



REPORT

OF THE

**COMMITTEE ON MEDIA, INFORMATION AND COMMUNICATION
TECHNOLOGIES**

FOR THE

FIFTH SESSION OF THE TWELFTH NATIONAL ASSEMBLY

Published by the National Assembly of Zambia

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REPORT OF THE COMMITTEE ON MEDIA, INFORMATION AND COMMUNICATION TECHNOLOGIES FOR THE FIFTH SESSION OF THE TWELFTH NATIONAL ASSEMBLY

1.0 Membership of the Committee

The Committee consisted of Mr G M Imbuwa, MP (Chairperson); Ms P C Kucheka, MP (Vice-Chairperson); Mr D M Kundoti, MP; Mr M Mukumbuta, MP; Dr E I Chibanda, MP; Mr M K Tembo, MP; Dr F Ng'ambi, MP; Mr C D Miyanda, MP; Mr D Mumba, MP; and Mr R Mwewa, MP.

The membership of the Committee changed after the demise of Mr R Mwewa, MP, who was replaced by Mr G K Chisanga, MP.

The Honourable Mr Speaker
National Assembly
Parliament Buildings
LUSAKA

Sir

The Committee has the honour to present its Report for the Fifth Session of the Twelfth National Assembly.

2.0 FUNCTIONS OF THE COMMITTEE

The functions of the Committee on Media, Information and Communication Technologies are as set out in Standing Order No. 157(2) of the National Assembly Standing Orders, 2016.

3.0 COMMITTEE'S PROGRAMME OF WORK

The Committee's Programme of Work for the Fifth Session of the Twelfth National Assembly was as set out below.

- (a) Consideration of the Action-Taken Report for the Fourth Session of the Twelfth National Assembly; and
- (b) Consideration of the topical issue: "*Investigative Journalism in Zambia*".

4.0 PROCEDURE ADOPTED BY THE COMMITTEE

The Committee held a total of fourteen meetings to execute its programme of work. The Committee requested for detailed written memoranda on the topic under consideration from various stakeholders. The stakeholders also appeared before the Committee and made oral submissions.

5.0 ARRANGEMENT OF THE REPORT

The Committee's Report is organised in two Parts. Part I contains the findings, observations and recommendations of the topical issue of study. Part II contains outstanding issues arising from the Action-Taken Report on the Committee's Report for the Fourth Session of the Twelfth National Assembly.

PART I

CONSIDERATION OF THE TOPICAL ISSUE

6.0 INVESTIGATIVE JOURNALISM IN ZAMBIA

6.1 Background

The role of the media was to educate, inform, entertain and create a platform for debate on issues of public interest. The media also played a watchdog role by providing information that shed light on the activities of those in public office, crime, and corporate wrongdoing. In this way, the media promoted accountability which could be achieved, to a certain extent, through investigative journalism.

Investigative journalism was defined as a form of journalism in which reporters deeply investigated a single topic of interest on issues such as crime, corruption, or corporate wrongdoing for a sustained period of time. Sometimes media practitioners used terms, such as 'watchdog reporting' or 'accountability reporting' to describe this form of journalism. However, investigative journalism distinguished itself from regular journalism by its depth and subject matter. In this regard, an investigative journalist spent months or years researching and preparing a report. This was because the media was expected to be factual as it disseminated information to the general public. However, sometimes the media was accused of not carrying out detailed investigations on matters of public interest, among others.

For the most part, corruption allegations, crime, and corporate wrongdoing were rarely investigated to give a detailed account of the alleged misconduct. It was also apparent that the cost of investigation and the time required to produce evidence that was admissible in the courts of law was beyond the reach of many media houses. While most allegations in the country were concluded in the courts of law, the general public remained skeptical about the court verdicts.

As a result, concerns had been raised on whether or not investigative journalism existed in the country and whether the journalism training was adequate or not. Therefore, the Committee's study focused on the adequacy of investigative journalism in Zambia.

Objectives of the Study

The objectives of the study were to:

- (a) appreciate investigative journalism;
- (b) ascertain the availability of a policy and legal framework to govern investigative journalism in Zambia;
- (c) the role of investigative journalism in engendering accountability by public office holders;
- (d) assess the efficacy of investigative journalism training in Zambia;
- (e) ascertain whether or not media houses had put in place measures to promote investigative journalism in Zambia;
- (f) appreciate the challenges faced, if any, in practicing investigative journalism in Zambia and;
- (g) make recommendations on the way forward.

7.0 SUBMISSION BY STAKEHOLDERS

7.1 DEFINITION OF INVESTIGATIVE JOURNALISM

Stakeholders submitted that investigative journalism had been defined in different ways by various scholars. To some, investigative journalism involved the gathering of facts, organising ideas, building patterns and analysis over a period of time. This definition highlighted the prolonged fact-gathering process, which took days, weeks, and sometimes months of tedious work. Other scholars defined investigative journalism as the process of uncovering something somebody intended to keep a secret. Still other scholars referred to it as the reporting of concealed information. Further, Investigative Reporters and Editors (IRE) described investigative journalism as the report written by a journalist's own work product and initiative on matters of importance which some persons wished to keep secret.

The IRE's definition implied that the defining features of an investigative story were that:

- (a) the story would be a product of a probe by the reporter himself or herself, and not a report of an investigation made by someone else, such as a public investigating agency;
- (b) the subject of the story involved something of reasonable importance to the public and not idle gossip; and

- (c) someone or an interested group was trying to keep matters hidden from the public.

In line with the foregoing, investigative journalism suited the features outlined above. This was because investigative journalism used the highlighted features to uncover scandalous, embarrassing, or incriminating information which some elements wished to keep away from the public domain. As such, an investigative story brought to the fore information that would not have been revealed without the enterprise of a reporter. A story of public interest was put together by a journalist from bits of information gleaned from diverse and often hidden sources. Sometimes an investigative story brought out information that was contrary to the version given by government or corporate officials who wanted to conceal the truth.

Additionally, an investigative story at times revealed wrongdoing by public officials, or brought to attention the fact that a law was needed to deal with a wrong or threatening situation. It could be about abuse, corruption in government, or a probe about a commercial enterprise whose unethical business conduct or fraudulent dealings may disadvantage or victimise the public. In this regard, investigative reporting tried to uncover or told stories of villainy and victimisation.

7.2 Difference between conventional journalism and investigative journalism

Stakeholders stated that investigative reporting differed from ordinary or routine reporting in many ways. For instance, whereas routine journalism usually reported on events or occurrences in a reactive manner, investigative reporting took a proactive approach and dealt with trends, issues and conditions which, to a certain extent, explained the cause and effect of what had happened, or was likely to happen. This meant that investigative reporting could also be extrapolative. Investigative reporting was usually done with the view to expose a wrong, unethical behaviour or threatening situation in order for corrective measures to be instituted by those responsible.

Stakeholders explained that sometimes investigative journalists used tactics and methods similar to those used by police officers, such as following paper trails by scrutinising public and private documents, using informants and more often using clandestine, but not illegal, methods to discover the truth. Unlike ordinary, daily reporting, an investigative story did not just happen; it was well thought-out and created through a process that started with an idea which was then meticulously developed through rigorous research. An investigative story was usually assigned to experienced reporters and editors. This was because investigative journalism was also considered as one of the most difficult types of journalism which required to be carried out systematically. Thus, it called for high-level policy-makers at a media institution to approve an investigative project.

7.3 Myths about investigative journalism

Some stakeholders added that investigative journalism had been misconstrued to have a singular purpose of afflicting the powerful and comfortable as well as comforting the afflicted. However, investigative journalism was more important than this. It was about watching on behalf of the entire society the dealings and aspirations of those whose actions had the capacity to bring ruin or destabilisation of society.

Further, investigative journalism was an undertaking with a declared mission whose fulfilment had an impact on both policy makers and members of the public. For instance, by exposing budgetary waste, corruption, official scandal and institutional malfunction, it could be said to be directly linked to governance and was, therefore, relevant to reform. As a result, some scholars have called it a journalism of advocacy which deliberately set out to provoke anger and outrage. This public outrage sometimes drove civil society's agitation for positive policy reform.

Some stakeholders stated that in Zambia, investigative journalism was often confused with 'dissenting' journalism. This was a kind of journalism meant to paint, for instance, the party in power negatively for the purpose of satisfying the sponsors of the publication, or escorting an opposition political party to power. While dissenting journalism aimed at finding the dirt, sometimes twisting the truth, investigative journalism was satisfied with declaring the existence of no wrongdoing by those being investigated despite differences between the media organisation and those it had investigated. Therefore, honesty and a higher commitment to ethical treatment of information and people being investigated were the hallmark of investigative journalism. Reporters had the humility to point out the extent to which they knew the facts about issues and also the extent to which they did not know.

8.0 POLICY AND LEGAL FRAMEWORK

8.1 Media Development Policy

From the outset, stakeholders acknowledged that freedom of speech, freedom of the press, freedom of expression and access to information were not absolute. As such, every state had in place, laws and regulations that tended to curtail the aforesaid freedoms and, ultimately impinging on media practice.

Stakeholders noted that the Zambian Government, through the Minister of Information and Broadcasting Services released the first ever Media Development Policy on 23rd November, 2020. The vision of the Policy was, "a free, responsible, pluralistic and sustainable media industry". Stakeholder acknowledged that the 1996 Media Policy had been in place for a long time, but it was not specific to media related issues. However, the recently released Media Development Policy spoke to

the need to develop the media in order to promote national economic and social development.

They stated that the Policy contained five objectives and measures which were to promote:

- (a) a system of regulation conducive to freedom of expression, pluralism and diversity;
- (b) plurality and diversity of media, a level economic playing field and transparency of ownership;
- (c) media as a platform for democratic discourse;
- (d) media professional capacity building that underpins freedom of expression, pluralism and diversity; and
- (e) infrastructure development supportive to the growth of the media.

Stakeholders were of the view that the Media Development Policy was clear in its intention to promote freedom of expression, by ensuring that press freedom was assured. As such, they hoped to see whether the Media Development Policy would enhance press freedom, training and the practice of investigative journalism in Zambia by way of media law reforms. However, they observed that the Policy did not address investigative journalism training and practice, but focused on general journalism. This was because the Policy defined journalism as “a discipline of collecting, analysing, verifying and presenting information regarding current events, issues and people”. It did not define investigative journalism. Against this backdrop, it was plausible for stakeholders to state that the country did not have a Policy to govern investigative journalism, and there seemed not to be much impetus towards having one.

8.2 Legal Framework

Stakeholders submitted that the country did not have specific laws, rules, policies, or statutes that regulated, or dealt with investigative journalism. The laws being applied to general news reporting were also being used to regulate investigative journalism. Therefore, investigative journalism was being regulated by many provisions in the statutes, some of which were enacted before independence by the colonial masters. These laws had continued to hinder media freedom. Among such laws was *the Penal Code, Chapter 87 of the Laws of Zambia*, which contained provisions that impinged on the practice of journalism and investigative journalism in particular.

The Penal Code codified criminal laws applicable in Zambia and had been in force since 1930. It contained several provisions that were a bottleneck to investigative reporting and inimical to media practice in general as outlined below.

(i) Power to prohibit publications

Section 53 of the Penal Code empowered the President to ban any publication or series of publications, if in his opinion such a publication or series of publications was against public interest. It also enabled the President to singularly determine what constituted public interest. For instance, in May 1989, the First Republican President of Zambia, while on a visit to Iran, used the same law to ban Salman Rushdie's controversial book, "*The Satanic Verses*". Again, in 1996, the Second Republican President also declared issue number 401 of *The Post* newspaper a prohibited publication. Therefore, sections 53, 54 and 55, had far-reaching consequences. This was because in the case of a periodical, unless the President's banning order provided otherwise, the ban would be deemed to apply to subsequent editions of the publication, even if the publication's name was changed.

(ii) Law on sedition and related practices

Stakeholders stated that section 57 of the Penal Code, prohibited and defined sedition and seditious intent in detail in section 60. These provisions of the law compelled the media to report in a way that did not convey seditious intent. The danger, however was that the provisions were so wide-sweeping that they could be used by the Government against some sections of the media that investigated and exposed wrong doing in Government operations.

(iii) Publication of false news with intent to cause fear and alarm to the public

Stakeholders submitted that section 67 of the Penal Code, criminalised the publication of any statement, rumour or report which was deemed likely to cause fear and alarm to the public or to disturb public peace, knowing or having reason to believe that such a statement, rumour, or report was false. However, in the absence of a law which compelled public office holders to provide or confirm any information sought by the media, section 67 imposed limitations on investigative reporting.

Stakeholders argued that at times, information may be published which could seemingly be flouting section 67, but with no ill will or malice aforethought on the part of the reporter. For example, at the height of food shortages and other essential commodities in the country, a Mufulira-based Zambia News Agency (ZANA) reporter, was arrested and prosecuted for what was deemed an offence under this law. The reporter filed a story which was aired on the Zambia National Broadcasting Corporation (ZNBC) radio that a child on its mother's back had been crushed to death in a stampede for maize meal, a commodity that was in short supply in Mufulira at the time. However, although the child had experienced

suffocation and was rushed to hospital, it did not die. The reporter's mistake was to file the story before checking on the child's condition with hospital authorities. The police charged him with publishing false news with intent of causing fear and alarm to the public and yet the reporter had no such intention.

(iv) Defamation of the President

Stakeholders submitted that section 69 of the Penal Code, criminalised the publication of any defamatory or insulting story calculated at bringing the President into hatred, ridicule, or contempt. The problem with this law was that any investigative report suggesting an improper conduct on the part of a sitting President would be construed as bringing his or her name into hatred, ridicule or contempt, and, therefore, subject to prosecution. For instance, in 2001, some politicians and the Editor-in-Chief of *The Post* newspaper were prosecuted for calling the Second Republican President a "thief."

(v) Impersonation

According to section 102 of the Penal Code, it was an offence to impersonate any person employed in the public service. In other words, it was an offence to pretend to be an agent of the state to gain admission to a restricted place or to engage in an activity which was restricted to designated state employees. For example, it was deemed criminal to masquerade as a police detective to get information from a source who would not divulge such information if they knew one was a reporter. This was a major obstacle to information gathering by investigative reporters who may want to get facts under disguise.

(vi) Contempt of Court

Section 116 of the Penal Code, sought to protect the legal process from outside interference. It involved the offence of showing disrespect to the courts of law. Under this law, a reporter maybe summoned as a witness to give evidence in a court and be asked to disclose his/her source of information. This presented a problem where an investigative reporter got information from a source in confidence on condition that the source remained anonymous. This was because confidential sources were essential to investigative reporting. The protection of sources was an ethical requirement for both reporters and their media houses. If an informant knew that confidentiality would not be respected, both existing and potential sources would be unwilling to disclose information to a journalist. This would harm the public interest because many matters of public concern, ranging from maladministration through misconduct to criminal activities, would not be made known to the public.

(vii) State Security Act, Chapter 111 of the Laws of Zambia

The State Security Act was intended to deal with espionage, sabotage, and other related activities inimical to the interest of the state. Under this Act, it was an offence punishable with a jail term of not less than fifteen years for anyone to communicate classified matters to any person other than an authorised. This provision barred government functionaries from disclosing confidential and classified information to members of the public and the media. Section 4 of the Act stated that journalists or other members of the public committed an offence if they disclosed information, without lawful authority, knowing or having reasonable cause to believe that it was protected against disclosure by the provisions of the Act. The journalist contravened this law by disclosing such information when it related to the security or defence of the country, or the protection of good international relations.

For instance, on 9th March, 1999, *The Post* newspaper published in detail Zambia's military capacity, suggesting that the country was ill-equipped compared to Angola's military muscle in an event of a war between the two countries. The paper's editor and reporter were arrested and charged with espionage under this Act. It was, therefore, clear that some provisions of the *State Security Act, Chapter 111 of the Laws of Zambia*, the *Printed Publications Act, Chapter 161 of the Laws of Zambia* and the *Public Order Act, Chapter 113 of the Laws of Zambia* had a chilling effect on journalists and, therefore, constrained investigative journalism and media practice in general.

9.0 THE ROLE OF JOURNALISM IN ENGENDERING ACCOUNTABILITY BY PUBLIC OFFICE HOLDERS

Stakeholders argued that despite investigative journalism being able to uncover wrong doing; it could not in itself solve the problems it exposed. They likened investigative journalism to a watchdog whose main job was to alert its master of an imminent danger and the master was expected to act against the intruder or wrong doer. For instance, in investigative journalism, reporters were determined to dig out facts in a systematic order to help citizens have an in-depth understanding of issues seen as ordinary or minor.

In this regard, stakeholders submitted that reporters worked with subject experts, such as financial and policy analysts, to analyse information and facts to ensure that citizens were enlightened and clearly understood issues and actions being undertaken by public or private actors. An investigative story, for example, scrutinised government plans, decisions and actions and presented them in a way that avoided distortion associated with the grapevine which thrived on gossip, speculation and public anxiety. Therefore, investigative journalism helped citizens to see the hidden aspects of their own society which influenced and impacted their lives.

For instance, a reporter may investigate the drug business in Lusaka's Chibolya Compound and its impact on the way of life of the people in the area and the city as a whole. Journalist could also show how traditional guides known as Alangizi influenced the morality of young girls. Good investigative journalism, therefore, was not just about bringing out negatives. This was because if some government leaders and institutions were making good use of their power, investigative journalism could show society this positive picture.

In view of the foregoing, some people have referred to investigative journalism as journalism of advocacy because it deliberately provoked anger and outrage. The public outrage, in turn, caused civil society to agitate for positive change. Thus, media disclosure of morally outrageous conduct triggered agenda-building processes resulting in reform outcome and policy change that promoted democracy, efficiency, and social justice. This could be termed as the mobilisation model of investigative reporting, a concept that operated on the following:

- (a) media told the public what they needed to know;
- (b) public so enlightened decided what they wanted and agitated for reform;
- (c) policy makers responded to public pressure and instituted reforms; and
- (d) media then communicated those policy measures to the public.

Stakeholders explained that investigative reporting gained wide appeal after the fall of U.S President Richard Nixon in the wake of the Watergate Scandal, which was revealed by the *Washington Post* in the early 1970s. In the Watergate case, the *Washington Post* unearthed the wrong and brought it to the attention of the public. The enraged public demanded for punitive action. As a result, the lawmakers in Congress obliged and commenced the process of impeaching Mr Nixon. However, Mr Nixon resigned before the impeachment process got underway.

From the above, media exposures of morally outrageous conduct strengthened the capacity of the forces of good to identify and combat the forces of evil. Thus, investigative journalism was the vehicle through which the media effectively played their watchdog role and fulfilled their social obligations as a fourth estate.

10.0 EFFICACY OF INVESTIGATIVE JOURNALISM TRAINING IN ZAMBIA

Stakeholders acknowledged that compared to other countries, Zambia had relatively fewer media training institutions. These included, among others, the University of Zambia, Evelyn Hone College of Applied Arts and Commerce, Zambia Institute of Mass Communication (ZAMCOM), Zambia Catholic University, Cavendish University Zambia, Livingstone International University of Tourism Excellence and Business Management (LIUTEBM), Information and Communications University,

and the Media Institute for Southern Africa Zambia Chapter (MISA Zambia), which provided short in-service courses.

These training institutions did not have a specific curriculum on investigative journalism because it required specialised training. Journalists who practiced investigative journalism pursued it out of their own interest and through self-learning, which was backed up by occasional training workshops by local and foreign experts such as the World Bank, the American Embassy, Open Society Institute for Southern Africa (OSISA), the Zambia Institute for Mass Communication (ZAMCOM), among others. As such, only a handful of local journalists could be regarded as experts in investigative reporters. Since there was no specific curriculum to train investigative reporting, stakeholders argued that the country did not have an effective and consistent training curriculum in investigative journalism. Therefore, there was need to build capacity through the introduction of investigative reporting as a specialised course in journalism training at certificate, diploma and degree levels. That way, there could be a better appreciation of investigative journalism and journalism graduates would be equipped with the skills to undertake investigative reporting.

Additionally, media training institutions needed to invest more in capacity building for their teaching staff to be able to adequately train journalists in investigative reporting. There was also the need to put in place an appropriate curriculum which could result in trainee journalists acquiring the requisite skills in investigative reporting. Such capacity building blocks of training journalism lecturers could happen locally and abroad. This was important because skills could be acquired and passed on to journalism students.

11.0 MEASURES PUT IN PLACE BY MEDIA HOUSES TO PROMOTE INVESTIGATIVE JOURNALISM IN ZAMBIA

Stakeholders stated that media houses acknowledged that investigative journalism was a tool that could be used to hold leaders accountable. However, although most media houses promoted investigative journalism, only a few of their reporters ventured into writing investigative stories. This outcome was attributed to a number of impediments. Among the impediments was that very few media houses in the country had invested time and resources to equip their reporters to do investigative reporting. This was despite some media houses collaborating with the Open Society Institute for Southern Africa (OSISA), to train investigative reporters during workshops. While these efforts were appreciated, more media houses needed to invest in capacity building in investigative reporting, for the field to grow and prosper. For instance, *The Post* newspaper trained its journalists in investigative reporting. This was reflected in the manner they presented their stories as well as their impact on the Zambian society. The Zambia National Broadcasting Corporation (ZNBC) also partnered with the Radio Netherlands Training Centre to train journalists and producers in investigative reporting. Other media houses institutionalised investigative reporting by either creating desks or sections.

12.0 CHALLENGES BEING FACED IN PRACTICING INVESTIGATIVE JOURNALISM

Stakeholders submitted that the practice of investigative journalism faced various challenges at both institutional and individual levels. Some of these challenges were as outlined below.

(a) Editorial policies

Stakeholders submitted that most media houses lacked clear-cut policies on the need to pursue stories that called for thorough investigations. As a result, editors and reporters felt that they were not obliged to do so. Another reason was because the culture of practising investigative journalism was not so much part of journalism in Zambia. This was because investigative stories took a lot of time and called for dedication and focus for a story to be concluded with precision. Therefore, unless editors dedicated time and other resources to the practice, reporters were constrained and averse to undertake such projects.

(b) Low staffing levels

Most media houses operated at half capacity in terms of trained journalists and producers because of lack of resources to employ more qualified journalists. As a result, media houses found it convenient and resource prudent to concentrate on daily breaking stories and short-term assignments to fill the time and bulletins. This was because editors could not afford to send reporters to venture into investigative stories which took long to conclude.

(c) Lack of resources

Stakeholders stated that in order to successfully carryout an investigative story, there was need to dedicate resources besides time. For a research to be conducted effectively, there was need to provide transport to be used outside normal working hours, cameras and recorders as well as overtime allowances. However, because most media houses were struggling financially, they were unwilling to spend on long term projects such as investigative reporting. For some, investigative story projects were not concluded because of non-availability of dedicated transport, cameras or recorders, among other things.

(d) Low salaries

The Committee heard that most media institutions operated on limited or indeed shoe-string budgets. Thus, it was not possible for them to pay their employees reasonable salaries and allowances, especially to meet the costs to undertake investigative projects. This sometimes compromised journalists who had to investigate the rich and powerful who could easily buy their way out of the story.

(e) Training

Stakeholders submitted that training institutions did not have a specific curriculum on investigative journalism. Those who practiced investigative journalism pursued it out of personal interest and through self-learning. Additionally, training institutions did not dedicate a lot of time to teaching students in investigative reporting. Specialised training in investigative reporting was left to foreign experts and in-service training institutions such as ZAMCOM and MISA-Zambia. This meant that not many journalists were exposed to extensive training in investigative reporting.

(f) Access to information

Stakeholders observed that some people in public and private institutions were unwilling to provide information to journalists. Public officers were the worst culprits who sometimes employed bureaucratic red tape to frustrate journalists seeking information. They often invoked the general orders which bound and regulated the conduct of all officers in the civil service. Stakeholders were of the view that if access to information legislation was enacted, it would help to compel public institutions to provide information within the required timeframe. Currently, there was no law that compelled public officials to provide information when need arose. As a result, it was difficult for investigative reporters to obtain information, especially when such information linked senior officials to wrongdoing. Additionally, members of the public were equally not always forthcoming when journalists called for information, especially if the information had the potential to embarrass, scandalise, or incriminate their acquaintances.

(g) Legal impediments

Stakeholders submitted that some of the laws currently in place created a legal environment that severely limit the practice of investigative reporting in the country. For example, the *State Security Act, Chapter 111, of the Laws of Zambia*, section 4, criminalised communication of confidential or classified information. Additionally, libel laws forced journalists to shun stories which would most likely result into costly litigation. Though it could be argued that journalists must have the wits to get around some legal constraints, it was, nevertheless, difficult for them to find the will to investigate if they could not do so with peace of mind.

(h) Self censorship

Stakeholders observed that fear of repercussions and, in some cases, mere compromise caused some journalists to systematically avoid pursuing stories that required long term investigations that may lead them into potential trouble or affect them personally. Investigative journalism called for courage and risk and some journalists may not be willing to undertake such assignments with its attendant risks.

(i) Media ownership

Stakeholders submitted that media ownership often had an impact on what and who the reporter would investigate. This was because they did not want to lose revenue that came through advertisements in the event that an investigative story was about a corporate wrong doing, fear of losing a license or closure of a media house.

(j) Political violence

Stakeholders submitted that now, more than ever before, political violence targeted at journalists had become commonplace. Some journalists were abused physically by political party sympathisers who often accused journalists of writing false stories about their party leaders.

(h) Intimidation

Stakeholders submitted that utterances by some police officers who were expected to protect journalists made it difficult for them to operate freely. For instance it was alleged that some high ranking officers in the police service had previously warned journalists during media briefings that media houses that published or broadcast stories that were deemed alarming risked being closed. Such statements caused a lot of fear amongst the journalism fraternity, especially those that wanted to write stories that would reveal information perceived to be alarming. As a result, there was a lot of self-censorship by journalists for fear of offending the powers that be.

(i) Media awards

Stakeholders submitted that lack of motivation or recognition deterred some journalists who would like to undertake investigative journalism. They observed that while there were awards in other fields of journalism such as health and environmental reporting, there was no award dedicated to investigative reporting. Stakeholders were of the view that in order to promote investigative journalism, there was need to establishment an award to motivate those who excelled in investigative journalism. Additionally, media institutions should create desks that were purely dedicated to investigative reporting.

(j) Low Salaries

The Committee was informed that most media houses operated on limited or shoe-string budgets. As a result, it was very difficult for media houses to provide reasonable salaries and allowances to motivate journalists. Considering that investigative journalism required working extra hours beyond the normal call of duty, which was the norm in investigative reporting, it became difficult for institutions to support investigative journalism through providing allowances.

(k) Absence of minimum qualification for journalists

Stakeholders submitted that the absence of a minimum qualification for journalists and lack of employment, forced qualified journalists to compete for low paying jobs with unqualified journalists. As a result, after serving for a long time and failing to sustain their living, their desire to remain ethical was compromised when faced with corruptive temptations in the form of what was termed: 'brown envelope journalism'. The term was defined as the practice of offering or accepting gratification such as gifts, drinks, food or money in order to influence the judgment of a journalist. It may be given to a journalist as an appreciation for an act or demanded by the journalist. The underlying motive was to influence the judgment of, for instance, an 'investigative' journalist immediately or in the future. The stakeholders were of the view that if there was minimum qualifications, journalists would be paid allowances and salaries commensurate to their qualifications and hence would not be susceptible to corruption.

(l) Inadequate legal training

Stakeholders submitted that journalism training schools in Zambia put little emphasis on legal education. They were of the view that familiarity with the law and how it affected reporting was indispensable for investigative journalists, particularly considering that a number of laws continued to be crucial obstacles in their work. They argued that instead of solely relying on the opinion of legal experts in their news organisations, reporters should familiarise themselves with several press laws that had significant consequences for their work.

(m) Technology

Stakeholders observed that most reporters only had superficial training in the use of a variety of new technologies in reporting. These new technologies tremendously benefited investigative reporting. Computer-assisted reporting and the internet, for example, were indispensable for the production of high-quality reports.

(n) Ethics

Stakeholders acknowledged that investigative journalism inevitably dealt with conflicting expectations and morals. A host of ethical issues frequently arose in investigative journalism, such as how far journalism could go in search of accountability without violating privacy rights. Among the ethical issues to be considered were privacy, accountability, accuracy, responsibility, and moral decency. They also argued that the widespread use of undercover tactics in both print and broadcast journalism, for example, repeatedly raised ethical issues.

13.0 COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS

Arising from the interactions from the interactions with the stakeholders, the Committee makes recommendations and observations as set out below.

(i) Access to information legislation

The Committee observes that public officers are unwilling to provide information to journalists and opt to use bureaucratic red tape to frustrate journalists seeking information. The Committee is of the view that if the access to information legislation is enacted, it will help to compel public officials to provide information within the required timeframe. It will also be easy for investigative reporters to obtain information from members of the public as they will also be helpful when journalists request for information from them.

The Committee, therefore, recommends that the Executive should speed up the process of enacting the access to information legislation in order to enable investigative journalists have access to information. This piece of legislation will not only facilitate the work of the media fraternity or investigative journalists alone, but it will also enable members of the public to have access to information of public interest.

(ii) Legal impediments

The Committee notes that currently, the laws being applied to conventional journalism are the same laws that are being used to govern investigative journalism. Most of the provisions of the Penal Code are inimical to the practice of investigative journalism and put a severe limit on journalism practice in general. At the same time, some laws force journalists to shun stories which are likely to result into costly litigation. Although the Committee agrees with stakeholders who argue that journalists must be skilled enough to get around some legal constraints it is of the view that it is difficult for journalists to find the will to investigate if they will be doing so with a lot of fear.

In this regard, the Committee recommends that the Government should ensure that some provisions in the *Penal Code Chapter 87, of the Laws of Zambia* are repealed in order to allow journalists to write investigative stories without fear of abrogating the law.

(iii) Media Development Policy

The Committee appreciates the efforts that the Government is making to ensure the growth of the media industry in Zambia. However, the Committee notes that the Government has put in place a Media Development Policy, but this Policy has not addressed issues relating to investigative journalism training and practice, but focuses on journalism, in general.

In this regard, the Committee recommends that the Executive should develop a mechanism that will ensure that the investigative aspect of journalism is also promoted.

(iv) Training

The Committee notes with concern that training institutions in Zambia do not have a specific curriculum dedicated to investigative journalism. Journalists who practice investigative journalism pursue it out of their personal interest and self-learning. Additionally, trainers are also not capacitated to provide adequate training in investigative journalism.

The Committee, therefore, recommends that the Executive should ensure that journalism training institutions put in place a dedicated investigative reporting curriculum to be implemented at certificate, diploma and degree levels, so that there is an appreciation of the importance of investigative journalism by students. The course should be offered as a standalone course and not merely as a topic in a subject. In addition, the Committee calls for journalism trainers to be adequately capacitated to enable them provide training in investigative reporting. The skill acquired by trainers will be passed on to students.

(v) Lack of specialised desks at media institutions

While noting that media houses recognise the important role investigative journalism plays by, among other things, exposing abuses of power, corruption and other vices in society, they have not created dedicated investigative reporting desks.

In this vein, the Committee recommends that media houses should create dedicated desks for investigative journalism in their institutions and media houses need to create investigative journalism desks in their institutions and ensure that enough resources such as transport, funds, equipment and personnel are allocated to these desks. This will ensure that finances and staff are dedicated to investigative reporting.

(vi) Institutional policies

The Committee notes that investigative reporting is not being practiced in media houses because superiors have not put in place policies that promote investigative reporting. The Committee is of the view that a culture of investigative reporting will be promoted in the country if superiors in media houses put in place policies that promote investigative reporting. Additionally, investigative journalism should be institutionalised and become part of production and news diaries and planning sessions.

In this regard, the Committee recommends that the Executive should take measures to ensure that media houses institutionalise investigative journalism and make it part of production and news diaries and planning sessions. Media executives should, in this regard also, be trained in investigative journalism for them to provide full support to staff doing investigative stories. Further, the Executive should also ensure that media houses put in place policies that will encourage investigative

journalism, and ensure that journalists who engage in investigative reporting are protected by their employers.

(vii) Incentives for investigative journalism

The Committee notes that the absence of recognition in terms of a media award discourages journalists from undertaking investigative journalism projects. The Committee agrees with stakeholders who observe that there are awards in other fields of journalism such as health and environmental reporting in the media fraternity, but there is no award dedicated to investigative reporting.

In view of the foregoing, the Committee recommends that in order to promote specialised reporting in investigative journalism, the relevant authorities should consider establishing an investigative journalism award. This will also motivate those who will excel in field.

(viii) Self-censorship

The Committee notes with concern that some statements made by some officers in the police service make it difficult for journalists to function effectively. Some media houses are threatened with closure if they publish or broadcast stories that are seemingly alarming to the nation. The Committee agrees with stakeholders that such statements create fear among journalists who may want to write stories that will reveal information that may be perceived as alarming to the nation. As a result, there is a lot of self-censorship by journalists for fear of offending the powers that be.

In this vein, the Committee recommends that the Government should ensure that high ranking officers in the police service refrain from making intimidating statements against journalists and media houses in order to allow them to perform their duties diligently.

(ix) Political violence

The Committee observes with concern that now, more than ever before, political violence targeted at journalists has become commonplace. Some journalists are abused verbally and physically by political party sympathisers who often accuse them of writing false stories about their party leaders.

In this regard, the Committee recommends that the Executive should embark on a sensitisation programme that will ensure that the leaders of political parties and their sympathisers are enlightened on the role of the media in order to allow journalists to perform their duties without fear of harassment.

(x) Media ownership

The Committee notes that some media owners influence the operations of journalist by instructing them on who they should investigate for fear of, for example, losing revenue raised through advertisements. Further, the Committee also notes that big media houses are owned by the Government and the people running these organisations are appointed by the Government. Therefore, the executives of these organisations cannot allow their journalists to investigate issues that concern high ranking government officials. If a journalist insists on undertaking such an investigation, he or she is expected to leave their position.

In this regard, the Committee recommends that media owners should be sensitised to ensure that they appreciate the role of investigative journalism and the media in general in order for them to allow journalists play their watchdog role effectively.

(xi) Misconception about the role of investigative journalism

The Committee agrees with some stakeholders who observe that investigative journalism is misconstrued to have a singular purpose of afflicting the powerful and comfortable as well as comforting the afflicted. The Committee is of the view that while investigative journalism exposes budgetary waste, corruption, official scandal and institutional malfunction, it is also about checking on behalf of the society the dealings and aspirations of those whose actions have the capacity to destabilise society.

The Committee recommends that training institutions, media houses and civil society organisations should collaborate in sensitising media persons that investigative journalism is not only about exposing negative activities, but that it is also about exposing on behalf society the dealings and aspirations of those whose actions can destabilise society. This will enable journalists appreciate the role of investigative journalism to governance and its relevance to reform.

(xii) Lack of a minimum qualification

The Committee notes that the absence of a minimum qualification and employment in Zambia has contributed to unprofessionalism. This is because qualified journalists are made to compete for low paying jobs with unqualified journalists. As a result, after serving for a long time and failing to sustain their living, their ethics are compromised when faced with corruptive temptations.

In this regard, the Committee recommends that the Executive as a matter of urgency puts in place a minimum qualifications for one to practice as a journalist so as to promote professionalism. This will ensure that qualified journalists do not compete with unqualified journalists and that they are paid salaries commensurate to their qualifications.

(xiii) Inadequate legal training

The Committee notes that journalism training schools have attached little importance to legal education. The Committee is of the view that an appreciation of the law and its interaction with journalistic work is necessary for investigative journalists, especially that a number of laws appear to place restraints to the practice of journalism.

In this regard, the Committee recommends that the Government should ensure that training institutions revise the journalism training curricula in order to strengthen legal education aspect of media studies.

(m) Technology

The Committee notes that most reporters lack proper training in the use of the new technologies in reporting. It is of the view that many of the new technologies will tremendously benefit investigative journalism. This is because computer-assisted reporting and the internet are essential in the production of high-quality reports.

In this regard the Committee recommends that the Executive should ensure that training institutions put in place a journalism curriculum that is in tandem with the contemporary technological advancements.

(n) Ethics

The Committee notes that investigative journalism inevitably deals with conflicting expectations and morals. The Committee is also aware that a host of ethical issues repeatedly arise in investigative journalism. These include issues such as how far journalists could go in search of accountability without violating privacy rights. The Committee also agrees with the stakeholders who argue that the widespread use of undercover tactics in both print and broadcast journalism, repeatedly raise ethical issues.

The Committee, therefore, recommends that the Government should ensure that training institutions strengthen ethical reporting to ensure that the desire to search for accountability does not violate people's rights.

PART II

CONSIDERATION OF THE ACTION-TAKEN REPORT FOR THE FOURTH SESSION OF THE TWELFTH NATIONAL ASSEMBLY

14.0 IMPLEMENTATION OF E-GOVERNMENT IN ZAMBIA

While acknowledging the strides that the Government was making to successfully implement the e-Government programme, the Committee made observations and recommendations as set out below.

(i) Inadequate Policy

In the previous Session, the Committee had strongly recommended that, as a matter of urgency, the Government should review the 2006 ICT Policy in order to bring it in tandem with the global trends and norms in e-Government service delivery.

Executive's Response

In the Action-Taken Report, the Ministry of Transport and Communications stated that the Executive had commenced the review of the 2006 ICT Policy and stakeholder-consultations were ongoing. The review and finalisation of a new ICT Policy was expected to be completed in the second quarter of 2021.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the review and finalisation of a new ICT Policy.

(ii) Inadequate Infrastructure

In the previous Session, the Committee had strongly recommended that the Government should, as a matter of urgency, conclude the projects that were currently being implemented to ensure that all districts were covered. The Committee also urged the Government to adequately fund the Smart Zambia Institute (SZI) in order for it to procure the required electronic devices for distribution in all districts.

Executive's Response

In the Action-Taken Report, the Executive stated it was still in the process of finalising the Communication Towers Phase II Project which would see the construction of 1009 communications towers across the country. Additionally, as at 31st August, 2020, the Government had commenced the construction of 776 communications towers. Of this total, 774 were completed while 717 were operational and on air. Once the Project was completed, it would enhance network coverage from 72 per cent to over 93 per cent.

The Government, through the Connecting Learning Institutions Programme by ZICTA, donated computers and other internet enabling devices to fifteen higher learning institutions in nine provinces, twelve health institutions in seven provinces, thirteen vocational training institutions in provinces including North-Western and Western provinces and seven agricultural learning institutions in five provinces including Muchinga and Eastern Provinces. These would greatly help in the implementation of e-Government services delivery.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report because the Government has not yet completed the projects aimed at enhancing e-Government service delivery in all districts.

(iii) Linking the Biometric Identification System

In the previous Session, the Committee had recommended that the Government speeds up the implementation of the process aimed at linking the Government Payroll Management system to a biometric identification system so as to clean up the Government payroll in the country.

Executive's Response

The Executive through the Ministry of Home Affairs (MoHA) reaffirmed its resolve to successfully implement the Integrated National Registration and Identification System (INRIS) Project which was envisioned to act as a single trusted point of accurately identifying Zambian citizens, residents and immigrants. The INRIS would contain and provide a centralised database of Biometric and Demographic data/information about all eligible citizens in the country including citizens remunerable in the public service as employees.

The Committee was herewith informed that the INRIS Project was ongoing and the Government in 2020, contracted Dermalog of Germany to supply and install the INRIS that would provide services such as National Registration Card, Birth Certificate, Death Certificate, issuance of Temporal Identification Cards. The INRIS would interface with other systems both public and private sector based including the Payroll Management and Establishment Control (PMEC) System to facilitate digital verification and authentication. The Committee was further informed that Governments operated a number of public service databases and registers that managed identity data for the citizens interacting and seeking various services such as pension registration, voter registers, driver's license, a tax identity system, records of social security beneficiaries. However, these systems were highly fragmented and non-interoperable leading to individuals using a variety of identity credentials as proof of ID enabling an increase in the burden of identity verification.

The Committee was herewith updated that phase I of installation and supply of the upgraded INRIS was affected by the COVID -19 Pandemic that rendered slow progress in the attainment of targets that were set for the implementation of the INRIS in 2020. Nevertheless, the Government had taken steps to operationalise the INRIS and commence the enrolment of citizens onto the system using a tiered model of registrars and enrolment agencies. In this regard, the Department of National Registration Passport and Citizenship (DNRPC) under the Ministry of Home Affairs (MoHA) had entered into agreements with registrars, which were entities recognised by the DNRPC for the purpose of enrolling citizens.

The configuration and installation of the system commenced in February, 2021 and once it was fully installed, DNRPC and the identified registrars would commence the process of enrolling Biometric Data and collection of demographic information with the approximately 240,000 public service employee spread across the country. Once the data was collected and de-duplicated, the Government would establish integration and interoperability between the INRIS and PMEC system and use biometric matching to uphold the integrity of the Government payroll system. The integration of the INRIS, PMEC, Treasury Single Account, IFMIS would ensure that the Government established a biometric enabled public service electronic payment system.

Once the Ministry of Home Affairs completed the implementation of updated ABIS Based INRIS, a technical team comprising of representation from Ministry of Home Affairs, Public Service Management Division, Ministry of Finance - Accountant General's Office, INFRATEL and SMART Zambia Institute would be constituted to plan modalities of facilitating system integrations and interoperability.

The Committee was herewith informed that the enrolment of public service employees would commence as soon as the system was installed, tested and declared functional for operation and subsequent interface with the PMEC.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to wait for a progress report because enrolment of public service employees would commence after the system is installed, tested and declared functional for operation and also able to interface with the PMEC system.

(iv) Reliance on Foreign ICT Solutions

In the previous Session, the Committee had recommended that the Government should ensure that all public and private institutions endeavoured to work in collaboration with local service providers to develop ICT solutions that could be used in the e-Government implementation programme. Both the private and public sectors should also be encouraged to use locally developed solutions as this would reduce the cost of renewing licenses as well as create opportunities for employment and work experience for Zambian graduates.

Executive's Response

In the Action-Taken Report, the Government submitted that it would endeavour to provide a policy and regulatory environment that supported businesses in the ICT sector and made provision for preferential treatment towards procurement of local solutions where applicable and practically possible. It was envisaged that this would have a positive impact on reducing reliance on foreign ICT solutions.

Further, the Government in collaboration with the Copperbelt University (CBU) was in the process of establishing a Cyber City in Ndola. This project would promote the growth of the ICT sector in Zambia and create employment opportunities and provide work experience for many youths and graduates.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report because the Government is still in the process of providing a policy and regulatory environment that supports businesses in the ICT sector in order to avoid reliance on foreign solutions.

(v) Lack of Awareness

In the previous Session, the Committee had recommended that the Government should embark on a vigorous campaign on both radio and television to sensitise the public on the importance and purpose of the e-Government programme. This would encourage Zambians to access the Government services on websites.

Executive's Response

In the Action-Taken Report, the Government stated that the Smart Zambia Institute had concluded the final draft of the Change Management and Communication Strategy that supported and embraced implementation of the Smart Zambia e-Government programme. The strategy made recommendations on various channel of dissemination of e-Government information through conventional media such as radio, televisions, print media and the emerging digital platform such as websites, social media and focus group meetings.

A new initiative for digital literacy training of the Public Service and general public had commenced and was underway until 2021. The training would focus on increasing utilisation of electronic Government services. The enhancement of the digital platforms facilitated for user friendly and easy to use features to enable ordinary citizens have capacity to use the facilities with ease.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the digital literacy training for the Public Service and the general public which was reported to be underway.

(vi) Inadequate Skills

In the previous Session, the Committee had recommended that the Government should put in place a deliberate policy for civil servants, especially those with ICT skills to undergo further training at the ICT College in Ndola to improve their ICT knowledge.

Executive's Response

In the Action-Taken Report, it was stated that through the Smart Zambia e-Government Master Plan 2018 to 2030, and the Public Service Human Capital Development Standards, the Government had provided for strategic and operational plans to ensure information and communication technology training and capacity building were undertaken within the Public Services and also to the general public.

The Government was, therefore, scheduled to undertake an ICT and e-Government Training Needs Assessment to inform the implementation of skills and competence-based training at all levels and specialisation in the third quarter of 2020. Based on the results of the Training Needs Assessment, an action plan for Technical, Functional and End-users' training shall be developed in the Public Service. The Government would leverage on the valuable investment in the state-of-the-art Zambia ICT College technological resources in Ndola which was being used for ICT knowledge and skills-based training for the Public Service employees. In addition, other ICT training facilities offered by the University of Zambia, Copperbelt University, Mulungushi University and Zambia Centre for Accountancy Studies shall be explored to supplement the ICT College facilities.

The Government had developed a programme and would implement an agenda called ICT and Digital Utilisation to ensure digital literacy across Government institutions. Additionally, through partnership with the International Telecommunication Union (ITU), the Government had embarked on a Widespread Digital Transformation Programme. The programme was aimed at building capacity in ICT and digital literacy of the public sector employees and the general citizenry.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report because the Government has not yet implemented the programme aimed at building capacity in ICT and digital literacy for the public service employees and the general public.

(vii) Communication Barrier

In the previous Session, the Committee had strongly recommended that the Government should encourage public institutions to also provide information on their websites in the seven major local languages. This would enable people who could not read or write in English to access information and Government services on Government institution websites.

Executive’s Response

In the Action-Taken Report, the Government stated that currently, some internet platforms such as Google translated applications for Android and IOs supported 109 languages and could propose translations for thirty-seven languages via photo, thirty-two via voice in “conversation mode”, and twenty-seven via live video imagery in “augmented reality mode”. Therefore, Smart Zambia Institute would leverage on the expertise at the Zambia National Broadcasting Corporation (ZNBC) to ensure the implementation of translated information on the Government websites in the immediate term. The Government would also conduct public awareness on the availability of local languages to ensure website visitors were well informed and knew how to select language options once implemented.

The Government was cognisant of the fact that the implementation required human capital development within MPSAs to ensure that capacity was built to enable them translate content for their websites. In this regard, MPSAs would be advised to include this particular training for their content managers to ensure that this programme was rolled out during the next Medium Term Expenditure Framework (MTEF) period.

In an effort to ensure inclusivity, the Government was committed to taking care of the disadvantaged groups by including the use of voice translation for the visually impaired on the Government websites.

Committee’s Observations and Recommendations

In noting the submission, the Committee resolves to await a progress on the provision of information in the seven major local languages on Government websites.

CONSIDERATION OF THE ACTION-TAKEN REPORT OF THE COMMITTEE ON MEDIA, INFORMATION AND COMMUNICATION TECHNOLOGIES FOR THE THIRD SESSION OF THE TWELFTH NATIONAL ASSEMBLY

15.0 MEDIA REGULATION IN ZAMBIA

Arising from its interactions with various stakeholders both during the long meetings and the local tour, the Committee made observations and recommendations as outlined below.

(i) Regulatory bodies

In the previous Session, the Committee had resolved to await a progress report on the establishment of a media self-regulatory body. Among other things, the media self-regulatory body was expected to address issues concerning:

- (a) unprofessional conduct by media practitioners;

- (b) absence of a standard code of ethics;
- (c) fear of being left out;
- (d) fear of being licensed;
- (e) absence of the ombudsman;
- (f) polarisation of the media; and
- (g) training regarding online reporting.

Executive's Response

In the Action-Taken Report, the Executive submitted that the concerns raised by the Committee could only be resolved through the establishment of a regulatory institution for Journalists. Therefore, authority had been granted by Cabinet for the Minister of Information and Broadcasting Services to introduce a Bill in Parliament which would provide for the establishment of a self-regulatory professional body for journalists through a Cabinet Memorandum. In this regard, a layman's Bill, drafted in conjunction with journalists, had been presented to the Ministry of Justice.

In addition, the Media Development Policy, on which the regulatory institution for Journalists' Act would be anchored in providing direction to the media industry in the country, was launched on 23rd November, 2020, by the Minister of Information and Broadcasting Services.

Committee's Observation and Recommendations

In noting the submission, the Committee resolves to await a progress report on the proposed legislation to govern the practice of journalism and the establishment of a media self-regulatory.

CONSIDERATION OF THE ACTION-TAKEN REPORT OF THE COMMITTEE ON MEDIA, INFORMATION AND COMMUNICATION TECHNOLOGIES FOR THE SECOND SESSION OF THE TWELFTH NATIONAL ASSEMBLY

16.0 REVIEW OF THE INFORMATION AND MEDIA POLICY IN ZAMBIA

Arising from its interactions with various stakeholders both during the long meetings and local tour, the Committee made observations and recommendations as outlined below.

(i) Access to Information Legislation

In the previous Session, the Committee had observed that the absence of the access to information legislation caused people to turn to social media platforms to circulate information or speculations. The Committee had noted that access to information legislation would not only facilitate the work of the media fraternity, but also enable the general public to have access to information on issues of public interest.

Executive's Response

In the Action-Taken Report, the Government stated that the Access to Information Bill was put on hold after it was observed that there was no policy on which it could be anchored. The Government, through the Ministry of Information and Broadcasting Services, had since developed the Information Communication Policy, which had been submitted to Cabinet for approval through a Cabinet Memorandum. Once approval was granted, the policy would provide anchor on which to base the Access to Information Bill.

Committee's Observation and Recommendations

In noting the submission, the Committee resolves to await a progress report on the Access to Information Bill.

16.2 UPDATE ON THE COUNTRYWIDE DIGITAL MIGRATION PROGRAMME

Arising from its interactions with various stakeholders both during the long meetings and local tour, the Committee made observations and recommendations as outlined below.

(i) TopStar Operations not in line with the Digital Migration Policy

In the previous Session, the Committee had expressed concern over the inordinate delay by the Government in attending to the review of the Digital Migration Policy. It was particularly dismayed that TopStar had been allowed to continue operating against the parameters of the Policy. In this vein, the Committee implored the Executive to expeditiously deal with this matter and awaited a progress report on the review of the Digital Migration Policy.

Executive's Response

In the Action-Taken Report, the Government stated the Secretary to the Cabinet had guided that any desire by any ministry, province and spending agency (MPSA) to either enact a new piece of legislation, review an existing piece of legislation, develop a new policy or review an existing one, should involve extensive and broad consultation with all relevant stakeholders. In line with the guidance given, the Digital Migration Policy had not yet been reviewed as the Ministry was still undertaking the above stated requisite consultations.

Committee's Observation and Recommendations

In noting the submission, the Committee resolves to await a progress report on the review of the Digital Migration Policy.

(ii) Free-to-air Television Broadcasting Services

In the previous Session, the Committee had resolved to await a progress report on review of the Policy so as to remove the inconsistencies. In particular, the Committee awaited a progress report on the issue of encryption of free to air broadcasting services on private broadcasting stations by TopStar.

Executive's Response

In the Action-Taken Report, the Government stated that the issue of encryption of content and channels for some radio stations was among many issues that were being considered in the review of the Digital Migration Policy. Therefore, once the policy was reviewed, this challenge would be comprehensively addressed.

Committee's Observation and Recommendations

In noting the submission, the Committee resolves to await a progress report on the review of the Digital Migration Policy in order to address concerns regarding encryption of free to air broadcasting services by TopStar.

CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE REPORT OF THE COMMITTEE ON MEDIA, INFORMATION AND COMMUNICATION TECHNOLOGIES FOR THE FIRST SESSION OF THE TWELFTH NATIONAL ASSEMBLY

17.0 NATIONAL FILM POLICY

Arising from its interactions with various stakeholders both during the long meetings and local tour, the Committee made observations and recommendations as outlined below.

(i) Creation of Faculties in Cultural Preservation and Film Production at Higher Learning Institutions

In the previous Session, the Committee had resolved to wait for a progress report on the actualisation of the construction of the University College of Governance and Arts in Katete District.

Executive's Response

In the Action-Taken Report, the Executive stated that the Government had not proceeded with the construction of a University College of Applied Arts in Katete District project due to the continued implementation of fiscal consolidation initiatives that had been put in place by the Government. Through these initiatives, a number of externally financed projects had been postponed, scaled down or cancelled in an attempt to reduce pressure on the fiscal space. The project would, therefore, only be considered when funds were available.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the construction of the University College of Applied Arts in Katete.

(ii) Absence of Formal Training Syllabus for Cultural Preservation and Theatre in Schools

In the previous Session, the Committee had resolved to wait for a progress report on the standardisation of curriculum in universities and TEVETA institutions.

Executive's Response

In the Action-Taken Report, the Government reported that pursuant to the *Higher Education Act No 4 of 2013* and its mandate to ensure quality higher education, the Higher Education Authority continued to ensure that all higher education institutions submitted their learning programmes for accreditation. As at 30th April, 2020, a cumulative number of 1,256 learning programmes were submitted by the eight public and fifty-four private higher education institutions (HEIs). Out of the 1,256 submitted, 628 underwent evaluation resulting in 442 being accredited and 186 rejected. Currently, 314 were undergoing evaluation.

Committee's Observation and Recommendations

In noting the submission, the Committee resolves to await a progress report on the accreditation of the 314 courses that are still being evaluated.

(iii) Careers Related to Film

In the previous Session, the Committee had resolved to wait for a progress report because the Executive had stated that it had directed the IBA to ensure that content providers of broadcasting materials should ensure that the 35 per cent local threshold was adhered to. Further, to support this policy requirement, the Government was preparing a statutory instrument to guide content regulation and enforce the 35 per cent threshold. This requirement would help create jobs and support the growth of the local film industry. The statutory instrument was expected to be issued within the third quarter of 2019.

Executive's Response

In the Action-Taken Report, the Government stated that following wide consultations, it had been deemed necessary to address this matter during the review of the outdated Independent Broadcasting Authority (IBA) Act whose review had already commenced.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the review of the Independent Broadcasting Authority Act.

(iv) Lack of Proper Documentation of Cultural Ceremonies

In the previous Session, the Committee had resolved to await a progress report on the documentation of cultural ceremonies. That was because the Government was still constructing provincial broadcasting stations which would enhance the documentation of ceremonies once they became operational.

Executive's Response

In the Action-Taken Report, the Government stated that as indicated earlier, documentation of all traditional ceremonies would be possible when the construction of provincial broadcasting studios, which were currently above 90 percent level were completed.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the completion of the provincial broadcasting studios and documentation of the all traditional ceremonies.

(v) Zambia Consolidated Copper Mines (ZCCM) Infrastructure

In the previous Session, the Committee had resolved to await a progress report on the rehabilitation of the Luanshya Theatre Hall.

Executive's Response

In the Action-Taken Report, the Government reported that the local authority had formally engaged Luanshya Copper Mines on the issue and had requested the mining firm to submit a roadmap on the rehabilitation of the Theatre Hall.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the rehabilitation of the Luanshya Theatre Hall.

CONSIDERATION OF OUTSTANDING ISSUES FROM THE ACTION-TAKEN REPORT ON THE COMMITTEE'S REPORT FOR THE FOURTH SESSION OF THE ELEVENTH NATIONAL ASSEMBLY

19.0 COMMUNITY RADIO STATIONS IN ZAMBIA

Arising from its interactions with various stakeholders both during the long meetings and local tour, the Committee made observations and recommendations as outlined below.

(i) Independent Broadcasting Authority Mandate

In the previous Session, the Committee had resolved to await a progress report on the revision of the IBA Act so as to respond to technological advancements.

Executive's Response

In the Action-Taken Report, the Government submitted that following wide consultations, it had been deemed necessary to address this matter during the review of the outdated IBA Act whose review had already commenced.

Committee's Observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the review of the Independent Broadcasting Authority Act.

(ii) Certifying body for sign language interpretation

In the previous Session, the Committee had resolved to await a progress report on the recognition of ZAMISE by the Zambia Qualifications Authority as a certifying body for sign language interpretation organisations.

Executive's Response

In the Action Taken Report, the Government submitted that the *Zambia Qualification Authority Act No. 13 of 2011* could only determine the eligibility of Zambia Institute for Special Education (ZAMISE) as an appropriate body to certify sign language interpretation if the institution applied for the status. At the moment, the institution had not submitted the application.

Committee's Observation and Recommendations

In noting the submission, the Committee resolves to await a progress report on the recognition of ZAMISE by the Zambia Qualifications Authority as a certifying body for sign language interpretation organisations.

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

20.0 SADC REGIONAL DIGITAL SWITCHOVER

Arising from its interactions with various stakeholders both during the long meetings and local tour, the Committee made observations and recommendations as outlined below.

(i) Regulation to Manage E-Waste

In the previous Session, the Committee had resolved to wait for a progress report on the construction of a landfill in Kabwe which would have a component for disposal of hazardous waste including e-waste.

Executive's Response

In the Action-Taken Report, the Government reported that the Kabwe Municipal Council had allocated land for the construction of an engineered landfill which would have a component for the disposal of hazardous waste including e-waste. Therefore, the project was at feasibility study and procurement stage would be followed by survey preparation of detailed engineering drawings.

Committee's Observation and Recommendations

In noting the submission, the Committee resolves to await a progress report on the construction of a landfill in Kabwe which would have a component for disposal of hazardous waste, including e-waste.

21.0 CONCLUSION

The Committee notes that the media, among others, also plays a watchdog role by providing information that sheds light on the activities of those in public office, crime, and corporate wrongdoing. In this way, the media promotes accountability which could be achieved, to a certain extent, through investigative journalism. Despite the important role that investigative journalism plays, the Committee is concerned that training institutions in Zambia do not have a specific curriculum dedicated to investigative journalism. Journalists practicing investigative journalism pursue it out of personal interest. The Committee also notes that trainers are also not adequately skilled in the field of investigative journalism.

The Committee is of the view that the Executive should ensure that journalism training institutions revise the journalism curriculum and implement it at certificate, diploma and degree levels so that journalism students appreciate the importance of investigative journalism. The course should be a standalone course and not a topic

in a subject. In addition, the Committee calls for journalism trainers to be adequately capacitated to enable them provide training in investigative reporting.

Finally, the Committee wishes to express its gratitude to the Office of the Hon Mr Speaker and the Clerk of the National Assembly for the guidance and services rendered to it throughout its deliberations. It also wishes to pay tribute to all stakeholders who interacted with it and whose input was invaluable to its work.

G M Imbuwa, MP
CHAIRPERSON

March, 2021
LUSAKA

APPENDIX I - OFFICIALS OF THE NATIONAL ASSEMBLY

National Assembly

Ms C Musonda, Principal Clerk of Committees

Mr F Nabulyato, Deputy Principal Clerk of Committees (SC)

Mrs C K Mumba, Senior Committee Clerk (FC)

Ms C R Mulenga, Committee Clerk

Mrs R M Kanyumbu, Typist

Mr M Chikome, Committee Assistant

Mr D Lupiya, Committee Assistant

Mr M Kantumoya, Parliamentary Messenger

APPENDIX II - LIST OF WITNESSES

1. Ministry of Information and Broadcasting Services
2. Ministry of Justice
3. Independent Broadcasting Authority (IBA)
4. Media Institute for Southern Africa (MISA-Zambia)
5. PANOS Institute, Southern Africa
6. Zambia Union of Journalists (ZUJ)
7. Zambia Media Women Association (ZAMWA)
8. Bloggers of Zambia
9. Press Association of Zambia (PAZA)
10. Media Liaison Committee (MLC)
11. Zambia Union of Broadcasters and other Independent Disseminators (ZUBID)
12. Law Association of Zambia (LAZ)
13. Catholic Media Services
14. Jesuit Centre for Theological Reflection (JCTR)
15. Transparency International Zambia (TIZ)
16. Common Grounds Network
17. University of Zambia (UNZA) - Department of Mass Communications
18. Evelyn Hone College of Applied Arts and Commerce - Department of Media Studies
19. Zambia Institute of Mass Communications (ZAMCOM)
20. Zambia National Broadcasting Corporation (ZNBC)
21. Diamond TV
22. Radio Phoenix
23. Sun FM
24. The Mast
25. Times of Zambia
26. Zambia Daily Mail