes (STBs) were properly done.

In addition, the Government through ZICTA had already developed type-approval standards for STBs and all suppliers of STBs in Zambia would be required to register with ZICTA.

The final distribution of STBs would be done by signal distributors. The Government would take note of the recommendation, and it would ensure that the public signal distributor undertook this task while also exploring other alternatives.

Committee's Observations and Recommendations

Your Committee awaits a progress report on the status of the policy guidelines.

Carrier of Carriers

8.1.6 Your previous Committee had recommended that while ZNBC should be a common distributor, the Government should also provide for the establishment of an independent or commercial distributor who would provide the service to private broadcasters who may not want to ride on ZNBC in order to allay the fears of sabotage.

It was reported in the Action-Taken Report that signal distribution would be undertaken by signal distributors. These entities would provide network infrastructure that would receive content for multiplexing and signal distribution and provide Subscriber Management System (SMS). Each signal distributor would be required to develop service level agreements with Content Service Providers which would be non-discriminatory.

The Government, however, took note of the recommendation for the provision of a public carrier of carriers who in the interim might be ZNBC. The Government had made provision in the draft Policy for the Private Signal Distributor. This Private Signal Distributor would be required to provide national-wide coverage to Content Service Providers (licensees) on a competitive and non-discriminatory basis. The Government committed itself to ensure that a private signal distributor was facilitated through fair and competitive open tender mechanisms.

Committee's Observations and Recommendations

Your Committee awaits a progress report on the implementation of the DTT policy in order to address the concerns raised.

Affordability of Digital Television Sets

8.1.7 Your previous Committee had recommended that the Government waives duty on STBs in order to make them affordable by all. Further, the Government should emulate Namibia by devising a system of helping the underprivileged by fixing the prices accordingly. In this regard, it had been recommended that ZNBC should sell the STBs at an agreed price for the under-privileged as well as those who could afford.

It was reported in the Action-Taken Report that the Government recognised the fact that digital television sets were very expensive and out of reach for many Zambians. In dealing with this challenge, the Government had put in place policy measures to ensure that existing analogue television sets continued to be used even after the migration to digital platform had been completed.

To use the analogue television set to view digital content, TV owners would be required to buy a set-top box which would act as a decoder to convert digital to analogue so that the analogue TV could be able to work normally. These set-top boxes would be made available in the country through signal distributors.

In order to ensure that the cost of set-top boxes was not prohibitive to the TV owners, the Government committed itself to put in place measures such as waive

duty on digital television sets and Set-Top-boxes. The Government had already planned to procure 200,000 STBs for the vulnerable people.

Committee's Observations and Recommendations

Your Committee awaits a progress report on whether a waive duty on digital television sets and Set-Top-boxes has been put in place and the procurement of the 200,000 STBs for the vulnerable people.

Sensitisation on the DTT Programme

8.1.8 Your previous Committee had recommended that the Government embarks on a vigorous countrywide awareness campaign programme targeting all stakeholders. Further, the Government should ensure that sensitisation programmes were also conducted in all local languages in order to ensure that all citizens were taken on board.

It was reported in the Action-Taken Report that the Government recognised the need for a vigorous countrywide awareness campaign programme targeting all stakeholders. Further, the Government committed itself to ensure that sensitisation programmes were also conducted in all local languages in order to ensure that all citizens were taken on board. Further, the Government accepted your Committee's observations and was making arrangements to improve the sensitisation campaigns.

Committee's Observations and Recommendations

Your Committee awaits a progress report on what steps the Government has taken to improve the sensitisation campaigns and ensure that sensitisation programmes are also conducted in all local languages in order to ensure that all citizens are taken on board.

Training Institutions and the DTT Programme

8.1.9 Your previous Committee had recommended that at least one training institution should be part of the Task Force and that the Government should fund training institutions adequately to enable them put in place modern laboratories that would respond to modern technological training programmes. Further, training institutions should be compelled to revise their curricula for them to respond to the digital broadcasting challenges.

It was reported in the Action-Taken Report that the Government recognised the need to update the curricula and laboratory facilities in training institutions. The Government also took note of your Committee's recommendations to link the training institutions to the DTT programme.

In this regard, the Government would ensure that UNZA and ZAMCOM were linked to the DTT programme. The UNZA's Department of Mass Communication and ZAMCOM had been appointed to the sub-committees of the Task Force. The two institutions were already working with the Task Force and they had made valuable contributions to the draft policy and communication strategy. Further, ZAMCOM had been mandated to design programmes to train set-top box installers and content developers. ZAMCOM had also been designated as a lead institution to collaborate with TEVETA to develop the national curricula.

Committee's Observations and Recommendations

Your Committee awaits a progress report on whether the national curriculum has been developed and whether ZAMCOM has designed the programmes to train set-top box installers and content developers.

Management of E-waste

8.1.10 Your previous Committee had recommended that guidelines specifically to manage e-waste arising from the DTT programme should be put in place. Further, private companies that intended to venture in e-waste management must be incentivised through waiving taxes. For instance, a private company in Namibia had been collecting e-waste for export as well as recycling.

It was reported in the Action-Taken Report that the Government would ensure that during and after the implementation of the DTT programme, the environment was protected. The Government took note of your Committee's recommendation and assured that appropriate regulations in line with the Zambia Environment Management Act would be developed and implemented.

The Government had put measures in the draft digital migration policy to ensure that ZEMA, and other relevant regulators, collaborated and developed regulations to protect the environment and avoid technological dumping, promote infrastructure sharing and promote recycling of e-waste.

Committee's Observations and Recommendations

Your Committee awaits a progress report on the matter as it has not been adequately addressed.

Counterfeit Products

8.1.11 Your previous Committee had strongly recommended that Zambia Bureau of Standards (ZABS), which was a legally mandated institution to inspect the quality of all products imported in the country, be included on the Task Force in order to ensure that counterfeit STBs were not imported into the country.

It was reported in the Action-Taken Report that the enforcement of standards for radio equipment was the function of ZICTA. The Government through ZICTA had developed type-approval standards for all radio equipment to be used in Zambia. ZICTA had further developed a software system that would be used to register all dealers in radio equipment. STBs formed part of the radio equipment whose standards had been developed by ZICTA.

Further, ZICTA and ZABS has formed a technical committee to oversee the development and adoption of international standards for all ICTs to be used in the country.

To enforce these standards, ZICTA carries out regular inspections to check the quality of ICT products being sold on the market. ZICTA would soon sign an MoU with ZRA to further strengthen the enforcement of these standards at ports of entry. The Government had, therefore, strengthened the standards setting and enforcement for ICTs through ZICTA.

Committee's Observations and Recommendations

Your Committee awaits a progress report on whether the Memorandum of Understanding has been signed between ZICTA and ZRA.

CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE COMMITTEES' REPORT FOR THE FIRST SESSION OF THE ELEVENTH NATIONAL ASSEMBLY

8.2 Part three reviews the outstanding issues from the reports of the previous Committee.

8.2.1 MEDIA COVERAGE OF ELECTIONS IN ZAMBIA

Electoral Code of Conduct

8.2.2 Your previous Committee had noted that the Constitution making-process had not been concluded and resolved to wait for a progress report.

Response from the Executive

It was reported in the Action-Taken Report that the constitutional making process was still on-going. The Technical Committee was yet to submit the draft constitution to the Government.

Committee's Observations and Recommendations

Your Committee notes that the Constitution making-process has not been concluded and, therefore, awaits a progress report on the matter.

Decentralising ECZ

8.2.3 In noting the submission, your previous Committee had resolved to wait for a progress report until Political Party Liaison Committees became operational in 2013, and also an update on the ECZ work plan.

Response from the Executive

It was reported in the Action-Taken Report that the Decentralisation of ECZ was in the process, but waiting for funds to be fully implemented. However some aspects of the Strategic Plan on decentralisation were already being implemented. For example, Political Party Liaison Committees had already been formed in all the districts where by-elections had taken place.

Committee's Observations and Recommendations

Your Committee awaits a progress report on the decentralisation of ECZ.

Privatisation of Public Media Houses

8.2.4 In noting the submission, your previous Committee had resolved to wait for a progress report on the matter since the Government was still studying the matter.

Response from the Executive

It was reported in the Action-Taken Report that the Government was still studying the recapitalisation of the Public Media. Measures had also been put in place to resolve the indebtedness of public media due to the debt the Government owed to public media institutions. The Government had since instructed Government Ministries and other spending agencies to pay upfront for their adverts and other services and started the process of recovering the debt of Ministries and spending agencies at source and remit the funds to the public media.

Committee's Observations and Recommendations

Your Committee awaits a progress report on the privatisation and recapitalisation of the public media.

8.3 LOCAL TOUR OF LUSAKA, CENTRAL, COPPERBELT AND NORTH-WESTERN PROVINCES AND A PUBLIC HEARING IN KASEMPA DISTRICT

Legislation that Supports Journalists

8.3.1 Your previous Committee had resolved to wait for a progress report on the enactment of the Freedom of Information Bill.

Response from the Executive

It was reported in the Action-Taken Report that the Access to Information Bill, 2013 had been drafted and Cabinet had approved in principle its introduction to Parliament. The Government had also indentified some laws that required to be amended to facilitate the smooth implementation of the Access to Information Bill, 2013 when it was passed into law. To expedite the process of reviewing these laws, the Government had hired a private legal consulting firm to undertake a review and prepare draft amendments to all the identified laws that require amendments.

Committee's Observations and Recommendations

Your Committee awaits a progress report until the Bill is enacted.

Journalism Training Syllabus

8.3.2 Your previous Committee had resolved to wait for a progress report on the matter.

Response from the Executive

It was reported in the Action-Taken Report that the Government was still consulting stakeholders on how best to include the module on election reporting in the curriculum of training institutions.

Committees' Observations and Recommendations

Your Committee awaits a progress report on the matter.

8.4 CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE COMMITTEE'S REPORT FOR THE FIFTH SESSION OF THE TENTH NATIONAL ASSEMBLY

Government to Increase Budget Allocation for Public Institutions

8.4.1 Your previous Committee had resolved to await a progress report on the matter.

Response from the Executive

It was reported in the Action-Taken Report that the Government had decided to make the recapitalisation of public media institutions a priority.

The Government had started providing equipment and machinery, rehabilitation of key facilities and provision of movable assets. The Government also provided funds to ZNBC and the Corporation had carried out major capital projects such as the procurement, installation and commissioning of a duo (both digital and analogue) TV transmitter for Lusaka area, equipped one OB Van with new digital ready equipment, refurbished one studio with new equipment and installed a power generator for Mass Media Complex. Further, ZNBC had procured and installed 40 FM transmitters in twenty sites, 140 FM transmitters had been procured and was only remaining with accessories to be completely installed.

Committee's Observations and Recommendations

Your Committee awaits a progress report on the recapitalisation of other public media institutions.

Money owed by Government Institutions

8.4.2 Your previous Committee had resolved to wait for a progress report on whether payments had been received from the two institutions as well as reconciliation of the disputed figures from the affected organisations.

Response from the Executive

It was reported in the Action-Taken Report that two of the Government institutions that confirmed their debt had started liquidating the debt. Further, to resolve the debt issue amicably, the Government had directed that all debt owed to public media institutions by the Government be collected at the source through an arrangement with the Secretary to the Treasury. The media institutions had all submitted their claims to the Ministry of Finance and the Ministry after verifying the claims, would effect the deductions from the affected government agencies. Through this arrangement, the Government had already paid Zambia Daily Mail K3 million and another K3 million to the Times of Zambia.

Committee's Observations and Recommendations

Since a mechanism on how to collect debt owed to public media institutions has been established, your Committee will await a progress report on how much the Government has paid so far and how much is currently outstanding in order to address the concerns raised.

Funds for Streamlining ZNBC

8.4.3 Your previous Committee had resolved to wait for a progress report on the matter because some stakeholders had sought legal redress on the matter.

Response from the Executive

It was reported in the Action-Taken Report that the Government had finalised the process of identifying a company to implement the DTT project. However, one of the bidders appealed to the Zambia Public Procurement Authority (ZPPA). ZPPA was now reviewing the process and once completed, the Government would know the next course of action.

The Government had decided not to wait for the start of the implementation of the DTT project to recapitalise ZNBC. The Government has provided funds for transmitters, studio production equipment and other measurable assets such as vehicles. The Government further provided over K40 million to ZNBC for the installation of a new duo TV Transmitter, studio equipment and installation of FM transmitters.

Committee's Observations and Recommendations

Your Committee will await a progress report on whether a company to implement the DTT project has been identified.

Decentralisation of Printing Services

8.4.4 Your previous Committee had resolved to wait for a progress report on the matter.

Response from the Executive

It was reported in the Action-Taken Report that the building to house the printing press in Chipata had been finalised and the contractor had handed the building to the Government. However, equipment had not yet been installed because it awaited the procurement of consumable materials for its operationalisation.

Further, the Government was still in the process of contracting the building to house the printing press. Major construction works had been completed and the contractor was remaining with finalising the floor to reinforce it so that it could hold the machinery and its operations.

Once construction and installation of equipment is completed, the Government would commit itself to recruit staff to operate the printing presses. In this regard, the Government was making arrangements to provide funds in the 2014 budget for the recruitment of staff to run the presses.

Committee's Observations and Recommendations

Your Committee will await a progress report on the matter.

Creation of an Economic Climate for the Media

8.4.5 Your previous Committee had resolved to wait for a progress report on the

matter.

Response from the Executive

It was reported in the Action-Taken Report that the Government had finalised the preparation of the draft Media Policy. The Policy was circulated to the stakeholders for comments and written comments had been received from stakeholders.

The Government had reviewed the draft Policy taking into account the comments and suggestions made by the stakeholders. The Government committed itself to ensure that the Policy was approved.

Committees' Observations and Recommendations

Your Committee will await an update on the status of the Media Policy.

Limited Coverage

8.4.6 Your previous Committee had resolved to wait for a progress report on the matter because the IBA was not yet in place to ensure that all media houses that desired to extend their coverage were permitted to do so.

Response from the Executive

It was reported in the Action-Taken Report that the Government through ZICTA had re-planned the frequencies in the light of digital dividends arising from the digital migration after 2015. Now that the IBA was fully operational, the issue of coverage was no longer a challenge. However, frequencies were a kind of resource that was finite and the Government would always apply prudent measures to utilize the scarce resource.

Committee's Observations and Recommendations

Your Committee requests the Government to state clearly how IBA has addressed the issue of limited coverage area.

Professional Conduct by the Public Media

8.4.7 Your previous Committee had resolved to wait for a progress report on the matter because media boards had been constituted to provide policy guidelines to media institutions.

Response from the Executive

It was reported in the Action-Taken Report that the Government had put in place measures not to interfere with the operations of the public media. The Government had appointed management boards and these boards had the overall responsibility to provide policy guidance to the public media organisations.

The Government, therefore, did not get involved in the day to day operations of the public media institutions. Each public media institution followed its own editorial policy and the Government did not influence that. The evidence was there as the public media now had demonstrated clear signs of independence.

Committee's Observations and Recommendations

Your Committee will await a progress report on the performance of the public media institutions now that the boards have been constituted.

TV Levy

8.4.8 Your previous Committee had resolved to wait for a progress report on the outcome of the tender and the progress that had been made on the implementation process.

Response from the Executive

It was reported in the Action-Taken Report that the tender process was almost concluded. A prospective company had been identified, however, there was an appeal by one of the bidders to ZPPA and ZPPA was now reviewing the process before a final decision to award or not to award could be made.

Committee's Observations and Recommendations

Your Committee will await an update on this matter.

Provision of Information on Islands

8.4.9 Your previous Committee had resolved to wait for a progress report because the marine boats had not been acquired.

Response from the Executive

It was reported in the Action-Taken report that the activity could not be implemented due to financial constraints in 2012. However, the Government committed itself to ensure that sufficient provisions were made to procure marine boats in 2014.

Committee's Observations and Recommendations

Your Committee will await a progress report on the procurement of the marine boats.

Monitoring of Broadcasting Equipment

8.4.10 Your previous Committee had resolved to wait for a progress report on the matter.

Response from the Executive

It was reported in the Action-Taken Report that as earlier indicated, the Government provided funds to ZNBC to procure and install the TV duo transmitter for Lusaka and this had since been commissioned.

Committee's Observations and Recommendations

Your Committee will await a progress report on when the procurement of monitoring equipment will be extended to other provinces of the country.

8.5 CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE COMMITTEE'S SECOND REPORT FOR THE FOURTH SESSION OF THE TENTH NATIONAL ASSEMBLY

Digital Migration Awareness Campaigns

8.5.1 Your previous Committee had resolved to wait for a progress report on the matter.

Response from the Executive

It was reported in the Action-Taken Report that the Government recognised the importance of awareness campaigns on the digital migration. So far, two stakeholder consultative meetings had been held in Lusaka and on the Copperbelt.

To streamline the implementation of the awareness programme for digital migration, a Communication Strategy had also been developed. The campaign would begin towards the end of the third quarter of 2013.

Committee's Observations and Recommendations

Your Committee will await a progress report on the matter.

Carrier of Carriers

8.5.2 Your previous Committee had resolved to wait for a progress report on the matter until the three pieces of legislation were repealed.

Response from the Executive

It was reported in the Action-Taken Report that the Government had made sufficient provision in the Digital Migration Policy for both public and private signal distributors (carrier of carriers). Signal distribution would be undertaken by signal distributors. These entities would provide network infrastructure that would receive content for multiplexing and signal distribution and provide Subscriber Management System (SMS). Each signal distributor would be required to develop service level agreements with Content Service Providers which would be non-discriminatory.

The Government took note of the recommendation for the provision for a public carrier of carriers who in the interim might be ZNBC. The Government had made provision in the draft Policy for the Private Signal Distributor. This Private Signal Distributor would be required to provide national-wide coverage to Content Service.

The Government committed itself to ensure that the private signal distributor was facilitated through fair and competitive open tender mechanisms.

Committee's Observations and Recommendations

Your Committee will await a progress report on the matter and urges the Government to formulate the Digital Migration Policy in order to address the concerns raised.

CONCLUSION

9.0 Your Committee is grateful to you, Mr Speaker, for the support rendered to it throughout the year.

It is indebted to all the stakeholders who appeared before it for their co-operation in providing the necessary memoranda and briefs.

Your Committee is very hopeful that the observations and recommendations contained in this report will go a long way in improving the adherence to media ethics in Zambia.

Finally Sir, your Committee wishes to express its appreciation to the Office of the Clerk of the National Assembly for the invaluable and tireless assistance rendered throughout its deliberations.

APPENDIX

List of Officials

National Assembly

Mr S C Kawimbe, Acting Principal Clerk of Committees
Ms M K Sampa, Acting Deputy Principal Clerk of Committees
Ms C T Malowa, Assistant Committee Clerk
Ms C R Mulenga, Assistant Committee Clerk
Ms F Hamakalu, Typist
Mr R Mumba, Committee Assistant
Mr C Bulaya, Committee Assistant