



**REPUBLIC OF ZAMBIA**

**REPORT**

**OF THE**

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

**FOR THE**

**FIRST SESSION OF THE THIRTEENTH 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 FIRST SESSION OF THE THIRTEENTH NATIONAL ASSEMBLY**

## **1.0 MEMBERSHIP OF THE COMMITTEE**

The Committee consisted of Eng. Raphael Samukoma Mabenga, MP (Chairperson); Ms Brenda Nyirenda, MP (Vice-Chairperson); Mr Masautso Kazungula Tembo, MP; Mr Sydney Mushanga, MP; Mr Andrew Lubusha, MP; Mr Munir Zulu, MP; Mr Romeo Kangombe, MP; Mr Walusa Mulaliki, MP; Mr Oliver M Amutike, MP; and Mr Levy Mkandawire, MP.

*The composition of the Committee changed after the death of Kabwata Parliamentary Constituency Member of Parliament, Mr Levy Mkandawire, who was replaced by Mr Andrew Tayengwa, MP.*

The Honourable Madam Speaker  
National Assembly  
Parliament Buildings  
**LUSAKA**

Madam

The Committee has the honour to present its Report for the First Session of the Thirteenth 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. 197(b) and 198 of the National Assembly Standing Orders, 2021.

## **3.0 COMMITTEE'S PROGRAMME OF WORK**

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

- (a) Consideration of the Action-Taken Report for the Fifth Session of the Twelfth National Assembly;
- (b) Consideration of the topical issue: "*Review of the Media Space in Zambia*";
- (c) Local tour; and
- (d) Consideration and adoption of the draft report.

#### **4.0 PROCEDURE ADOPTED BY THE COMMITTEE**

The Committee held 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 Committee on the topical issue of study. Part II contains outstanding issues arising from the Action-Taken Report on the Committee's Report for the Fifth Session of the Twelfth National Assembly.

### **PART I**

#### **CONSIDERATION OF THE TOPICAL ISSUE**

#### **6.0 REVIEW OF THE MEDIA SPACE IN ZAMBIA**

##### **6.1 *Background***

The media that operated freely played a pivotal role in any democratic dispensation because it created a platform for debate regarding issues of governance. It also played a watchdog role in society by ensuring that those holding public offices were held accountable. For the media to be effective, the Government needed to create an enabling environment through provision of pieces of legislation and policies that enhanced media freedom.

However, in Zambia, there were no specific laws, rules, or statutes to regulate, or govern the operations of the media. In this regard, any alleged media disputes were dealt with using laws from various statutes making it difficult to guide the media. Thus, the practice of journalism was regulated directly or indirectly by many provisions from different statutes, some of which were drafted before independence and were not in keeping with international best practices. Sadly, some of these laws have continued to curtail media freedoms that journalists in Zambia should enjoy during the course of their duties. On many occasions, media practitioners have singled out *the Penal Code, Chapter 87 of the Laws of Zambia*, as one piece of legislation which contained various provisions that imposed restraint on the media in its role of informing the public.

Others have also raised concern about the *State Security Act, Chapter 111 of the Laws of Zambia* which prohibited the publication of any article or information which might be or was intended to be directly or indirectly useful to a foreign power and the *Defamation Act, Chapter 68 of the Laws of Zambia* which prohibited bringing any person into hatred, ridicule or contempt by publishing any insulting matter, whether by writing, print or word of mouth.

The Zambian Government, through the Ministry of Information and Media formerly Ministry of Information and Broadcasting Services released the Media Development

Policy on 23<sup>rd</sup> November, 2020. The Media Development Policy intended to promote freedom of expression by ensuring that press freedom was assured. As such, it was hoped that the Media Development Policy would enhance press freedom, training and journalism practice in Zambia by way of media law reforms. Additionally, the Government through the Ministry of Information and Broadcasting Services 2018 – 2021 Strategic Plan and Balanced Score Card revealed that the stakeholders’ major concern was failure to develop and implement progressive media laws. In view of the foregoing, the Committee resolved to undertake a study on the Review of the Media Space in Zambia.

The objectives were to:

- (a) ascertain the adequacy of the legal and policy framework governing the operations of the media in Zambia;
- (b) appreciate how the existing legal framework impacts on media freedom and the practice of journalism in Zambia;
- (c) ascertain the extent of domestication of international and regional legal instruments that promote media freedoms;
- (d) appreciate the challenges faced, if any, in the practice of journalism under the current laws; and
- (e) make recommendations on the way forward.

## **7.0 SUMMARY OF SUBMISSIONS BY STAKEHOLDERS**

The Committee interacted with various stakeholders in the quest to gather more information in relation to the topic under consideration. The list of stakeholders who appeared before the Committee is at Appendix II and the submissions made by these stakeholders are summarised below.

### **7.1 *Growth of the media in Zambia***

Stakeholders acknowledged that up until the early 1990s, the country had only one government-owned broadcasting station, the Zambia National Broadcasting Corporation (ZNBC), two daily government-owned newspapers, the *Zambia Daily Mail* and *Times of Zambia*, one major private independent newspaper *The Post* and one independent private radio station *Radio Phoenix 1996 Limited*. As at 2022, about 146 radio stations, fifty-two television stations and several print media publications had been established. Additionally, the Internet had also contributed to the phenomenal growth of the media industry through digital communication platforms. The growth of the media industry in the country significantly enhanced public access to information and freedom of expression. However, despite the notable growth in the media industry, stakeholders argued that the growth was not in tandem with the current trends as regards media laws. As a result, stakeholders highlighted some impediments in the media policies and laws as outlined below.



## **7.2 Policy framework**

Stakeholders submitted that in November 2020, the Government launched two policies, namely: the Media Development Policy and the Government Communication Policy. The Media Development Policy aimed at promoting freedom of expression by guaranteeing freedom of the media. The Policy anchored on four pillars, namely: media freedom, media pluralism, media independence and safety of journalists. It intended to minimise legal restrictions on the right to impart information and ideas by providing legal guarantees to seek and receive information, as well as widening public access to information by promoting the growth of a vibrant, plural and diverse media landscape in the country. It further intended to promote media self-regulation through provision of a free, independent and professional media that played its full and rightful role in national development.

The Government Communication Policy, among other things, sought to promote a proactive, “*one government, one voice*” communication system, for a well-informed populace. Stakeholders were of the view that the Media Development Policy needed to be reviewed and expanded so as to take on board the digital transformation for it to remain in tandem with global trends in media development, press freedom, safety and security of journalists and freedom of expression. However, stakeholders argued that the current state of Media Development Policy could not achieve its intended objectives if not supported by a corresponding legal framework. In this regard, stakeholders highlighted some laws and how they impacted on freedom of expression, media freedom and the practice of journalism in Zambia as outlined below.

## **7.3 Legal framework**

While acknowledging the notable growth both in electronic and print media over the years, stakeholders observed that there had not been corresponding change in the legal framework to govern the media in Zambia. In this regard, they highlighted some of the laws that were applicable to the practice of journalism and how they impacted media freedom.

### **7.3.1 The Constitution of Zambia, Chapter 1 of the Laws of Zambia**

Stakeholders submitted that Article 20(1) of *the Constitution* provided for protection of fundamental rights and freedoms of the individual which directly protected the media, including publishers, broadcasters, journalists, editors and producers. Specifically, Article 20(1), provided that:

- (1) *Except with his own consent, a person shall not be hindered in the enjoyment of his freedom of expression, that is to say, freedom to hold opinions without interference, freedom to receive ideas and information without interference, freedom to impart and communicate ideas and information without interference, whether the communication be to the public generally or to any person or class of persons, and freedom from interference with his correspondence.*

In acknowledging that Article 20(1) specified that the right to freedom of expression included the freedom to impart and communicate ideas and information without interference whether to the public in general or to any person or class of persons, stakeholders contended that Article 20(1) did not expressly provide for media freedom. They also observed that this provision did not specifically empower the media but was applicable to every citizen in Zambia.

### **7.3.2 *The Independent Broadcasting Authority Act, No. 17 of 2002***

Stakeholders submitted that the principal law governing the electronic media in the country was provided for by the *Independent Broadcasting Authority Act, No. 17 of 2002*. The Act was put in place to control and regulate the broadcasting services in the country. They argued that although the Independent Broadcasting Authority (IBA) was in place, the term ‘independent’ was far-fetched because the institution had never been independent. They alleged that the IBA was being used as a Government watchdog entity to monitor and curtail the operations of private and community media houses that broadcast information perceived not to be in the best interest of the Government. Additionally, the significance of this statute to media rights was that it put a limit on who could provide broadcasting services. It also proscribed the provision of broadcasting services without an appropriate licence which was against the provisions under Article 20(3)(b).

### **7.3.3 *The Zambia National Broadcasting Corporation Act, No. 16 of 1987***

Stakeholders submitted that the *Zambia National Broadcasting Corporation Act, No. 16 of 1987* established the Zambia National Broadcasting Corporation (ZNBC) and provided for its functions. The functions of ZNBC were, among others, to carry on broadcasting services for the information, education and entertainment of listeners in Zambia and creation of a platform for debate. Stakeholders were of the view that despite the Act being in place, the Corporation’s level of independence was compromised because of its funding model which was done through the Ministry of Information and Media. This meant that, to a certain extent, ZNBC could not ‘bit the finger that feeds it’ by exposing the wrongs committed by the Government. Additionally, the provision for the Minister to appoint members of the board also compromised the Corporation’s autonomy. This provision had been abused in the past such that political party sympathisers had been appointed to sit on the board. This made the Corporation susceptible to manipulation by the ruling party and government officials. Stakeholders contended that the ZNBC Act should be revised so as to enable the IBA Act to have sufficient authority to regulate it.

### **7.3.4 *The Printed Publications Act, Chapter 161 of the Laws of Zambia***

This Printed Publications Act provided for the registration of newspapers, the printing and publication of books and the preservation of printed works published in Zambia. The Act also prohibited the publication of newspapers without prior registration with the Director of the National Archives of Zambia.

### **7.3.5 *The National Archives Act, Chapter 175 of the Laws of Zambia***

Stakeholders observed that the Ministry of Information and Media had no role in the establishment of the print media. This was because the responsibility fell under the *National Archives Act, Chapter 175 of the Laws of Zambia*. Therefore, privately owned newspapers could not be held accountable by the Ministry of Information and Media. Thus, there was need to review this law to allow the print media to be brought under the ambit of the Ministry of Information and Media because newspapers were only subjected to registration under the *Printed Publications Act*.

### **7.3.6 *The Defamation Act, Chapter 68 of the Laws of Zambia***

Stakeholders submitted that they recognised the importance of the *Defamation Act* whose aim was to guard the reputation of individuals from unjustified attacks, or injury. The Act empowered any individual who felt injured by an investigative report, an expose, or an ordinary story to sue the journalist and the media house for defamation. Stakeholders were of the view that the defamation offence was dangerous in the media space in Zambia because most journalistic stories often focussed on shortcomings or misdeeds, of people resulting in lowering their reputation in the eyes of reasonable members of society. They argued that while the law was important to protect people's reputations, it could equally be used to stifle media freedom when powerful people used litigation to wage "lawfare" on the media.

In addition, when media houses or individual journalists were burdened with litigation, it was likely that their operations could be crippled because of high legal fees and the need to constantly be in court defending cases, some of which might be frivolous and worse still, litigants who sued the media demanded huge amounts of money in compensation, which most media houses and journalists could not afford. Additionally, because of low capital base, some media houses could not venture into a risk undertaking for fear of litigation which might result into closure. As a result, journalists were scared to report on powerful people and organisations, especially politicians and businessmen and women in order to avoid being sued or being rendered bankrupt. Stakeholders were of the view that because there was no specific law to protect journalists in Zambia, laws such as the *Defamation Act*, was a constant danger to the practice of journalism.

### **7.3.7 *The State Security Act, Chapter 111 of the Laws of Zambia***

Stakeholders submitted that Section 4 of the *State Security Act* provided that a journalist committed an offence if he or she published information, without lawful authority, knowing or having reasonable cause to believe that it was protected against disclosure by the provisions in the Act. They were of the view that a journalist was highly likely to abrogate the law during the course of an investigation by disclosing information which bordered on the security or defence of the country. The punishment a journalist might face in the quest to unearth a public scandal which was considered as a secret, was not less than fifteen years in prison.

Stakeholders were of the view that some governments worldwide hide their mischief under the provisions related to state security. For instance, procurement of arms by the

Government, involving millions or billions of kwacha, usually was not questioned by the media because they were covered by the *State Security Act*. Further, alleged corrupt activities that took place during procurement of arms could also be hidden under the law. Furthermore, abuses of human rights could equally be hidden under the guise of the State Security because journalists might not be able to investigate the people involved for fear of abrogating the law.

### **7.3.8 *The Cyber Security and Cyber Crimes Act, No. 2 of 2021***

Stakeholders acknowledged that the *Cyber Security and Cyber Crimes Act*, had good intentions such as provision of cyber security, protection of persons against cybercrime, child online protection, identification, declaration and protection of critical information infrastructure; collection and preservation of evidence of computer and network related crime, electronic evidence in criminal cases, and registration of cyber security services providers, among others. Stakeholders observed that despite the good intentions, some provisions of the Act had been strongly criticised because of the alleged vague, restrictive, and disproportionate nature as regards media freedom, freedom of expression, the right to privacy from surveillance and the need for the media to uphold ethical requirements such as confidentiality of sources as seized gadgets could lead to identification of sources.

Further, stakeholders observed that the definition of hate speech in the Act could result in restriction of expressions that merely conveyed rejection or strong condemnation of certain societal groupings. They were of the view that definitions, such as “racist and xenophobic material” had not been aligned to international standards. Such provisions could be used to curtail media freedom.

They were of the view that the Act needed to be reviewed to guarantee that authorities, bodies, and officials in charge of cyber security matters were properly identified and their specific competences clearly outlined. This could help to curb abuse by police officers who, for instance, forcibly stopped radio programmes on the pretext of possible breach of peace. They feared that this could be abused for personal reasons by security officials and the State. Stakeholders recommended that the Act be amended if media freedom and freedom of expression was to be achieved in line with the Media Development Policy and the *Constitution of Zambia*.

### **7.3.9 *The Prisons Act, Chapter 97 of the Laws of Zambia***

Stakeholders submitted that the Prisons Act prohibited publication of letters written from prison by inmates. They were of the view that this Act must be reformed as it was at variance with the whistleblower provision of the *Public Interest Disclosure (Protection of Whistleblowers) Act, No. 4 of 2010*, which provided for the disclosure of conduct unfavourable to the public interest in the public and private sectors.

### **7.3.10 *The Public Order Act, Chapter 113 of the Laws of Zambia***

While acknowledging that the *Public Order Act* was an important law that helped to maintain peace and order, stakeholders observed that the law was being abused by those in authority. They bemoaned the disproportionate application of the Act that had,

to a certain extent, 'permitted' police officers to forcibly disrupt gatherings. Occasionally, police officers stopped radio shows alleging that the programme was likely to cause the breach of peace. For instance, when a radio station hosted a member of the opposition, the police forcefully stopped the programme alleging that the comments and the tone being used were likely to breach the peace. They argued that if similar comments and tone were used by someone from the ruling party, the programme would not be disrupted despite the tone in the language being the same. Clearly, this indicated that the law was applied in a disproportionate manner. They were of the view that it should be clearly stated in the law that there should be free flow of information because Zambia was a democratic nation and democracy allowed for the free flow of divergent views. If it was the feeling of the Government that no political leader should be hosted by a media house, then all political leaders should not be hosted. If not, some media houses would continue to exercise self censorship to avoid hosting some members of society in a bid to remain on the right side of the law.

### ***7.3.11 Preservation of Public Security Act, Chapter 112 of the Laws of Zambia***

Stakeholders submitted that the *Preservation of Public Security Act* hindered the freedom of the media because it empowered the President to exclude certain information from a publication. The powers included making regulations that banned the publication or dissemination of matters prejudicial to public security, safety of persons and property; maintenance of essential supplies and services, prevention and suppression of violence, intimidation, disorder, crime, mutiny, rebellion, defiance of law and lawful authority; and the maintenance of the administration of justice. The law empowered the President to make regulations for the control of production, publishing, sale, distribution and possession of publication of materials prejudicial to public security. Stakeholders submitted that this was against the constitutional authority for limitations to be imposed on the right to freedom of expression by Article 20(3) (a) in the interest of defense and public safety.

### ***7.3.12 The Penal Code Act, Chapter 87 of the Laws of Zambia***

Stakeholders observed that although the *Penal Code Act* was enacted in the 1930s, its provisions were still being applied to the practice of journalism. Some of the provisions that were inimical to the practice of journalism in general were as outlined below.

- (a) Sections 53, 54 and 55 which empowered the President to prohibit a publication if considered to be contrary to public interest.
- (b) Section 57(i) which prohibited the printing, publishing, offering for sale, distributing or reproducing any seditious publication.
- (c) Section 69 which protected 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, was guilty of an offence.

- (d) Section 71 which made 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 had 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 belong.

Stakeholders submitted that the statutes highlighted above were among the many laws applicable to the media and practice of journalism in Zambia which, to a certain extent, were not in keeping with the regional and international legal instruments. In this regard, the following part highlights the extent of domestication of some of the regional and international instruments in Zambia.

## 8.0 REGIONAL AND INTERNATIONAL LEGAL INSTRUMENTS

Stakeholders submitted that Zambia was a state party to several international and regional conventions as well as other commitments that promoted media freedoms. However, international conventions were not self-executing under the Zambian Constitution. The reason was that Zambia followed a dualist system which meant that international treaties that were ratified were part of a separate legal system from the domestic law. Therefore, in order for any international treaty to take effect in Zambia, a separate process of domestication needed to be undertaken through the Zambian legislative process to become law as provided for under the *Ratification of International Agreements Act, No. 34 of 2006*. The extent of domestication of some international and regional legal instruments that promoted media freedoms were as indicated in the following table.

### *Some domesticated international and regional legal instruments*

Instrument	Provision	Requirement	Extent of domestication in Zambia		
			Law	Policy	Is it observed in practice?
Universal Declaration of Human Rights (UDHR) and International Covenant on Civil and Political Rights (ICCPR)	Article 18	Guarantee freedom of thought and conscience	Article 19 of the Constitution		Yes
	Article 19	Guarantee the right to freedom of opinion and expression including freedom to hold opinions without interference and to seek, receive and impart information and	Articles. 19 and 20 of the Constitution and Chapter 18 of the <i>Penal Code Act</i>	<ul style="list-style-type: none"> <li>Government Communication Policy (GCP)</li> <li>Media Development Policy</li> </ul>	Partly. See limitations in the Penal Code Act

		ideas through any media and regardless of frontiers.			
African Charter on Human and Peoples' Rights or Banjul Charter	Article 8	Guarantee the freedom of conscience	Articles 19, Constitution		Yes
	Article 9	Guarantee the right to receive information and express and disseminate his opinions within the law.	Articles 20, Constitution	<ul style="list-style-type: none"> <li>• Government Communication Policy (GCP)</li> <li>• Media Development Policy</li> </ul>	Partly
Resolution 59		Guarantee the right to freedom of information and to gather, transmit and publish news anywhere and everywhere without fetters	<ul style="list-style-type: none"> <li>• Articles 20 as read with 173(1) (h) of the Constitution</li> <li>• Section 15, the <i>Electronic Government Act, No. 41 of 2021</i></li> <li>• Section 58, the <i>Data Protection Act, No. 3 of 2021</i></li> </ul>	<ul style="list-style-type: none"> <li>• Government Communication Policy (GCP)</li> <li>• Media Development Policy</li> </ul>	Partly
Dakar Declaration, Maputo Declaration and the Broadcasting Charter		Ensure that state bodies respect the principles of public access to information in their operations	<ul style="list-style-type: none"> <li>• 173(1) (h) of the Constitution</li> <li>• Section 15, the <i>Electronic Government Act, No. 41 of 2021</i></li> <li>• Section 58, the <i>Data Protection Act, No. 3 of 2021</i></li> </ul>	<ul style="list-style-type: none"> <li>• Government Communication Policy (GCP)</li> <li>• Media Development Policy</li> </ul>	Partly
		Respect the function of the media as an essential factor in good governance	Article 20(2)	Media Development Policy	Partly
		Create an enabling environment for	Article 20 of the Constitution as read with the		

		the flourishing of an independent, sustainable, pluralistic and professional media	Independent Broadcasting Act and the Print Publications Acts		
		Transport state media into public service media and guarantee their editorial and financial independence	Sections 4, 7, 18 and 21 of the <i>Zambia National Broadcasting Corporation Act, Chapter 154 of the Laws of Zambia</i>		No
		Guarantee the independence of broadcasting regulatory bodies in performing their role	Sections 6 and 39 of the <i>Independent Broadcasting Authority Act, No. 17 of 2002</i>		Partly
		Repeal criminal defamation laws and laws that give special protections to officials and institutions;	Chapter XVIII of the <i>Penal Code Act, Chapter 87 of the Laws of Zambia</i>		No
		Guarantee the right of journalists to protect their confidential sources of information	Common law		No
		Take effective collective and individual action to hold to account those governments that actively repress the media	Common law		Partly
		Provide legal guarantees for the protection of whistle-blowers	<i>The Public Interest Disclosure (Protection of Whistle-blowers) ACT, No. 4 of 2010</i>		Partly
		Prevent measures that	Article 20 of the Constitution and		Partly



		hinder freedom of expression on Internet, particularly website censorship	the <i>Cyber Security and Cybercrimes Act, No. 2 of 2021</i>		
		Include information and media literacy in school curricula and promote such skills to ensure greater public access to information useful in peoples' daily lives through Internet		<ul style="list-style-type: none"> <li>• Zambia ICT Policy 2005</li> <li>• 2015 National Youth Policy</li> <li>• 2015 National Child Policy for Zambia</li> </ul>	Yes

Stakeholders observed that despite the above articles seemingly being well articulated, Zambia was yet to fully make these instruments a reality for the media to fully enjoy media freedoms and freedom of expression. The partial domestication of the regional and international instruments compounded by the application of some laws posed a lot of challenges during the practice of journalism. Some of the challenges were as highlighted in the following section of the report.

## **9.0 CHALLENGES FACED BY JOURNALISM UNDER THE CURRENT LAWS**

### **9.1 *Lack of a specific legal framework***

Stakeholders observed that most of the applicable laws to the practice of journalism were restrictive making it very difficult for the media to thrive in Zambia. This was because the current legal framework did not directly support the growth and development of the media in the country. The Penal Code, among others, had been cited as one of the laws that contained oppressive provisions in so-far-as freedom of expression was concerned and hence the need to have it repealed. In fact, some of the provisions in the laws had been overtaken by modern technology and their relevance was questionable. Additionally, there was no law that criminalised attack on media practitioners. This contributed to the physical abuse that journalists had continued to suffer for years-on-end.

### **9.2 *Lack of access to information for journalistic work***

Stakeholders submitted that the access to information legislation was withdrawn from Parliament in November 2002, stating that the Government needed to do more consultations. This meant that if the law was not enacted by November 2022, it would have clocked exactly 20 years without it being presented to Parliament since it was withdrawn. Stakeholders wondered whether it was right for them to be appearing before the Committee to talk about the access to information legislation every other year and yet nothing was being done. They lamented that it was shameful that countries that had come from war such as Liberia, Sierra Leone, and Angola had enacted

the law. They were of the view that the absence of a comprehensive access to information law stifled the quality of journalism in the country. They argued that because journalists lacked access to vital public information that could augment the practice of journalism and ultimately enhance democracy through citizens' participation and inclusion in governance processes, it was very difficult for them to perform their call of duty.

### **9.3 *Lack of a media regulator***

Stakeholders bemoaned the absence of a media regulatory body which had contributed to the continuous flouting of media ethics by media houses and practitioners. They submitted that there was a need for the Government to urgently enact a comprehensive media self-regulatory mechanism to ameliorate the ethical challenges the sector was faced with. They were of the view that the process to develop a media self-regulation mechanism should be championed by journalists themselves without interference from the Government to ensure an independent process that could be inclusive and transparent.

### **9.4 *Advertising regulator***

Stakeholders submitted that most media houses in Zambia were dependent on advertising for survival. This, therefore, implied that without advertising, most of them would be financially incapacitated. They were of the view that a body to regulate the distribution of advertising space among media houses be established. This could ensure even distribution of advertising revenue to both private and public media houses. It could also enhance sustainability standards of media houses because of relatively stable income flows.

### **9.5 *Independent Broadcasting Authority***

Stakeholders acknowledged that the electronic media was regulated by the *Independent Broadcasting Authority Act, No. 17 of 2002*. The Act developed broadcasting Standard Operating Procedure (SOP) for licensees, covering standards in programmes, sponsorship, advertising, fairness and privacy, among others. In setting these standards, the Authority took into account the provisions in the IBA Act. This not only involved setting minimum standards for programmes as provided for in Sections 5(2), 33, and 47, but also other regulations that might be appropriate. As part of the licensing condition, licensees were required to observe the SOP. However, they observed that the IBA was not performing its role to the expectations of the general public. This was because it was highly compromised and not independent in its operations on allegation that it was being used by the Government to stop broadcast by private and community radio stations that were perceived to be against public interest.

### **9.6 *Proliferation of online media***

Stakeholders acknowledged that the proliferation of online media significantly increased public access to information as well as created employment for some people who set up online platforms. However, the emergence of these platforms came with disadvantages such as cyber bullying, fake news, hate speech and misinformation,

among others. Additionally, citizen journalists punctured media ethics making it difficult at the moment to define who a journalist was. This was because anybody could be a journalist as long as they had a smart phone and were techno literate. As such, they did not care to verify the information they posted online. Such actions resulted in most people being abused online starting from State House to an ordinary person in the village.

### **9.7 Two-tier broadcasting licensing**

Stakeholders observed that the law, in its current form provided for a two-tier licensing system. This implied that the broadcasting licence was being issued by the IBA while the frequency licence was being issued by Zambia Information Communications Technology Authority (ZICTA). The two functions were falling under two different ministries: the Ministry of Information and Media and the Ministry of Transport and Logistics, hence the urgent need for the Government to harmonise the two roles currently sitting in two different portfolios. In their view, it could be better to have a converged regulator.

Under a converged regulator, regulators of broadcasting and information and communication technology were one entity. In Zambia, these regulators were the Independent Broadcasting Authority (IBA) and the Zambia Information and Communications Authority (ZICTA). In the SADC region, Zambia, Zimbabwe and Mauritius had two separate regulators while all other countries had a converged regulator such as the Communications Regulatory Authority of Namibia (CRAN) and the Independent Communications of South Africa (ICASA). The major disadvantage of having separate regulators could be appreciated from the licensee point of view. This was because at application, the station had to wait for the IBA to advertise for available frequencies, and then followed the process of application as outlined in the advertisement. Once the station was granted a license, documents were submitted to ZICTA for frequency allocation. This process did not allow for the ease of doing business, compared to a situation where both broadcasting and ICT regulators were merged into one institution, under one Ministry. However, in South Africa on the other hand, although ICASA is a converged regulator, the entity still fell under two ministries, thereby posing the likelihood of bureaucracies.

### **9.8 Intimidation**

Stakeholders submitted that attempts had been made by various stakeholders to intimidate or silence some journalists. In some cases, this involved the abuse of statutory entities to silence or censor some media practitioners. They explained that the National Pension Scheme Authority (NAPSA) attempted to abuse their authority by intimidating a named media house from investigating corruption over Honeybee Pharmacy Limited. Stakeholders were concerned that under the current laws there was no recourse for intimidatory behaviours against journalists.

### **9.9 Poor remuneration**

Stakeholders observed that remuneration for journalists had been poor in some media houses forcing them to accept 'tips' to cover their work expenses and daily life. As such,

a good number of community media practitioners were being engaged as “volunteers”. There was no legislation or policy that spoke directly to media owners on this kind of abuse of journalists in private media houses.

### ***9.10 Death of media bodies***

Stakeholders observed that advocacy and campaign for press freedom and media law reforms, among others, had remained uncoordinated for some time in Zambia. This was because media bodies such as associations and unions had collapsed while others got compromised because of political infiltrations. It was acknowledged that while media bodies were critical influencers in press freedom, media law and policy reforms, there was no institution that could monitor the operations of media associations. They were of the view that new media bodies should be put in place to strengthen the ongoing advocacy and campaign for an enhanced media environment.

### ***9.11 Political interference***

Stakeholders observed that some media houses upheld media ethics in their work, while others failed lamentably. The culprits in dividing the media were the politicians, especially, those from the ruling party. They also recognised that some media houses were pro ruling party while others were pro opposition political parties. They further noted that the public media was simply a state media. The public media did everything possible and within its powers to blackout the opposition unless they did something embarrassing only then could they be reported on. Similarly, some private media houses leaned towards the ruling party, just like some private media houses leaned towards the opposition. They did what they possibly could to blackout the Government and only published what was embarrassing on the side of the Government. Further, some private media houses stopped providing platforms to people perceived to be against the Government. From time immemorial, examples abound of such impediments making it difficult for the media to remain ethical, truthful, fair and balanced.

### ***9.12 Lack of focus on other human interest stories***

Stakeholders observed that journalists focused on reporting on political issues, yet a lot of things were happening but not being reported on. For instance, people would like to know how contractors inflated costs; how bricklayers stole cement; and how a same piece of land could be sold four times to different people. Journalists could report on health, farming, aquaculture issues and the informal trade that was happening between Zambia and the Democratic Republic of Congo. They could also write stories about tertiary institutions such as universities that had mushroomed in the country and were offering degrees. They could interrogate their admission criterion and how despite graduating with distinctions, some of their graduates could not perform. Journalists could also interrogate university education vis-a-vis polytechnic tertiary education and skills training. They could also report on religious people who encouraged their congregants to make financial contribution in church than take children to schools and medical facilities. Unfortunately, in Zambia, news was only about politics.

### **9.13 Journalists being driven by personal gains (Blalizo)**

Stakeholders observed that journalists were victims of corruption in the name of junkets, perks and freebies commonly referred to as blalizo. Normally, media houses were expected to pay allowances to journalists for news and events coverage. However, media houses were incapable of providing adequate allowances. Thus, journalists resorted to making their own negotiations with the event owners to meet their logistical requirements. As a result, journalists ended up being compromised in their manner of reporting.

## **10.0 REPORT ON THE LOCAL TOUR**

In order to consolidate its findings from the long meetings on the '*Review of the Media Space in Zambia*', the Committee undertook a local tour to Central and Copperbelt provinces. Specifically, the Committee visited and held stakeholder meetings with institutions outlined below.

- (a) Zambia News and Information Services (ZANIS) in Mkushi and Serenje districts;
- (b) Community radio stations in Mkushi, Serenje and Mpongwe districts;
- (c) The public broadcaster, Zambia National Broadcasting Corporation (ZNBC), Kitwe studios; and
- (d) Commercial radio stations, namely:
  - (i) Sun FM in Ndola District;
  - (ii) Yar FM, and Flava FM in Kitwe District; and
  - (iii) Kokoliko FM in Chingola District.

The findings of the Committee during the tours were as set out below.

### **10.1 Zambia News and Information Service**

The Committee was informed that the Zambia News and Information Service offices in Mkushi and Serenje districts were poorly funded and could at times go for almost a year without receiving the Government grant. When the offices were funded, they received about K300 to K500 for the whole year which was inadequate to meet their operational needs. Furthermore, the offices had inadequate transport, staff, office furniture, computers, cameras, generators, lacked modern public address systems and internet facilities to enable them operate effectively.

### **10.2 Zambia National Broadcasting Corporation**

The Committee was informed that the Zambian National Broadcasting Corporation Kitwe Studios covered the Northern Region which included Copperbelt, Luapula, Muchinga, Northern, and Northwestern provinces. The biggest challenge was transport as the different terrains in the Northern Region required bigger vehicles to reach the

far-flung areas. The staff at ZNBC also complained about the K5 TV Levy which had not been increased from inception. They wondered why the TV Levy had not been increased from the time it was introduced when other parastatal bodies such as ZESCO Limited and water utility companies were allowed to increase their tariffs. They were of the view that the TV Levy should be increased from K5 to K10 or K15. They also proposed the introduction of a radio levy which should be pegged at K2. They argued that despite the increase in the number of hotels, lodges and households being observed countrywide, the amount of the TV Levy being collected by the IBA had remained the same. They were of the view that it would be in the best interest of the Corporation if the collection of the TV Levy reverted to ZNBC. The Committee was further informed that ZNBC did not receive grants for its operations, but was solely dependent on commercial advertising which was not sufficient to meet its operational costs. They were of the view that in order to improve operations at ZNBC, the Executive should start providing grants which could be used to meet its operational costs.

The journalists also submitted that they were aware that most people did not like watching ZNBC alleging that it was boring and politically inclined. They attributed the negative perception that had been created about ZNBC to an 'invisible hand' that interfered with the operations of the public broadcaster. This was coupled with a demotivated workforce because some workers who had higher qualifications such as Master's degree in their field of training were being supervised people with lower qualifications who were perceived to have been politically connected. In addition, some workers had been on attachment for more than five years. They proposed that the ZNBC structure should be addressed in order to motivate the workforce.

Another issue raised was that of officers who opted to go on early retirement but had been reengaged on contractual basis. The journalists wondered why this was so when there were qualified people who had been on contract for over five years. The Committee also learnt that the Corporation was highly understaffed such that some workers could not go on leave unless they fell ill.

Stakeholders also submitted that ZNBC was established by an Act of Parliament, the *Zambia National Broadcasting Corporation Act, No. 16 of 1987 and No. 13 of 1994, to inter alia* provide generally for the control and regulation of broadcasting and diffusion services. However, they were of view that given the functions in the Act, the Corporation should be made answerable to Parliament so as to protect it from political interference.

### **10.3 Independent Broadcasting Authority**

The Committee was informed that the Independent Broadcasting Authority (IBA) requested community radio stations to submit every broadcast programme to their offices and keep the recordings for ninety days. However, stakeholders were concerned with the demand from the IBA because they had limited storage capacity. Stakeholders also bemoaned the high cost and rigorous process of acquiring a licence. They submitted that sometimes the IBA advertised for interested stakeholders to acquire broadcasting licences, but the Zambia Information and Communication Technology Authority (ZICTA) said there was no frequency. This made the applicants to wait for longer periods before commencing broadcasting programmes.

### **10.3 Access to information legislation**

All the stakeholders submitted that they faced challenges in accessing information of public interest because of the bureaucratic tendencies by officers in public offices. This made it difficult for them to verify information timely before dissemination. They appealed to the Executive through the Committee to ensure that the access to information legislation was enacted as quickly as possible to ensure that journalists accessed information timely.

### **10.4 Media laws**

Stakeholders submitted that the media was not operating in a conducive environment because some of the laws governing the media fraternity were an affront to the practice of journalism. The laws that impeded the practice of journalism were, among others, the *Defamation Act*, *Cyber Security and Cyber Crimes Act*, *State Security Act*, and *Public Order Act*. They were of view that there was an urgent need for the Executive to repeal or amend the laws that hindered media freedom.

### **10.5 Self regulatory mechanism**

All stakeholders at media institutions that were visited attributed the unprofessional conduct exhibited by some journalists and media houses to the absence of a regulatory mechanism for journalists. They suggested that there was a need to put in place a self regulatory mechanism similar to the Law Association of Zambia (LAZ) which should be strong enough to regulate its members. They were of the view that if a regulatory body was enacted through an Act of Parliament, it could ensure that journalists regulated themselves and provide for a minimum qualification for one to practice as a journalist. The regulatory body could also create an office for the ombudsman to be a mediator between the members of the public seeking redress and journalists or media houses.

### **10.6 Tax exemption on broadcasting equipment**

Stakeholders bemoaned the high cost of broadcasting in the country which was triggered by high taxes on broadcasting equipment. They were of the view that the Executive should consider waving tax on imported broadcasting equipment such as computers, cameras and recorders, especially for community radio stations.

### **10.7 Poor conditions of service**

Stakeholders submitted that journalists were the most poorly paid in the country and requested that the Executive should put in place a minimum wage for journalists. They noted that poor conditions of service also contributed to the unprofessional conduct by some journalists because they sometimes depended on their sources of news to meet their logistical requirements during an assignment.

### **10.8 Harassment of journalist**

Stakeholders submitted that journalists and media houses were harassed by politicians and cadres during the course of their duties especially during elections time. This was

evidenced by incidences of cadres, especially those from the ruling party, storming community radio stations or disrupting programmes if the person being interviewed was from a party perceived to be against the Government. They were of the view that the Executive should ensure that protection of journalists was enshrined in the law. They also suggested that there was a need for sensitisation of politicians and cadres for them to appreciate that journalists were partners in development.

### ***10.9 Uneven distribution of advertisements***

Stakeholders submitted that sustainability of community radio stations had always been a challenge because they raised resources mostly from advertisements. However, they were aware that the major advertiser in the country was the Government, but it was selective in the manner it distributed its advertisements. They were of the view that in order to distribute advertisements equally and also help community radio stations sustain their operations, there was a need for the Government to put in place an advertising agency that would ensure that Government advertisements were distributed equally to all media houses.

### ***10.10 Accreditation of journalists***

Stakeholders submitted that the issue of decentralisation should be addressed because whenever journalists wanted to be accredited, they needed to go to the Provincial Information Office which was costly on their part. They were of the view that there was a need for decentralisation of the system to allow journalists get accredited at the district level.

### ***10.11 Private media houses being left out of presidential entourage***

Stakeholders bemoaned the lack of recognition and accreditation whenever there was a big event such as a meeting being addressed by the Head of State. Journalists from private media houses struggled to be recognised because most organisers denied journalists from private media houses access to presidential assignments.

### ***10.12 Inadequate funds for community radio stations***

Most community radio stations bemoaned the lack of resources to improve their infrastructure, buy vehicles for easy transportation of reporters and pay allowances to their journalists so as to motivate them. They contended that journalists needed a token of appreciation even if they were volunteers.

### ***10.13 Languages on the public broadcaster***

Stakeholders in Mkushi and Serenje districts bemoaned the absence of a local language from Central Province on the public broadcaster. They proposed that the public broadcaster should start broadcasting in a local dialect from Central Province because not many people were conversant with the seven local languages currently being used to disseminate information on the public broadcaster.



## **11.0 COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS**

### ***11.1 Access to information legislation***

The Committee notes with great concern that it has been nineteen years since the access to information legislation was withdrawn from Parliament in November 2002. This means that if by November 2022, the law is not presented before Parliament, the country will have clocked twenty years since it was withdrawn. The Committee is saddened at the inordinate delay especially that the law is not meant for the media but will also enable the general populace to have access to information. Whereas as the law expressly facilitates media access to information held by public officials, the ultimate beneficiaries are the Zambian people in whose trust the Government holds information.

In this regard, the Committee recommends that, as a matter of urgency, the Executive speeds up the process of enacting the access to information legislation to enable both journalists and members of the public have access to information. This piece of legislation will not only ease the work of the media personnel, but will also allow the general populace to access information of public interest as and when they need it.

### ***11.2 Comprehensive media policy***

While acknowledging the efforts that the Executive has made by putting in place the Media Development Policy, the Committee is concerned that the Policy has not taken on board issues relating to digital transformation in order to bring it in tandem with global trends.

In view of the foregoing, the Committee recommends that the Executive should review the Policy to come up with a comprehensive Media Development Policy that will address the technological advancements in the world today, and also reflect international best practices regarding media freedom as well as guide legal reforms in the media sector.

### ***11.3 Zambia Media Council legislation***

The Committee agrees with stakeholders who observe that the unprofessional conduct exhibited by media houses and journalists could be attributed to the absence of a regulatory body that may offer checks and balances. They are of the view that if the regulatory body is put in place, it will come up with the standard code of ethics against which society can measure the conduct of journalists and media houses. As has been emphasised by media practitioners, the process to establish a regulatory body should be owned and driven by media bodies to ensure an independent process that will be inclusive and transparent.

The Committee, therefore, recommends that the Executive expedites the process of enacting the Zambia Media Council legislation which will establish a self regulatory mechanism that will, among other things, provide for a standardised code of ethics, and create an ombudsman's office which will act as a mediator between media houses and the aggrieved persons as well as resolve conflicts between media houses. The

continuous delay to establish the Zambia Media Council will perpetuate the unprofessional conduct by media houses and journalists.

#### **11.4 Media law reforms**

The Committee notes that the *Penal Code Act, Chapter 87 of the Laws of Zambia*; the *Public Order Act, Chapter 113 of the Laws of Zambia*; the *State Security Act, Chapter 111 of the Laws of Zambia*; the *Printed Publications Act, Chapter 167 of the Laws of Zambia* and the *Cyber Security and Cyber Crimes Act, No 2 of 2021*, are among the laws that have provisions that are inimical to the practice of journalism. Most of the provisions in the cited pieces of legislation are being used to the detriment of the media in Zambia.

In this regard, the Committee recommends that the above mentioned pieces of legislation as well as others that contain provisions that are detrimental to the media, be revised and harmonised so as to curtail abuse by those in privileged positions. This will enable journalists to perform their duties without fear of abrogating the laws.

#### **11.5 The Zambia National Broadcasting Corporation to be regulated by the Independent Broadcasting Authority**

The Committee observes that the tool that they IBA use to regulate the broadcast sector in Zambia is the license. As a result, in the event that a broadcast media house oversteps its boundary, the IBA revokes the license and the broadcast media house is closed. However, the Zambia National Broadcasting Corporation is regulated by its own Act, the *Zambia National Broadcasting Corporation Act, No. 20 of 2002 as amended by Act, No 16 of 2010*. Therefore, even if it oversteps its boundary, the IBA cannot do anything. Further, section 4(2) of the *Zambia National Broadcasting Corporation Act* and Section 7(2) in the *Independent Broadcasting Authority Act* provide for the appointment of a board by the Minister which compromises the autonomy of the board.

In this regard, the Committee recommends that the *Independent Broadcasting Authority Act* be repealed in order to strengthen it so as to have powers to regulate the Zambia National Broadcasting Corporation. Additionally, the Minister should not be empowered to appoint members of the board for both the IBA and ZNBC in order to enhance its autonomy. The boards should also include members from the private media.

#### **11.6 TV Levy**

The Committee agrees with stakeholders who observe that the TV Levy has not been increased from the time it was introduced when other parastatal bodies such as ZESCO Limited and water utility companies are allowed to increase their tariffs. They also note that despite the increase in the number of hotels, lodges and households being observed countrywide, the amount of the TV Levy being collected by the IBA has remained the same. The Committee, therefore, recommends that the TV Levy should be increased from K5 to K10 or K15 and also proposes the introduction of a radio levy which should be pegged at K2. Further, the Committee is of the view that, in the best interest of the Corporation, the collection of the TV Levy reverts to ZNBC.

### **11.7 Demotivated workforce at Zambia National Broadcasting Corporation**

The Committee notes with concern that workers with higher qualifications such as Master's degree in their field of training are supervised by people with lower qualifications who are perceived to be politically connected. Additionally, some qualified workers have been on attachment for more than five years and wonder why officers who opt to go on early retirement are reengaged on contractual basis. Further, the Corporation is highly understaffed such that some workers only go on leave when they are ill. The Committee, in this regard, recommends that Executive ensures that the ZNBC structure is addressed in order to motivate its workforce.

### **11.8 Zambia National Broadcasting Corporation to be answerable to Parliament**

The Committee notes that ZNBC is established through an Act of Parliament, the *Zambia National Broadcasting Corporation Act, No. 16 of 1987 and No. 13 of 1994* to, among other things, provide for the control and regulation of broadcasting and diffusion services. In this regard, the Committee recommends that given the functions in the Act, the Corporation should be answerable to Parliament so as to protect it from political interference.

### **11.9 The Public Order Act, Chapter 113 of the Laws of Zambia**

While acknowledging the importance of the Public Order Act, the Committee bemoans the lopsided application of the Act alleging that some police officers and political cadres forcibly disrupt radio programmes claiming that the sentiments being made are likely to cause the breach of peace. Sometimes, cadres from the ruling party storm radio stations claiming that the comments and the tone in language being used by a member of the Opposition is likely to breach the peace. The same happened in Opposition stronghold. However, when similar comments and tone are used by someone from the ruling party, the programme is not disrupted despite the tone in the language being the same. Clearly, this shows that the law is being applied disproportionately.

In this regard, the Committee recommends that the law be applied proportionately because Zambia is a democratic nation and the *Constitution* provides for the free flow expression of divergent views. Therefore, the Government should ensure that media houses are allowed to host all political leaders so as to ensure that they do not avoid hosting some members of society in a bid to remain on the right side of the law.

### **11.10 Public media**

The Committee observes that there has been an erosion of independence in public media houses because of the perceived Government interference. In light of this, the Committee recommends that the Executive should do more to change the narrative that the public media is state owned and controlled. This will tremendously improve public media's capacity, credibility and ultimately impact positively on the media fraternity in general.

### ***11.11 Advertising regulator***

The Committee notes that most revenue for media houses in Zambia come from advertising. This means that without advertising, most media houses will be financially unable to play their role of informing, educating, entertaining and creating a platform for debate, among others. The Committee, therefore, recommends that a body to regulate the distribution of advertising space among media houses be established. This will ensure that there is even distribution of advertising revenue to both private and public media houses. This will also enhance sustainability standards of media houses because they will have a relatively stable income.

### ***11.12 Weak media bodies***

The Committee acknowledges that media bodies are critical influencers of press freedom, media law and policy reforms. However, there is no institution to monitor their activities and operations. In addition, the Committee notes with concern that some media associations and unions are highly polarised making it difficult for them to unite and speak in unison as they campaign for press freedom and media law reforms, among others. As such, media associations have been infiltrated by politicians making them weak. This has also made it difficult for them to agree on any proposed media reform that will benefit the media industry.

In this regard, the Committee recommends that new media bodies should be put in place to strengthen the ongoing advocacy and campaign for media law reforms to strengthen the media environment. Further, the Committee recommends that the Ministry of Information and Media puts in place a mechanism that will monitor what is happening in associations in order to strengthen the media industry.

### ***11.13 Tax exemption on newsprint and broadcasting equipment***

The Committee agrees with stakeholders who bemoan the high cost of broadcasting and newsprint in the country which is triggered by high taxes. The Committee recommends that the Executive should consider waving tax on imported broadcasting equipment such as computers, cameras recorders and newsprint.

### ***11.14 Private media houses being left out of presidential entourage***

The Committee observes that journalists from private media houses find it difficult to get accreditation to cover events such as meetings being addressed by the Head of State because most organisers deny them access to presidential assignments. The Committee recommends that the Executive, through the Ministry of Information and Media, should ensure that all journalists from private media houses get accredited so that they are not stopped from covering big events such as presidential assignments. In addition, accreditation of journalists should also be decentralised at district level.

### ***11.15 Poor conditions of service***

The Committee observes that poor conditions of service contribute to the unprofessional conduct by some journalists because they sometimes depend on their

sources of news to meet their logistical requirements during an assignment. In this regard, the Committee recommends that the Executive should put in place a minimum wage for journalists in order to help reduce on the unprofessional conduct exhibited by some journalists.

### ***11.16 Zambia News and Information Service***

The Committee notes with great concern that the Zambia News and Information Service offices in all the districts visited are poorly funded and sometimes go for almost a year without receiving the Government grant. Furthermore, the offices have inadequate transport, staff, office furniture, computers, cameras, generators, lack modern public address systems and internet facilities to enable them operate effectively. In this regard, the Committee recommends that the Executive should ensure that ZANIS offices are adequately funded and all operational requirements are put in place for the offices to function effectively.

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

### **12.0 INVESTIGATIVE JOURNALISM IN ZAMBIA**

#### ***12.1 Access to information legislation***

The previous Committee had observed that public officers were unwilling to provide information to journalists and opted to use bureaucratic red tape to frustrate journalists seeking information. The Committee was of the view that if the access to information legislation was enacted, it would help to compel public officials to provide information within the required timeframe. Therefore, recommended 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 would not only facilitate the work of the media fraternity or investigative journalists alone, but would also enable members of the public to have access to information of public interest.

#### ***Executive's Response***

In the Action-Taken Report, the Executive stated that the Government Communication Policy was approved and launched in 2020 which would give guidance to the information flow. Therefore, the Access to Information Bill was being processed accordingly.

#### **Committee's Observations and Recommendations**

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

#### ***12.2 Legal impediments***

The previous Committee had noted that the laws being applied to conventional journalism were the same laws that were being used to govern investigative journalism.

The Committee had also noted that most of the provisions of the Penal Code were inimical to the practice of investigative journalism and put a severe limit on journalism practice in general.

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

### ***Executive's Response***

In the Action-Taken Report, the Executive stated that that the Ministry of Justice was in the process of drafting a Bill that sought to set up a professional body of journalists. The Bill further sought to set journalism standards and address issues related to self-censoring.

### **Committee's Observations and Recommendations**

In noting the submission, the Committee resolves to await a progress report on the formulation of the Bill which will set journalism standards and also address issues relating to self-censoring.

### ***12.3 Media Development Policy***

The previous Committee had appreciated the efforts that the Government was making to ensure the growth of the media industry in Zambia and had recommended that the Executive should develop a mechanism that would ensure that the investigative aspect of journalism was also promoted.

### ***Executive's Response***

In the Action-Taken Report, the Executive stated that the Ministry of Information and Media would act accordingly after consultations with the relevant stakeholders.

### **Committee's Observations and Recommendations**

In noting the submission, the Committee had resolves to await a progress report on the promotion of investigative journalism.

### ***12.4 Training***

The previous Committee had noted with concern that training institutions in Zambia did not have a specific curriculum dedicated to investigative journalism. Journalists who practiced investigative journalism pursued it out of their personal interest and self-learning. Additionally, trainers were also not capacitated to provide adequate training in investigative journalism.

The Committee, therefore, recommended 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 was 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 called for journalism trainers to be adequately capacitated to enable them provide training in investigative reporting. The skill acquired by trainers would be passed on to students.

### ***Executive's Response***

In the Action-Taken Report, the Executive stated that journalism by training was investigative in nature and as such, all institutions that were running course curricula at certificate, diploma and degree levels took that into account. Following this training, students master the art of deeply investigating a single topic of interest, such as serious crimes, corruption, health or corporate wrong doing. In view of the Committee's recommendation, the Ministry of Education would work with the Technical, Education, Vocational and Entrepreneurship Training Authority (TEVETA) in reviewing the current Journalism Training Curriculum to strengthen the component of investigative journalism. The Executive further submitted that Evelyn Hone College had structured a short course in Investigative Journalism which was planned for a roll-out in July 2021, to serve as a start-up programme.

### **Committee's Observations and Recommendations**

In noting the submission, the Committee resolves to await a progress report on the proposal by the previous Committee to put in place a dedicated investigative reporting curriculum to be implemented at certificate, diploma and degree levels, so that there was an appreciation of the importance of investigative journalism by students. Journalism trainers should also be adequately capacitated to enable them provide training in investigative reporting.

#### ***12.5 Lack of specialised desks at media institutions***

The previous Committee had observed that media houses recognised the important role investigative journalism played by, among other things, exposing abuses of power, corruption and other vices in society, they had not created dedicated investigative reporting desks. The Committee had recommended that media houses should create dedicated desks for investigative journalism in their institutions and ensure that enough resources such as transport, funds, equipment and personnel were allocated to these desks. This would ensure that finances and staff were dedicated to investigative reporting.

### ***Executive's Response***

In the Action-Taken Report, the Executive stated that the Media Development Policy launched in November 2020, facilitated the setting up of dedicated investigative reporting desks as this would enable policy objectives to be realised.

## **Committee's Observations and Recommendations**

In noting the submission, the Committee resolves to await a progress report on the number of media houses that have set up investigative reporting desks.

### ***12.6 Institutional policies***

The previous Committee had noted that investigative reporting was not being practiced in media houses because superiors had not put in place policies that promoted investigative reporting. The Committee had recommended that the Executive should take measures to ensure that media houses institutionalised investigative journalism and made 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 would encourage investigative journalism, and ensure that journalists who engaged in investigative reporting were protected by their employers.

#### ***Executive's Response***

In the Action-Taken Report, the Executive stated that the Media Development Policy would address the issue and ensure that media houses institutionalise investigative journalism and trainings. The Policy would also address institutional policies.

## **Committee's Observations and Recommendations**

In noting the submission, the Committee resolves to await a progress report on the promotion and institutionalisation of investigative reporting in media houses.

### ***12.7 Incentives for investigative journalism***

The previous Committee had noted that the absence of recognition through media awards discouraged journalists from undertaking investigative journalism projects. The Committee had agreed with stakeholders who observed that there were awards in other fields of journalism such as health and environmental reporting in the media fraternity, but there was no award dedicated to investigative reporting.

The Committee had recommended that in order to promote specialised reporting in investigative journalism, relevant authorities should consider establishing an investigative journalism award to motivate those who would excel in field.

#### ***Executive's Response***

In the Action-Taken Report, the Executive stated that the Ministry of Information and Media would engage relevant stakeholders to consider establishing an investigative journalism award.



## **Committee's Observations and Recommendations**

In noting the submission, the Committee resolves to await a progress report on the establishment of an award for investigative journalism.

### ***12.9 Media ownership***

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

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

### ***Executive's Response***

In the Action-Taken Report, the Executive submitted that the Ministry of Information and Media was facilitating the establishment of a professional body for Journalists. The professional body would protect journalists from media owners' influence.

## **Committee's Observations and Recommendations**

In noting the submission, the Committee resolves to await a progress on the establishment of a journalism professional body that will address concerns such as influence by media owners.

### ***12.10 Misconception about the role of investigative journalism***

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

### ***Executive's Response***

In the Action-Taken Report, the Executive stated that the Ministry would engage all stakeholders to sensitise the journalists to enable them appreciate that investigative journalism was not just about exposing negative activities.

## **Committee's Observations and Recommendations**

In noting the submission, the Committee resolves to await a progress report on the sensitisation programme that will enable journalists appreciate that investigative journalism was not only about exposing negative activities but also writing about positive stories.

### ***12.12 Lack of a minimum qualification***

The previous Committee had noted that the absence of a minimum qualification for one to practice as a journalist and employment in Zambia had contributed to unprofessionalism. The Committee had recommended that the Executive, as a matter of urgency, should put in place a minimum qualification for one to practice as a journalist so as to promote professionalism. This would ensure that qualified journalists did not compete with unqualified journalists and that they were paid salaries commensurate to their qualifications.

### ***Executive's Response***

In the Action-Taken Report, the Executive submitted that once the Zambia Media Council (ZAMEC) Bill was enacted, the professional body for Journalists would be established which would address the issue of the minimum qualification for one to practice as a journalist.

## **Committee's Observations and Recommendations**

The Committee notes the response and resolves to await a progress report on the establishment of the Zambia Media Council which will address concerns relating to qualifications in the journalism profession.

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

### **13.0 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.

#### ***13.1 Inadequate Policy***

The previous 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 Executive submitted that there were consultations on the review of the 2006 ICT Policy and that a revised ICT Policy and its Implementation Plan had since been finalised and submitted to Cabinet for approval. Once approval was granted by Cabinet, the Committee would be informed.

### **Committee's Observations and Recommendations**

The Committee resolves to await a progress report on the review and implementation of the 2006 Information and Communication Technology Policy.

### ***13.2 Inadequate Infrastructure***

The previous Committee had strongly recommended that the Government should, as a matter of urgency, conclude the projects that were being implemented to ensure that all districts were covered. The Committee had 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 submitted that the Government was still implementing the Construction of Communication Towers Phase II Project. It was further submitted that the Government had commenced the construction of 947 Towers with 789 being functional and on air compared to 717 that were operational as at 31<sup>st</sup> August, 2020. Once the Project was completed, it was envisioned that network coverage would increase from 72 per cent to over 93 per cent. The Committee was, however, requested to note that the scheduled completion date for the project was affected by the Covid-19 pandemic.

### **Committee's Observations and Recommendations**

In noting the submission, the Committee resolves to await a progress report on the completion of the construction of communication towers under the phase II project.

### ***13.3 Reliance on Foreign ICT Solutions***

The previous 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 Executive submitted that the Government would endeavour to ensure that the policies under the *Citizen Economic Empowerment Act, No. 5 of 2021*, that supported citizen owned and citizen driven initiatives as well as businesses aimed at developing local ICT solutions to the implementation of the e-Government programme in the country were prioritised and supported.

Further, the Government in collaboration with the Copperbelt University (CBU) planed to undertake a feasibility study on the establishment of the Cyber City. This project would not only promote growth and development of the ICT sector in Zambia, but also create employment opportunities and provide work experience for many youths and graduates in the country.

### **Committee's Observations and Recommendations**

In noting the submission, the Committee resolves to await a progress because the Government in collaboration with the Copperbelt University (CBU) intends to establish a Cyber City which would not only promote growth and development of the ICT sector but also create employment opportunities and provide work experience for many youths and graduates in the country.

#### ***13.4. Communication barrier***

The previous 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 Executive stated that in April, 2021, SMART Zambia Institute commenced the evaluation of all Government websites with a view to upgrading them to respond to new requirements including provision of the seven major local languages. The evaluation exercise had not been completed and had since been deferred to be implemented in 2022.

### **Committee's Observations and Recommendations**

The Committee notes the submission and resolves to await a progress report on the provision of information in the seven major local languages on Government websites.

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

### **14.0 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.

#### ***14.1. Regulatory bodies***

The previous 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 stated that the Ministry of Justice had already commenced the legislative process of establishing a media self-regulatory body. Internal legislative meetings had taken place with all the stakeholders. The Ministry of Justice was making adjustments to the draft Zambia Media Council Bill in accordance with the observations and recommendations of the internal legislative meeting.

#### **Committee's Observations 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**

### **15.0 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.

## **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.

### ***15.1. TopStar operations not in line with the digital migration policy***

The previous Committee had expressed concern over the inordinate delay by the Government in attending to the review of the Digital Migration Policy. The Committee was particularly dismayed that TopStar had been allowed to continue operating against the parameters of the Policy. The Committee had 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 Executive stated that the process to review the Digital Migration Policy had commenced and the task force had been constituted. The Ministry of Information and Media was working on the three pieces of legislation, namely: the *Independent Broadcasting Act*, *Zambia National Broadcasting Corporation Act* and the *Online Broadcasting Act*. Once the three pieces of legislation were repealed and new legislation enacted, the Digital Migration Policy would be in place.

On the issue of inconsistencies relating to the of encryption of free to air television broadcasting services on private broadcasting stations by TopStar, the Executive submitted that this would also be addressed once the Digital Migration Policy was reviewed.

## **Committee's Observations and Recommendations**

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

## **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**

### **16.0 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.

#### ***16.1 Creation of faculties and film production at higher learning institutions***

The previous 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 submitted that the repeal and replacement process had commenced. The draft Independent Broadcasting Authority Act Bill has been submitted to the Ministry of Justice.

### **Committee's Observations and Recommendations**

The Committee notes that the response by the Executive is unrelated to the matter under consideration, which is the construction of the University College of Governance and Arts in Katete District. The Committee therefore, resolves to await a progress report on the matter.

### ***16.2 Careers Related to Film***

The previous Committee had resolved to await 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.

### ***Executive's Response***

In the Action-Taken Report, the Executive stated that the repeal and replacement process of the IBA Act had commenced. The draft Independent Broadcasting Authority Act Bill had since been submitted to the Ministry of Justice.

### **Committee's Observations and Recommendations**

In noting the submission, the Committee resolves to await a progress report on the process of repealing and replacing the *Independent Broadcasting Act*, which will ensure that the 35 per cent local threshold was adhered to.

### ***16.3 Lack of Proper Documentation of Cultural Ceremonies***

The previous 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 Executive stated that three provincial studios namely: Mansa, Kasama and Chinsali were at 100 per cent civil works completion, the other three Studios Kabwe, Chipata and Mongu were above 80 per cent completion on civil works. Further, Lusaka, the National Operation Centre was at 83 per cent civil works completion.

Additionally, Choma and Solwezi provincial studios were still at slab level due to the tight fiscal space, nevertheless, the bill of quantities (BoQ's) had been obtained for the temporary broadcasting studios. The provincial broadcasting studios were not yet operational.

### **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 so as to ensure that all traditional ceremonies are documented. The Committee further wants to know when works on the Solwezi and Choma broadcasting studios would commence.

#### **16.4 Zambia Consolidated Copper Mines (ZCCM) Infrastructure**

The previous 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 Executive submitted that the Local Authority was still awaiting the submission of the roadmap on the rehabilitation of the Theatre Hall by Luanshya Copper Mine.

### **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**

### **17.0 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.

#### **17.1. Independent Broadcasting Authority Mandate**

The previous 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 Executive stated that the repeal and replacement process commenced after a wide consultative process with the radio station owners and all media houses. The Independent Broadcasting Authority Draft Bill had been submitted to the Ministry of Justice. The Bill would address issues regarding online



broadcasting services including issues relating to community radio stations. In the proposed Bill, the community radio stations would be licenced differently from the religious broadcasting stations.

### **Committee's Observations and Recommendations**

In noting the submission, the Committee resolves to await a progress report on the repeal of the IBA Act which will address issues of online broadcasting and community radio stations.

#### ***17.2. Certifying body for sign language interpretation***

The previous 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 Executive stated that in line with the *Zambia Qualification Authority Act No. 13 of 2011*, Zambia Institute for Special Education (ZAMISE) could only be recognised as an appropriate body to certify sign language interpretation if the Institution applied for the status under the current law. Zambia Institute of Special Education had still not submitted the application in this respect, and ZAQA could therefore, not recognise the Institute as an appropriate body to certify sign language interpretation.

### **Committee's Observations and Recommendations**

In noting the submission, the Committee resolves to await a progress on the matter.

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

### **18.0 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.

#### ***18.1 Regulation to Manage E-Waste***

The previous Committee had resolved 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.

#### ***Executive's Response***

In the Action-Taken Report, the Executive submitted that due to the large capital required for the construction of the landfill, the local authority had been engaging

cooperating partners in order to collaborate on financial support and equipment provision. An initial arrangement to construct the landfill with support from the World Bank did not materialise due to encumbrances on the land identified for the project. As the terms for the support did not include resettlement or compensation of settlers, the arrangement with the cooperating partner fell through.

The local authority had since continued to look for appropriate land for the infrastructure and was also considering various avenues of funding.

### **Committee's Observations and Recommendations**

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

## **18.2 CONCLUSION**

It is common knowledge that in the 1990s, the country had only one government-owned broadcasting station, the Zambia National Broadcasting Corporation (ZNBC), two daily government-owned newspapers, the *Zambia Daily Mail* and *Times of Zambia*, one major private independent newspaper *The Post* and one independent private radio station *Radio Phoenix 1996 Limited*. Currently, there are about 146 radio stations, fifty-two television stations and several print media publications in the country. The Internet has also contributed to the growth of the media industry through digital communication platforms. The growth of the media industry has enhanced public access to information and freedom of expression.

Despite the notable growth in the media industry, the Committee notes that the growth is not in tandem with the current trends as regards media laws. Laws such as the *Penal Code Act, Chapter 87 of the Laws of Zambia*; the *Public Order Act, Chapter 113 of the Laws of Zambia*; the *State Security Act, Chapter 111 of the Laws of Zambia*; the *Printed Publications Act, Chapter 167 of the Laws of Zambia* and the *Cyber Security and Cyber Crimes Act, No 2 of 2021, among others*, have provisions that are inimical to the practice of journalism. The Committee is hopeful that laws such as the access to information legislation, and the Zambia Media Council legislation will enhance access to information and adherence to media code of conduct once enacted will enable the media to play its role diligently. However, the Committee is shocked at the inordinate delay by the Executive to enact legislation on access to information which was withdrawn in November 2002. The Committee is hopeful that the Executive will expedite the process of enacting the access to information legislation and the Zambia Media Council legislation.

Finally, the Committee wishes to express its gratitude to the Office of the Hon Madam 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.



Eng. Raphael Samukoma Mabenga, MP  
**CHAIRPERSON**

June, 2022  
**LUSAKA**

## **APPENDIX I – LIST OF THE NATIONAL ASSEMBLY OFFICIALS**

### **National Assembly**

Mr F Nabulyato, Acting Principal Clerk of Committees (SC)  
Mrs C K Mumba, Acting Deputy Principal Clerk of Committees (SC)  
Mrs A M Banda, Senior Committee Clerk (SC)  
Ms C R Mulenga, Committee Clerk  
Ms 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 MEDIA**

Mr K Kalunga, Permanent Secretary  
Mr P Shula, Executive Director, Zambia Mass Communication (ZAMCOM)  
Ms G Kasungami, Registrar, Ministry of Information and Media  
Ms J Chula, TOPSTAR, Public Relations Manager  
Mr J Zhuang, TOPSTAR, Chief Executive Officer  
Ms C Mukale, TOPSTAR Company Secretary  
Mr M Lusambo, Director General, (ZNBC)  
Ms Y Tembo, Assistant Deputy Planning, (ZNBC)  
Ms A Mukabe, Head of Corporate Affairs, (ZNBC)  
Mr W U Ngulube, Chief Planner, Ministry of Information and Media  
Ms L M Saili, Director, (ZANIS)

### **2. MINISTRY OF JUSTICE**

Ms M K Bwalya, Permanent Secretary  
Ms M Chibambo, Principal Parliamentary Counsel

### **3. INDEPENDENT BROADCASTING AUTHORITY (IBA)**

Ms J Mapoma, Director General  
Mr E Nkandu, Director, Standards  
Ms L Kabamba, Manager, Standards  
Ms K Wandu, Standards Officer  
Mr M Kamanga, Legal Counsel

### **4. MEDIA INSTITUTE FOR SOUTHERN AFRICA (MISA-ZAMBIA)**

Mr A Kayanda, National Director  
Ms J Chirwa, Programmes Manager  
Ms T Mawarire, Chief of Party, Internews  
Mr J Nkadani, Media Lawyer, Internews  
Ms M Kabuswe, Assistant Programmes Officer

### **5. PANOS INSTITUTE, SOUTHERN AFRICA**

Mr V Sifile, Executive Director  
Mr N Siantombo, Programme Manager  
Ms N Jere, Project Officer  
Mr G Chibwe, Project Officer  
Mr J Nkadani, Programmes Manager, Internews  
Ms T Mawarire, Chief of Party, Internews

**6. ZAMBIA MEDIA WOMEN ASSOCIATION (ZAMWA)**

Ms C Kalombe, Chairperson  
Ms S Mwape, Member  
Ms B Zulu, Member

**7. BLOGGERS OF ZAMBIA**

Mr R Mulonga, Chief Executive Officer  
Ms T Mawarire, Chief of Party, Internews Network,  
Mr J Nkadani, Media Lawyer, Internews Network  
Mr F Chomba, Project Officer  
Ms B Nkhowani, Project Coordinator  
Mr S C Mantiwa, Content Creator  
Mr G Zyambo, Video Grapher

**8. PRESS ASSOCIATION OF ZAMBIA (PAZA)**

Mr A Sakala, President  
Mr N Sibanda, National Secretary

**9. MEDIA OWNERS ASSOCIATION OF ZAMBIA**

Mr E G Banda, President  
Mr D Kabuswe, Secretary General  
Mr M Njobvu, Member

**10. MEDIA LIAISON COMMITTEE (MLC)**

Mr E Ngoma, Chairperson  
Ms B Zulu, Member

**11. LAW ASSOCIATION OF ZAMBIA (LAZ)**

Mr K Kapianga, Lawyer  
Mr K Chipopola Lawyer

**12. CATHOLIC MEDIA SERVICES**

Fr W Kunda, Director  
Mr P Mwanangombe, Programme Officer  
Mr N Mukuka, Communications Officer  
Mr M Bwalya, Communications Officer

**13. JESUIT CENTRE FOR THEOLOGICAL REFLECTION (JCTR)**

Mr N Chavula, Research and Planning Manager  
Ms A Mulenga, Communications and Digital Engagement Officer  
Mr C Mweene, Researcher, Volunteer

**14. TRANSPARENCY INTERNATIONAL ZAMBIA (TIZ)**

Mr C Nachibinga, Democratic Governance Leader  
Ms C Lungu, People Engagement Leader Officer

**15. COMMON GROUNDS NETWORK**

Mr D Mvula, Executive Director  
Mr P Mwewa, Project Co-ordinator  
Mr W Maimba, Youth Specialist

**16. UNIVERSITY OF ZAMBIA (UNZA) - DEPARTMENT OF MASS COMMUNICATIONS**

Dr B Hamusokwe, Head of School of Media Studies  
Dr B Mutambanshiku, Lecturer  
Dr B Bukuwa, Lecturer  
Mrs E Chanda, Lecturer

**17. EVELYN HONE COLLEGE OF APPLIED ARTS AND COMMERCE - DEPARTMENT OF MEDIA STUDIES**

Mr S Kapumba, Head of Media Studies  
Ms C M Mulako, Lecturer

**18. ZAMBIA INSTITUTE OF MASS COMMUNICATIONS (ZAMCOM)**

Mr P Shimba, Executive Director  
Mr N Kabbudula, Marketing Manager  
Mr L Kantumoya, Board Member

**19. ZAMBIA NATIONAL BROADCASTING CORPORATION (ZNBC)**

Mr M Lusambo, Director General  
Ms A Mukabe, Head Corporate Affairs  
Ms Y Chanda, Acting Director Programmes

**20. NEWS DIGGERS**

Mr J Mwenda, Managing Director  
Ms M Funga, Managing Editor  
Ms Z Mbewe, News Editor

**21. THE MAST**

Mr S Mupuchi, Deputy Managing Editor  
Mr E Changa, News Editor  
Ms K Mataka, Journalist

**22. TIMES OF ZAMBIA /ZAMBIA DAILY MAIL**

Mr N Mbewe, Managing Director  
Ms E Musonda, Managing Editor  
Mr T Phiri, Company Secretary