

# **STATE OF THE MEDIA**

**For the Quarter: October 1 – December 31, 2006**

**MISA ZAMBIA**

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### **State of the Media Report for the Fourth Quarter 2006**

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## 1.0 Introduction to the State of the Media in Zambia Fourth Quarter 2006

The *State of the Media* Report is a quarterly assessment of the media environment in Zambia. This *State of the Media* report is for the third quarter of 2006. The assessment and record describes the media situation in Zambia and was prepared by the Zambian Chapter of the Media Institute of Southern Africa – (MISA Zambia). The report includes the environment in which media institutions exist and operate and how that environment affects individual journalists.

As indicated in the past quarterly *State of the Media* reports MISA Zambia contributed a chapter on the state of the media in Zambia in the publication *So This is Democracy* produced by the regional office in Namibia. MISA Zambia has also continued to contribute information to this publication in form of Alerts and Updates. However, the local quarterly *State of the Media* report keeps abreast with the unfolding events affecting the media within the country, to keep media personnel, other stakeholders and the donor community better informed about developments in Zambia's media.

Significant during the quarter was Celtel Zambia's signing in December of a K420 billion (\$105 million) local and foreign syndicated term loan with Barclays Bank and Citi Group (ABSA Capital). Speaking during the signing ceremony in Lusaka Bank of Zambia Governor Caleb Fundanga on December 12 hailed the loan as a landmark in the private sector participation in economic development in Zambia. Dr Fundanga said it was gratifying that 82 per cent of the \$105 million was raised in Zambian Kwacha primarily from local commercial banks with participation from international development financing institutions.

Dr Fundanga said the BOZ in collaboration with Government was working at ensuring that all institutions were supportive of keeping the global investor audience informed about economic developments transparently. A total of 11 domestic and international financing institutions participated in the facility including Barclays Bank, Citi Bank Zambia, DEG Deutsche, Development Bank of South Africa, Finance Bank Zambia, Stanbic Bank, Standard Chartered Bank Zambia and the Zambia National Commercial Bank. Celtel acknowledged that the loan facility was an appreciation of how much confidence the other financial institutions had in the company.<sup>1</sup>

Of interest during the quarter were the appointments by the Speaker of the National Assembly Amusaa Mwanamwambwa of members of the new sessional committees. Appointed too were members of the **Committee on Information and Broadcasting Services** announced the names on November 16, 2006 by the Speaker and these included Dr P D Machungwa, MP (Chairperson), Mr C W Kakoma, MP, Mr M Kapeya, MP, Mrs J M Limata, MP, Mr M Mwangala, MP, Mr H Mwanza, MP, Mr D Mwila, MP and Dr C A Njobvu, MP.<sup>2</sup>

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<sup>1</sup>Times December 13, 2006

<sup>2</sup> Speaker Amusaa Mwanamwambwa in *National Assembly Debates* of November 16, 2006.

## 2.0 Media Environment during the Fourth Quarter of 2006

The media environment in the fourth quarter of 2006 started with President Mwanawasa praising the role played by both the electronic and print media during the election period especially in keeping the population informed.

“The local radio stations throughout the country and the daily and weekly papers have become a powerful source of knowledge and information. I thank them profoundly,” President Mwanawasa said.<sup>1</sup>

And Zamtel averted the withdrawal of international roaming services for Zambian mobile telephone users. The France Telecom Company had threatened to cut services to Zamtel over unsettled bills, which both Zamtel commercial director Sandie Kandolo and managing director Simon Tembo confirmed. They said they were aware of threats from France Telecom over the possible discontinuation of service but added that the matter had since been resolved.<sup>2</sup>

But during the quarter the Press Freedom Committee of the *Post* and the Press Association of Zambia (PAZA) also resolved on revitalizing advocacy for media law reforms especially in the possible re-introduction of the Freedom of Information Bill to Parliament. The two organisations noted that failure to take the Bill to Parliament would deprive the citizens their right to access vital information for the enjoyment of other rights. In a statement released in Lusaka on October 22, the two media institutions stated that they would engage the Government and Members of Parliament on the need to expeditiously enact laws that would create a general enabling environment for the growth of the media industry in Zambia. In this regard, they would lobby the Government to waive duty on newsprint and other printing materials to make access to information cheaper and to broaden the readership of publications among the people for critical involvement in formulating social policies and in the decision-making process of Governance. The two media watchdog groups said they would increase readership of publications, especially among young people in schools and selected youth organisations and would conduct talks in learning institutions aimed at creating media awareness.<sup>3</sup>

And straight on President Mwanawasa’s heels Communication and Transport minister Peter Daka praised Celtel for connecting every district in Zambia to its network. Speaking during a tour of Celtel offices in Lusaka on November 10 the minister said communication was no longer a need but a right that every Zambian should enjoy in the liberalized market and in accelerating economic and social activities.<sup>4</sup> Further the minister urged stakeholders in the communication sector to be involved in the formulation of a strong law in the Information and Communication Technology (ICT). He said his ministry would ensure that the ICT sector took a leading role in the empowerment of people and the improvement of the economy. He said Celtel had through taxes to ZRA also contributed to the increased revenue of the country.<sup>5</sup>

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<sup>1</sup>*Mail* October 4, 2006

<sup>2</sup>*Post* October 14, 2006

<sup>3</sup>*Times* October 23, 2006

<sup>4</sup>*Times* November 11, 2006

<sup>5</sup>*Mail* November 12, 2006

Another minister praised the media, claiming it was a key partner in the development of North Western Province. Noting that the province had for many years remained the country's Cinderella provincial minister Kennedy Chipungu told Solwezi based journalists on November 13 that the media were stakeholders in the development of the region.<sup>1</sup> Besides the minister's comment MISA Zambia organised a Media literacy Workshop in Solwezi on November 20-22, 2006 at Changa Changa Motel. The workshop with the theme "The Role of the Public in Media" and attended by 51 participants, was the second Media Literacy Workshop to be held in Solwezi after an earlier one held in 2004.<sup>2</sup>

Apart from the workshop in Solwezi MISA Zambia on November 30 also organised the Annual Media Awards in Lusaka. Officiating at the function first Zambian president Kenneth Kaunda challenged the Zambian media to give priority to issues of HIV/AIDS instead of concentrating too much on politics. Dr Kaunda said the media had a critical role to play in the public awareness debate against HIV/AIDS and there could only be success if valuable information on prevention of infections and available treatment reached the people in urban and rural areas.<sup>3</sup> The HIV/AIDS segment of the Awards ceremony was funded by USAID. "In fulfilling its role in dissemination of information, it is important that it does so without fear or favour especially in presentation of editorials. In this way, the public can be assured of receiving unbiased and uncensored information on many issues including economic, social and political developments," Kaunda said.<sup>4</sup> And QFM as an institution won the overall Media Freedom Award while Mutuna Chanda of QFM won the radio category and Godfrey Malama won the print media category.

Deputy minister of Information and Broadcasting David Phiri urged the media to highlight government policy and the economic development projects being implemented countrywide. Speaking after conducting a familiarization tour of ZANIS Mr Phiri said November 2 that a lot of economic activities were going on unreported to the majority of the public.<sup>5</sup>

Of interest during the quarter Celtel Zambia signed a K420 billion (\$105 million) local and foreign syndicated term loan financing with Barclays Bank and Citi Group (ABSA Capital) making it a landmark in the private sector participation in economic development. Celtel Zambia established the facility to finance capital expenditure requirements of its network and for the repayment of existing loans. The Bank of Zambia (BOZ) said December 12 that the signing of the loan facility was attributed to the massive economic gains such as single digit inflation that Zambia had reached. Speaking during the signing ceremony, BOZ Governor Caleb Fundanga said the loan agreement indicated that Zambia was able to rally foreign private capital to improve its domestic financing limitations.<sup>6</sup>

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<sup>1</sup> *Times* November 15, 2006

<sup>2</sup> Solwezi Media Literacy Report

<sup>3</sup> *Times* December 2, 2006

<sup>4</sup> *Mail* December 2, 2006

<sup>5</sup> *Mail* December 3, 2006

<sup>6</sup> *Times* December 13, 2006 -A total of 11 domestic and international financing institutions participated in the facility. The institutions included Barclays Bank, Citi Bank Zambia, DEG Deutsche, Development Bank of South Africa, Finance Bank Zambia, Stanbic

Government had with immediate effect ordered police to stop issuing permits to political parties intending to hold rallies. But United Liberal party president Sakwiba Sikota has said the banning of political rallies is unconstitutional. At a press briefing, home affairs deputy minister Chrispine Musosha said police permits are not going to be issued for political purposes.

“This follows enormous pressure that has been exerted on the president and his wife from opposition parties,” Musosha said. “We are doing it now because of the many attacks that have been directed at the President. We feel certain utterances from the opposition are a threat to national security, that is why we have also issued the ban.”<sup>1</sup>

During the quarter the Media Trust Fund (MTF) held its Annual General Meeting on December 16 at which it appointed economist and governance consultant Prof Oliver Saasa, as the new chairman of the board of directors following the retirement of Hakainde Hichilema who has joined active politics as UPND president. At the same meeting at Protea Safari Lodge in Chisamba the MTF also appointed Lusaka lawyer Margaret Chalwe as deputy chairperson of the board. And interim MTF chairperson Margaret Chimanse thanked the meeting for endorsing the board’s nominees who will take up the appointments. Ms Chalwe takes up the deputy position, which remained vacant for sometime until the AGM. During the meeting Ms Chimanse said she was happy with the strides MTF made in terms of community media development and especially that it was on course in establishing the targeted five rural radio stations in Choma, Isoka, Katete, Mwinilunga and Nchelenge.

“The equipment for three of the five stations has already been purchased while the equipment for the remaining two awaits shipment from the United Kingdom,” she said. She said the MTF was also pleased that through interaction with the communities it had been able to secure construction permits for Macha in Choma, Mwinilunga and Isoka and was in the process of securing another permit for Nchelenge.<sup>2</sup>

Further the quarter saw the Zambia Union of Journalists (ZUJ) demand an apology from Home Affairs Deputy Minister, Chrispine Musosha, for claiming that the media misrepresented his statement over the ban on political rallies. At the same time the ZUJ commended Home Affairs Minister, Ronnie Shikapwasha, for retracting Mr Musosha’s statement, which could have eroded donor and investor confidence that Zambia enjoyed. But ZUJ also advised Mr Musosha not to use the media as a scapegoat for his statements. This was in apparent reference to Mr Musosha’s statement that some sections of the media misrepresented his statement to mean that Government had declared a partial state of emergency. On December 15, Mr. Musosha announced that the Government had banned all political meetings because of the weaning security situation. ZUJ president, Isabel Chimangeni, said in a statement, Mr. Musosha failed to name the so-called sections of the media and should not blame the media for his statements.

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Bank, Standard Chartered Bank Zambia and the Zambia National Commercial Bank. Celtel acknowledged that the loan facility was an appreciation of how much confidence the other financial institutions had in it

<sup>1</sup>*Saturday Post* December 16, 2006

<sup>2</sup>*Mail* December 18, 2006

“We, therefore, reject with the attempt by Mr Musosha to use the media as a scapegoat for his statement,” Ms Chimangeni said.<sup>1</sup>

Besides the quarter also saw the Media Council of Zambia (MECOZ) elect a new board of directors comprising seven professionals from various sectors. The new board pledged to work closely with other media institutions in Zambia to enhance professionalism among journalists. MECOZ executive secretary Beenwell Mwale said in a press statement in Lusaka December 17 that the new board’s priority would be to conduct training programmes for journalists in media law and ethics following increased complaints that professionalism was not being followed in some sectors of the media.<sup>2</sup>

Further the quarter saw the Communications Authority of Zambia announce that the parallel numbering system under which telecommunication service providers would continue using six and seven digits would begin on May 1, 2007. In an interview after the ‘meet the minister’ cocktail party Chief Executive Officer Shuller Habeenzu said the cut off date for use of the parallel system would be November 1, 2007. It was acknowledged that once the new system was effected each telecommunication service provider would have the capacity to accommodate up to 10 million subscribers without need for a second national destination code. It was further revealed that the current numbering system, with a six-digit subscriber number (SN) besides the country code (CC) was based on Zambia Telecommunication Company (Zamtel’s) fixed line platform developed 40 years ago by the defunct Post and Telecommunications Corporation (PTC).<sup>3</sup> Of interest during the quarter was Celtel Zambia being given the best operations award for 2006 beating 13 other countries in Africa.<sup>4</sup>

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<sup>1</sup>*Times* December 18, 2006

<sup>2</sup>*Times* December 18, 2006 - Those elected to the board include Sister Rose Nyondo a lecturer in the school of Mass Communication at the University of Zambia and Mr Chibamba Kanyama who is Zambia State Insurance Corporation’s director of Corporate Affairs. Others are Pastor Conrad Mbewe (Baptist Church), Chieftainess Chiawa (traditional leader), Mr Benstone Ng’onga (MTF), Mr Denis Wood (Business Consultant) and Faxon Nkandu (Media Consultant). Sister Rose was elected acting chairperson of the board to replace Mr Mumba Malila, a lawyer who was appointed Attorney General recently. Two more members would be appointed to the board soon.

<sup>3</sup>*Post* December 22, 2006

<sup>4</sup>*Sunday Times* – December 24, 2006

### 3.0 Cell Phone Service providers fight for dominance

Competition between the three-cell phone providers heated up during the quarter as MTN Zambia on October 13 launched its own per second billing to compete with Celtel Zambia and Zamtel in providing this form of billing for its customers. MTN Chief sales and marketing officer Freddie Makoane said in an interview that the product, dubbed Pay As you Go per Second Plus, was further testimony of the company's resolve to respond to consumer views.<sup>1</sup> Within the month of October MTN also announced the commencement of trials for providing the first mobile DStv service through its recent partnership with media firm Nespers.<sup>2</sup>

Further, MTN Zambia continued its pressure on the other cell phone providers as it partnered with *The Post* Newspaper to empower its newspaper's mobile sales agents with cell phone scratch cards. *Post* newspaper marketing manager Chris Chilongo revealed the newspaper had asked the other cooperating partners such as Celtel Zambia but the organisation refused to become part of the process of empowerment. During the MTN Zambia and *Post* Newspaper vendors' challenge on October 22 MTN Sales Manager Ethel Mulenga welcomed *The Post's* initiative saying this would help take business closer to the people.<sup>3</sup>

While MTN Zambia was doing the catch up act Communication and transport minister Peter Daka was commending Celtel Zambia for ensuring that every district in Zambia was connected to its network. Speaking before a familiarization tour of Celtel offices in Lusaka on November 10 Daka said communication was no longer a need but a right that every Zambian should enjoy in the liberalized market especially that the development would accelerate economic and social activities.<sup>4</sup> Further the K420 billion (\$105 million) local and foreign syndicated term loan financing signed by Celtel Zambia with Barclays Bank and Citi Group (ABSA Capital) was described as a landmark in the private sector participation in economic development.

The Bank of Zambia (BOZ) Governor Caleb Fundanga said on December 12 that the signing of the loan facility was due to the massive economic gains such as the single digit inflation that Zambia was experiencing and it showed that Zambia was able to rally foreign private capital to improve its domestic financing limitations. Dr Fundanga said it was gratifying that the loan facility was initially launched with \$70 million but this was subsequently raised to \$105 million following significant over-subscription and 82 per cent of that was raised in Zambian Kwacha from local commercial banks with the participation of international development financing institutions.<sup>5</sup>

Communications Authority of Zambia disclosed that the parallel numbering system where telecommunication service providers would use both six and seven digits

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<sup>1</sup>*Post* October 14, 2006

<sup>2</sup>*Post* October 19, 2006

<sup>3</sup>*Post* October 24, 2006

<sup>4</sup>*Times* November 11, 2006

<sup>5</sup>*Times* December 13, 2006 -A total of 11 domestic and international financing institutions participated in the facility. The institutions included Barclays Bank, Citi Bank Zambia, DEG Deutsche, Development Bank of South Africa, Finance Bank Zambia, Stanbic Bank, Standard Chartered Bank Zambia and the Zambia National Commercial Bank. Celtel acknowledged that the loan facility was an appreciation of how much confidence the other financial institutions had in it

would start on May 1, 2007. In an interview Shuller Habeenzu, the managing director said the parallel system would end on November 1, 2007. He said the new system would benefit telecommunication service provider as they would have the capacity to accommodate up to 10 million subscribers lines.<sup>1</sup> In the meantime Celtel Zambia won the best operations award for 2006 beating 13 other African countries.<sup>2</sup>

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<sup>1</sup>*Post* December 22, 2006

<sup>2</sup>*Sunday Times* – December 24, 2006

#### 4.0 **Broadcast Media during the Fourth Quarter of 2006**

Police on Sunday October 1<sup>st</sup> asked QFM radio station to stop playing messages on air that were inciting the nation. The senior police officers arrived at QFM demanding that the station refrained from playing a message regarding the 2006 general elections that they deemed would ‘incite the nation’. But QFM managing director Asan Nyama maintained that his institution had covered the 2006 elections fairly and without any prejudice contrary to police insinuations. In a letter dated October 1<sup>st</sup> to the Inspector General Ephraim Mateyo the managing director maintained that they had reported the elections professionally. In the letter also copied to MISA Zambia Nyama stated that since inception five years ago, QFM had remained neutral in the way it reported on issues of national interest.

“We refer to the above matter and confirm that we were this afternoon (October 1<sup>st</sup>) visited by your senior officers. The purpose of their visit was to ask us to refrain from playing a message.”<sup>1</sup>

And in a press statement on October 2 MISA Zambia regretted police attempts to dictate to Q-FM Radio on how the station should cover election issues. MISA Zambia regarded as retrogressive the visit to Q-FM radio station in Lusaka by senior police officers and their demand that the radio station stop broadcasting messages allegedly “inciting the nation”. According to MISA Zambia’s investigation Q-FM radio did not broadcast messages that could incite the nation.

“We, therefore, believe that the police action was clearly aimed at intimidating Q-FM radio and preventing it from carrying out its broadcasts. We strongly appeal to the police to desist from such intimidation because it is a violation of freedom of the press and fuels further tension,” the press statement signed by chairperson Fr Frank Bwalya concluded.<sup>2</sup>

On October 3 MISA Zambia issued an Alert headlined ‘Police ask Q-FM radio to stop “inciting the nation”’. The Alert provided the details of the incident and also carried an October 2 interview with Asan Nyama, the Q-FM managing director. He told MISA Zambia that it appeared police officers wanted to intimidate the station so it stopped doing “on the spot” broadcasts of the elections and their aftermath.<sup>3</sup>

But apart from police threats President Mwanawasa praised both the electronic and print media for the role it played in keeping the population informed not only at the time of elections but on a daily basis.

“The local radio stations throughout the country and the daily and weekly papers have become a powerful source of knowledge and information. Our open society and our democracy will thrive if our people are kept properly informed of what is going on around them,” he said.<sup>4</sup>

But on October 18 MISA Zambia released another “Alert” entitled the Supreme Court reserves ruling on ZNBC/IBA case. The Alert referred to the Supreme Court sitting on October 11 where Attorney General and Justice Minister George Kunda submitted that

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<sup>1</sup>*The Post* October 3, 2006

<sup>2</sup>MISA Zambia Press Statement October 2, 2006

<sup>3</sup>MISA Zambia Alert dated October 3, 2006

<sup>4</sup>*Mail* October 4, 2006

the High Court judge erred in glossing over the meaning of the word “recommendation” as contained in the two acts saying the word gave the Minister the right to question names he or she was uncomfortable.

“A recommendation according to ordinary English is merely a suggestion. It is also advice as to the course of action to be taken and a recommendation can never be binding on a person to whom it is made. In this case, the Minister was at liberty to accept, reject, ask for further information and even make suggestions,” Kunda argued, adding that the power to appoint board members of both the IBA and ZNBC was vested in the minister while the ad-hoc appointments committees merely played an advisory role.

But in his response, lawyer representing the six media associations Dr. Patrick Matibini stated that the task of the court went beyond understanding of the word “recommendation” but to consider the whole context and scope of the matter. “It is not a simple exercise of discovering what the Oxford dictionary has to say. The context requires to be analysed,” Dr Matibini said, adding that the two Acts were aimed at democratising public media in Zambia and at empowering citizens of Zambia to fully participate not only in the operations of both ZNBC and IBA but to take responsibility for appointing the boards.<sup>1</sup>

The three daily papers covered the story in great detail. The *Times* revealed that Attorney General George Kunda told the full Supreme Court bench that the powers to appoint members of the Independent Broadcasting Authority and the board of directors of ZNBC were vested in the minister of Information and Broadcasting services. He said such powers included the powers to accept or reject the names recommended by the ad hoc committee because the role of the ad hoc committee was merely advisory and not as an appointing authority. He agreed with the media institutions that the IBA and the ZNBC Amendment Acts created the independence of the boards while reducing the control of government but argued that this was only restricted to the operations of the boards and not the mode of instituting the boards. Kunda further submitted that the High Court judge should have interpreted the word ‘recommendation’ because this was relevant to the interpretation to the sections in question especially that the minister was not a rubber stamp or a conveyor belt to the National Assembly on decisions or recommendations of the ad hoc committee.

“The minister is the authority and he or she is vested with power to make the appointments. And according to the two Acts, the National Assembly cannot even consider an appointment until it is made by the minister,” Kunda emphasised.

According to the Attorney General it was the duty of the minister to ensure that there was equity in the composition of the boards and that interest groups were represented. On the argument that the legislation did not provide for the next step to be taken by the minister if she or he did not accept the recommended names by the ad hoc committee, Kunda said the court had the powers to seal the lacunas. But Patrick Matibini, submitted that it was not the intention of the legislature to clothe the minister with powers to accept or reject the names of board members because it could have stated so in equivocal terms. Dr Matibini said the intention of the two pieces of legislation was to

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<sup>1</sup>MISA Zambia Alert October 18, 2006

enhance the enjoyment of the Freedom of Expression as enshrined in Article 20 of the Zambian constitution.

“For instance the ZNBC is as is provided in section 4(3) of the ZNBC Amendment Act number 20 of 2002 run by an independent board of directors who are committed to fairness, freedom of expression, openness and accountability,” he said.

Dr Matibini said the two Acts were aimed at ensuring that the rights of free speech were ideal for the enhancement of democracy. “I submit that Article 13 of the constitution which provides that the constitution is the supreme law of the land and that any law is inconsistent, that law should be void,” he said.

Further Dr Matibini argued that in the second ground of appeal by the State, it was clear the trial judge did not find any ambiguity in section 7 (2) of the IBA and section 4(2) of the ZNBC (Amendment) Acts to warrant resort to Hansard. He stated that the judge in the lower court was firm and observed that the moral of the two pieces of legislation was democratic in nature and that the minister was preventing and frustrating the reform of media laws in the country. But the State also submitted that the High Court erred in law when it quashed the decision of the minister of information who declined to recommend names of the IBA and the ZNBC Acts to parliament.<sup>1</sup> Chief Justice Ernest Sakala sitting with Deputy Chief Justice David Lewanika and judges Florence Mumba, Dennis Chirwa and Sandson Silomba reserved judgment to a later date.<sup>2</sup> The story was also covered in the *Post* newspaper indicating that the Supreme Court had on October 11 reserved ruling in the matter in which the state appealed against a High Court over the IBA and ZNBC boards.<sup>3</sup>

Of interest during the quarter was President Mwanawasa’s announcement at the official opening of the first session of the tenth National Assembly that government would in 2007 review the Theatre and Cinematography Act. According to the President under the proposed legislation, the Film Censorship Board would be reconstituted into a Film Classification Board to ensure that children are protected from unnecessary viewing of unacceptable materials.<sup>4</sup> The *Post* reported that in interviews the general public expressed mixed feelings over government’s decision to review the Theatre and Cinematography Act while others claimed government’s move was aimed at controlling the type of films to be shown in the country. Others complained that it was not fair for government to even think of reviewing the Act because Zambia was a democratic state where people were free to watch whatever they wanted.<sup>5</sup>

In court Lusaka Magistrate Brian Simango ordered a 38-year old man who allegedly incited other people not to pay ZNBC TV licence fees. Nyambe Sitwala faced simple imprisonment in default if he did not pay a fine of K200, 000 in a matter where Sitwala allegedly incited people not to pay ZNBC TV licence fees contrary to section 173 sub section (1) of the Penal Code. According to the facts Sitwala on February 19, 2006

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<sup>1</sup> *Times* October 12, 2006 - Other details as in *Mail*.

<sup>2</sup> *Mail* October 12, 2006

<sup>3</sup> *Post* October 12, 2006

<sup>4</sup> President Mwanawasa’s speech to Parliament

<sup>5</sup> *Post* November 1, 2006

allegedly instructed people to chase away ZNBC inspectors until a satellite dish was installed in the area to enable residents to watch ZNBC TV clearly. But in his defence Sitwala said he incited the people because ZNBC TV in the area was poor. Magistrate Simango said Sitwala had no right to incite the other residents not to pay the ZNBC licence fees as he could have caused a disturbance taking into account that he did not even inform ZNBC about the poor reception.<sup>1</sup>

During the quarter ZNBC journalist Faith Kandaba reported Chief Mukuni to police for allegedly threatening that his subjects would burn her alive if she continued asking him about the Legacy Holding's plan to build a hotel in Mosi-oa-Tunya National Park. Chief Mukuni denied the allegation and when contacted the Toka Leya chief responded: "My dear I'm never a violent man. I can't kill even a fly." However, Southern Province Commanding Officer Chewe Bowa confirmed that police were investigating the case.<sup>2</sup>

And during his contribution to President Mwanawasa's speech UPND Monze Central MP Jack Mwiimbu thanked deputy speaker, Mutale Nalumango for according him an opportunity to debate. Mwiimbu took note of the contents of the speech saying it was not his intention to dwell on what President Mwanawasa had said, claiming that for the past five years he had listened to the president but his Cabinet had never acted on what he said.<sup>3</sup>

In contrast Information and Broadcasting Deputy Minister, David Phiri, observed that Zambians would be lagging behind if only a few programmes on development were broadcast on Zambia National Broadcasting Corporation (ZNBC) radio and television. Speaking during a familiarisation tour of Zambia National Information Service (ZANIS) offices in Lusaka on November 2 Mr Phiri said ZANIS had the capacity to gather local development news, which ZNBC could later show to inform the public. He also said that plans were underway to discuss with ZNBC management the possibility of airing more local programmes from ZANIS on television and radio. He also observed that information was the key to any development and was therefore happy that ZANIS had recruited more district information officers with offices that should be equipped with Internet and video vans to quicken the flow of information.

And ZANIS director, Patrick Jabani, revealed that his organisation was covering 72 districts making the news agency the most widespread news disseminator in Zambia. Mr Jabani said the agency was also offering a photo service for posterity and library usage, adding that this was evident in the Choma museum, which was composed mostly of photos supplied by ZANIS capturing the history of valley Tongas. Another pictorial museum in Chipata showing the history of chiefs and their subjects had been put in place to ensure that local people knew their origins. Mr Jabani assured the deputy minister that ZANIS with support from the government would promote policies by providing the communities with a forum to voice out their views on any developmental issues. He said

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<sup>1</sup>Post November 7, 2006

<sup>2</sup>Post November 14, 2006

<sup>3</sup>National Assembly Debates – November 15, 2006

ZANIS would continue reaching out to rural areas by publishing local language newspapers in seven major languages. But the director, however, warned people masquerading as journalists at workshops that they faced arrest as such practices were tarnishing the image of the media industry.<sup>1</sup>

During the quarter Radio Christian Voice was allocated land in Lusaka's Kalingalinga Township where it had started building a radio studio at a cost of about one million British pounds. Officiating at the ground breaking ceremony at the site, Christian Vision executive director Andy James said on November 13 the amount would also go towards the construction of offices and staff houses. He said the construction of the state of the art studio that would bring the radio station closer to the community, would start on November 14 and would be completed by August 2007. He noted that because of distance it was difficult for people to reach Christian Voice studios in Lusaka West. Mr James said Christian Voice would now be broadcasting from its studios in Kalingalinga while short wave transmission would continue at its Lusaka West transmitters. Further he revealed, Radio Christian Voice was in the process of upgrading its equipment to include broadcasting on the Internet and in vernacular when it introduces its local language service.<sup>2</sup>

But Commerce, Trade and Industry minister Kenneth Konga urged for collaboration between the Communication Authority and various service providers to entrench the culture of e-governance. Launching the Celtel Mobile Internet service on December 1 Konga said Zambia would be more competitive in the global economy if e-commerce were also enhanced. He said new technological innovations such as the Mobile Internet Service improved Zambia's chances of attaining the Millennium Development Goals by 2015. And company Managing Director David Venn said Celtel had invested \$250 million in its expansion programme.<sup>3</sup> And North Western province permanent secretary Richard Salivaji also praised DSTV management for opening a new office in Solwezi. He said the office would help in servicing customers in the area. Salivaji said the number of subscribers to Multichoice in Zambia had increased to 27,000 making it the largest company outside South Africa. He said Zambia was ahead of Kenya and Zimbabwe but behind Angola, Nigeria and Namibia.<sup>4</sup>

And still in Solwezi North Western Province MISA Zambia organised a Media Literacy Workshop on November 20-22, 2006 at Changa Changa Motel, attended by 51 participants from community media institutions such as Solwezi Community Media Association (SOCOMA) and SOLTECH PRESS. This was the second Media Literacy Workshop to be held in Solwezi after one held in 2004 and had as its theme "The Role of the Public in Media." The attendance of the workshop also included three chiefs – namely Senior Chief Musele, Senior Chief Kalilele, Chief Mulonga and two chief's representatives while other participants were from NGOs, business people, clergy and political party representatives. Mr Daniel Sikazwe discussed types and roles of broadcast media run by government - this kind of media is state media. He also discussed

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<sup>1</sup>*Times* November 3, 2006

<sup>2</sup>*Mail* November 14, 2006

<sup>3</sup>*Times* December 3, 2006

<sup>4</sup>*Sunday Times* December 10, 2006

experiences of electronic media in the development process and the possibility of setting up a community radio station. He said this must start from the position of ownership, which he said, was very important. He described several steps to be followed in establishing a community stations. On Media Role in Society – the setting of traditional and modern agenda Daniel Sikazwe said some people believed what was on air or in newspapers as gospel truth. He said people believed stories on radio and in newspapers because the news came from far away – (Lusaka and State House).<sup>1</sup>

And on November 22 information minister Vernon Mwaanga assured Parliament that Government was committed to expanding radio and television to rural areas under the Rural Television Programme being undertaken by the Ministry of Education and the Ministry of Information and Broadcasting Services and headed by ZNBC. He said the programme that started two years before would continue in the year 2007 and beyond. “Where poor reception or technical problems are being experienced, they will be addressed provided that they are brought to the attention of my ministry,” he said, adding that the Government had issued twenty-six commercial and radio licences to all provinces in Zambia that largely served communities where the stations are located. He declared that Government would continue processing radio and television licences on the strict understanding that these institutions would adhere to the terms and conditions of their licences.

“As minister responsible, let me serve notice that I will not hesitate to withdraw or cancel licences of radio and television operators who do not adhere to the law and to the terms and conditions of their licences which they are given when the Technical Committee voluntarily pass these conditions on to them. I will not tolerate lawlessness in the broadcasting industry,” he emphasized amid cheers from government members.

But on the issues concerning the ZNBC Amendment Act and the Independent Broadcasting Authority (IBA) that some members raised during their debate the minister declined to comment because the two pieces of legislation were before the Supreme Court of Zambia.<sup>2</sup> The *Post* reported Mwaanga’s speech on November 25 in which they indicated that the minister had warned that government would not hesitate to withdraw Radio and TV licences from media houses that did not follow broadcasting regulations. The paper also highlighted the fact that government had issued 26 licences for community and commercial radio stations and television stations. Further the paper noted that Mwaanga observed that the issue of the IBA and the ZNBC boards could not be debated because the matter was in court.<sup>3</sup>

And MISA Zambia in conjunction with Irish Aid organised a good governance review workshop at Cresta Golf View Hotel on December 4, 2006. Ten community radio stations involved in the good governance programmes attended the workshop and these included Radio Yangeni, Radio Mkushi, Radio Icengelo, Radio Maria, Radio Chikaya, Maz FM, Zambezi FM, Radio Mosi-oa-tunya, Radio Lyambai and Radio Liseli. During a discussion the moderator asked participants why they became broadcasters several

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<sup>1</sup>Media Literacy Report for Solwezi – November 2006.

<sup>2</sup>*National Assembly Debates* – November 22, 2006

<sup>3</sup>*Post* November 25, 2006

expressed various sentiments such as interest, becoming a voice of the voiceless, being well informed or as a priest being directed by the Church into the profession.

And officially opening the workshop MISA Zambia chairperson Fr Frank Bwalya noted the many ways workshops could be organised, including making the workshop non participatory. However, the other way of organising a workshop, he said, was by providing a necessary environment for discussion and learning from experience and drawing future developments.

“We are not going to speak to you but that you speak to one another,” he observed.

The advisor on good governance at the Irish embassy Abdon Yezi noted that the embassy had been involved with MISA Zambia for a very long time. He also noted that there was a move among cooperating partners to harmonise their work with the Zambian government. On the review workshop Yezi said in October 2006 the embassy visited most of the stations to see what the future would be and that one of the stations visited was Radio Icengelo. He said the value of the embassy’s investment had given it the impetus to continue – because it was strategic and the rural outreach, reaches many people on issues affecting them from day to day. He said community radio’s intervention/impact had encouraged the embassy to continue. He concluded by noting that the programme was not only to do with Ireland and the development of an independent media but as an area, which required many players and that this provided the rationale for continuing with MISA Zambia based on outputs, outcomes and impact. All the participating radio stations provided two stories that were broadcast under the good governance project. The stories were analysed, most accepted as good governance stories.<sup>1</sup>

Celtel Zambia signed a K420 billion (\$105 million) local and foreign syndicated term loan financing with Barclays Bank and Citi Group (Absa Capital) making it a landmark in the private sector participation in economic development. The Bank of Zambia (BOZ) said the signing of the loan facility by Celtel and its banking partners was due to the massive economic gains such as the single digit inflation that Zambia was experiencing. Speaking during the signing ceremony in Lusaka, BOZ Governor Caleb Fundanga said the loan agreement indicated that Zambia was able to rally foreign private capital to improve the domestic financing limitations and support efforts of encouraging faster economic growth. Dr Fundanga said it was gratifying that the loan facility now finalised was initially launched with \$70 million and subsequently raised to \$105 million following significant over-subscription. And 82 per cent of the \$105 million was raised in Zambian Kwacha primarily from local commercial banks with participation from international development financing institutions. He said the loan agreement complemented Government’s economic reform agenda that was aimed at strengthening Zambia’s creditworthiness as demonstrated by the attainment of Highly Indebted Poor Countries (HIPC) completion point in April 2005. Dr Fundanga said the BOZ in collaboration with Government was working at ensuring that all institutions were supportive of keeping the global investor audience informed about economic

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<sup>1</sup>Good Governance Review Workshop Report December 4, 2006

developments transparently. A total of 11 domestic and international financing institutions participated in the facility.<sup>1</sup>

The Media Trust Fund (MTF) at its AGM on December 16 appointed economist and governance consultant Prof Oliver Saasa, as its new chairman of the board of directors following the retirement of Hakainde Hichilema who had joined active politics as UPND president. The MTF also appointed Lusaka lawyer Margaret Chalwe as deputy chairperson of the board. Addressing the meeting interim MTF chairperson Margaret Chimanse thanked the AGM for endorsing the board's nominees who would soon take up their appointments. And during the meeting Ms Chimanse expressed happiness at the strides the MTF had made in terms of community media development, especially that it was on course in establishing the targeted five rural radio stations in Choma, Isoka, Katete, Mwinilunga and Nchelenge.

"The equipment for three of the five stations has already been purchased while the equipment for the remaining two awaits shipment from the United Kingdom," she said, adding that the MTF was also pleased that through its interaction with the communities it had been able to secure construction permits for Macha in Choma, Mwinilunga and Isoka and was in the process of securing another construction permit for Nchelenge.

"This was a major hurdle the fund faced as the government was unwilling to issue broadcasting construction permits for unknown reasons," she said.

Further through consultation with current telecommunications and mobile phone providers in the country, MTF entered into a tower sharing agreement with Celtel. Under this agreement Celtel Zambia has allowed MTF to use the towers in the five districts where community stations would be established on condition that the Fund rented the towers while Celtel provided security. Ms Chimanse said the radio stations would be run and owned by the communities while political and traditional leaders were disqualified from running the stations although they could play a supportive role.

"MTF intends to monitor these stations once established to ensure that they do not divert from their initial goals and become political," she said.

Besides the MTF intended to concentrate on promoting media freedom by supporting advocacy work in media institutions on media law reforms and other issues that hindered the media to exercise freedom and thereby professionally execute their duties. Ms Chimanse also said the delay in issuing broadcasting construction permits by the MIBS negatively affected the implementation of projects like the establishment of community radio stations. She also said the high taxes on equipment stifled MTF's ability to develop the media in Zambia and that the matter had been taken to government because an exemption from taxes would enable the fund to establish more community media organisations to enable government communicate with the people throughout the country.<sup>2</sup>

And Press Freedom Committee of the *Post* chairman Webster Malido has said everything possible must be done to ensure that community-based media institutions in

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<sup>1</sup>*Times* December 13, 2006

<sup>2</sup>*Mail* December 18, 2006 – The MTF AGM was at Protea Safari Lodge in Chisamba on December 16. Ms Chalwe takes up the deputy position, which had remained vacant for sometime.

the country flourish. Speaking in Mazabuka and Monze on December 20 when the Press Freedom Committee (PFC) of the *Post* signed a Memorandum of Understanding (MOU) with MAZ FM and SKY FM community radio stations Malido said building the capacity of community media enhances levels of discourse on community and public affairs. Through the contract agreement the PFC aims to sponsor public discussion programmes on the community radio stations through the provision of funding on a monthly basis. The community stations that have been identified to benefit from the initiative in Southern province are MAZ FM, SKY FM and Chikuni in Monze among others countrywide.<sup>1</sup>

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<sup>1</sup>*Post* December 22, 2006

## 5.0 Freedom of Information during the Fourth Quarter of 2006

During the quarter media bodies were not active in agitating for the enactment of the Freedom of Information Bill. However, some newly elected members of parliament raised the issue soon after the new National Assembly convened. One such Member of Parliament was Bennie Mweemba the UPND MP for Magoye. In his maiden speech he first observed that during the tripartite elections the role played by the public media left much to be desired, especially in his constituency of Magoye.

“We were not adequately covered. We cannot continue with the same mentality where the public media only covers the ruling party when the taxpayers in the country expect to be informed fairly about what is happening in the nation. It is only fair that they also cover activities that involve opposition political parties and other stakeholders because we are now under the new dispensation of multi-partyism. The opposition is here to offer checks and balances to the Government that is in power. It is not fair for the voters not to be given adequate information by the media when they are paying for the television license,” he emphasized.

Secondly Mweemba told the House that in view of what he had just said the voter was disadvantaged because his source of information was largely dependant on the public media. He also noted that this was a problem because the electorate could not make a well-informed decision when it came to choosing leaders for this country.

“I, therefore, urge the MMD Government to quickly look at the Freedom of Information Bill as a matter of urgency,” he said.<sup>1</sup>

The *Post* reported Mweemba’s debate in its edition of November 17 stating that the MP had called on government to look at the Freedom of Information Bill as a matter of urgency. Giving his maiden speech Mweemba said some people in his constituency had not seen a newspaper until the recent elections. Mweemba said there was need to exhaust the issue of Freedom of Information Bill so that people would be fairly informed on issues surrounding them.<sup>2</sup>

Besides Mr. Mweemba, United Liberal Party Livingstone Member of Parliament Sakwiba Sikota also raised the question of the Freedom of Information Bill. Mr. Sikota reminded the House that four years ago in 2006 the Minister of Information and Broadcasting Services withdrew the Bill from the Floor of this House and promised that the Government was going to do a short consultation on certain aspects of that Bill. It has now been four years. Four years is not a short time. It is time this Government introduced that legislation. More especially, that this Government claims that it wants to fight corruption. The Freedom of Information Act is one of the major tools with which to fight corruption. If indeed they are earnest about it, they will bring to the Floor of this House the Freedom of Information Bill.<sup>3</sup> This debate appeared in the *Post* newspaper edition of November 25.<sup>4</sup>

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<sup>1</sup>*National Assembly Debates* – November 16, 2006

<sup>2</sup>*Post* November 17, 2006

<sup>3</sup>*National Assembly Debates* – November 22, 2006

<sup>4</sup>*Post* November 25, 2006 – Livingstone United Liberal Party MP Sakwiba Sikota said the FOI Bill was important since government claimed that it wanted to fight corruption.

In response to comments by members information minister Vernon Mwaanga observed that a lot had been said about the Freedom of Information Bill. He noted that he had greatly benefited from their comments and suggestions but said that the subject was important subject and that their views would be taken into account, during this ongoing consultative phase. He also observed that out of 191 Members of the United Nations, only forty countries had enacted Freedom of Information Laws. And according to Mwaanga a great majority of these countries had not introduced any laws relating to Freedom of Information because of the attendant problems that go with such laws. He gave the example of countries such as the United Kingdom enacted Freedom of Information Laws in 2005 but were already in the process of reviewing these laws because of implementation problems which have arisen and also the purpose for which information obtained was used. Further, Mwaanga drew the attention of members to international terrorism noting that government had become circumspect in handling matters of this nature. “This Government is alive to all these issues,” he concluded amid cheers from the government benches.<sup>1</sup> The *Post* reported the matter in its edition of November 25.<sup>2</sup>

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<sup>1</sup>National Assembly Debates – November 22, 2006

<sup>2</sup>*Post* November 25, 2006 – According to the *Post* the Minister of Information and Broadcasting Mr Vernon Mwaanga on November 22 told Parliament that government would also take into account issues raised concerning the FOI Bill (FOI). Mwaanga said out of the 149 members of the United Nations, only 40 countries have adopted the FOI. He said Britain and Northern Ireland only countries have adopted the FOI.

## 6.0 Print Media during the Fourth Quarter of 2006

In print media the quarter started with a MISA Zambia Alert regarding a demonstration by opposition supporters outside *The Post* newspaper offices. The Patriotic Front (PF) supporters demonstrated on September 30 against a story, which predicted victory for President Levy Mwanawasa and his ruling Movement for Multiparty Democracy (MMD). Earlier PF president Michael Sata who was leading the poll had earlier accused *The Post* newspaper of conniving with the government to give an impression that Mwanawasa would win the elections. And in its edition of October 1 the *Post* reported that the PF cadres displayed banners, which attacked the newspaper and its editor Fred M'membe. Press Freedom of *The Post* newspaper chairperson Webster Malido defended the newspaper's right to publish the story despite a perception in Lusaka and the Copperbelt provinces that Sata would emerge victorious.

And MISA Zambia Chairperson Fr. Frank Bwalya in a statement on 1 October 2006 condemned the demonstration against the newspaper and PF president Michael Sata's attacks. In results announced on 2 October 2006, Mwanawasa was declared the winner with 42.98 per cent of the votes cast, while Sata came second with 29.37 percent. The other three candidates shared the rest of the votes.<sup>1</sup> And according to a report in the *Mail* newspaper the cadres led by Lusaka Province chairman Chiko Bwalya and demonstration started from the PF secretariat in the central business district through Kamwala into Church Road and Bwinjimfumu Road in Rhodes Park.<sup>2</sup> However, quick action by police who sealed the *Post* newspapers premises stopped the cadres from entering the building. The cadres who arrived at 15.00 hours in several vehicles including about six hired buses displayed hate messages against *Post* editor Fred Mmembe.<sup>3</sup> Besides Fr Bwalya said there was nothing wrong with the newspaper reporting that Mwanawasa and the MMD were likely to scoop the presidential elections and also dominate Parliament.

"We think that Mr. Sata should not direct his anger towards *The Post* newspaper and its editor. Attacking the *Post* newspaper for us, is like 'shooting the messenger.' The action of the PF and its cadres amounts to intimidation and is a violation of the right of *The Post* newspaper to report freely on matters of public interest," Fr Bwalya said.<sup>4</sup>

Further in its report *The Post* indicated that both PAZA and MISA Zambia had condemned the PF over its violence against *The Post* newspaper. Reacting to the cadres who besieged the *Post* newspaper offices on September 30 PAZA president Andrew Sakala said the action was uncalled for.

"We condemn the action because it is undemocratic to intimidate journalists. Journalists should be left to operate in a free atmosphere that allows them to do their job professionally without fear of victimisation," Andrew Sakala said.

Additionally MISA Zambia observed about PF president's attacks against *The Post* and its editor: "We believe that the PF cadres who demonstrated against the newspaper were

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<sup>1</sup>MISA Zambia Alert dated October 3, 2006

<sup>2</sup>*Mail* October 1, 2006

<sup>3</sup>*Post* October 1, 2006

<sup>4</sup>*Times* October 2, 2006

incited by Mr. Sata's hate speech. It is very sad that a seasoned and respected politician like Mr. Sata resorted to personal attacks against *Post* newspaper editor Fred Mmembe."<sup>1</sup>

But President Mwanawasa on the other hand commended both electronic and print media for the role it played during the entire election period and for keeping the population informed.

"The local radio stations throughout the country and the daily and weekly papers have become a powerful source of knowledge and information. Our open society and our democracy will thrive if our people are kept properly informed of what is going on around them. I thank them profoundly," he said.<sup>2</sup>

Secondly, Bennie Mweemba the UPND MP for Magoye sympathised with the media, which could not cover the whole country due to limited resources. In fact, it is difficult for voters to access newspapers easily because of logistical reasons and the price that was too high.

"In Magoye, people who are in Konkola and Mezi have never seen a newspaper. They only saw newspapers during the just ended election campaigns. So, I request the Government to look into this issue," he said.<sup>3</sup>

But during the quarter the print media did not escape from being sued as Hetro Mining and Ore Dealers chief executive Shawi Fawaz took legal action against the *Monitor and Digest* newspaper and businessman Dante Saunders for libel. According to documents filed in the Kitwe High Court Fawaz contended that the *Monitor* and Saunders had falsely and maliciously published two articles entitled "MMD Fawaz Relationship Questioned" and "Saunders castigates MMD for protecting Fawaz" in the 206 and 297 editions of the *Monitor & Digest* newspaper.<sup>4</sup>

MISA Zambia organised a Media literacy Workshop in Solwezi North Western Province on November 20-22, 2006 under the theme "The Role of the Public in Media." The workshop, attended by 51 participants including three chiefs – Senior Chief Musele, Senior Chief Kalilele, Chief Mulonga and two chief's representatives discussed various topics including print media.

Discussing the historical perspective of the Zambian print media Mr. Makayi said two newspapers first published in 1906 were *Livingstone Mail* and the *Pioneer*. Later the colonial government published *Inshila* and *Mutende* while other newspapers published included *Central African Mail* and *Northern News* (owned by Argus) and at independence the Zambian government bought *Central African Mail* (now *Zambia Daily Mail*). And on the role of newspapers Mr. Phiri said this included informing the public, educating and entertaining the public. On the second day Mr. Phiri introduced a topic on experiences of print media in development especially of North Western Province. He illustrated this through coverage of North Western province by the three mainstream newspapers that revealed that the *Times of Zambia* gave the most coverage to the

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<sup>1</sup>*The Post* October 2, 2006

<sup>2</sup>*Mail* October 4, 2006

<sup>3</sup>*National Assembly Debates* – November 16, 2006

<sup>4</sup>*Post* November 17, 2006

province by addressing development-oriented stories. He also discussed definitions of community print media and national media. In the case of Zambian national newspapers they embrace and report issues that are “supposedly” of interest to the whole country with editors and editorial policy assuming a ‘godlike’ position by deciding what is relevant in Nchelenge, Zambezi, Livingstone or Chipata, he noted. He repeated some of these views when discussing the topic – “national coverage and community news” and in this regard gave participants some practical work. He then discussed how community newspapers can be developed starting with the need for research, registration with the National Archives while the organisation could either be registered with the Registrar of Companies (Under the Companies Act) or the Registrar of Societies (Under the Societies Act) and decision on the envisaged type of publication.

The quarter had its human casualty when *Zambia Daily Mail* board of directors terminated the contract of the newspaper’s managing director Godfrey Malama.<sup>1</sup> Government followed this decision with the dissolution with immediate effect of the Boards of Directors of both the *Times Printpak Zambia Limited* and *Zambia Daily Mail Limited* claiming the decision was made to pave way for the appointment of new board members. Information and Broadcasting Minister, Vernon Mwaanga made the decision.<sup>2</sup> The minister in his communication dated 28th November 2006 expressed his gratitude to the two chairpersons for the tireless service rendered to the two companies. Mr. Mwaanga said the new boards would be announced as soon as consultations with Cabinet were over.<sup>3</sup>

Of interest during the quarter was the decision barring government institutions from printing its jobs with private printing firms. Works and Supply Minister, Kapembwa Simbao, said Government Printers now had the capacity, through the donated Chinese state-of-the-art equipment, to print ballot papers similar to those used in the September 28 general elections. Speaking when he officially received printing equipment worth US\$1.2 million in Lusaka on December 4 Mr. Simbao said with such facilities, Government Printers would be able to carry out any type of printing works, adding that it was the responsibility of the Electoral Commission of Zambia (ECZ) to award such contracts to the department. He commended the Chinese government for donating such equipment which would help improve printing standards.

“It is a directive that all Government departments with printing requirements should utilise the equipment and a circular early next year will be issued to effect the directive,” he said.

And Chinese ambassador to Zambia, Li Baodong, who handed over the printing equipment to the government, said the donation was a testimony of true friendship between China and Zambia. Mr. Li said his government was committed to assisting Zambia in whatever possible way through various developmental programmes. And Works and Supply Permanent Secretary, Bizwayo Nkunika, warned employees against abusing the donated facility by engaging in private works. He said that those found doing

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<sup>1</sup>Post November 24, 2006

<sup>2</sup>Times December 1, 2006 - Ms Joyce Muwo chaired the *Times Printpak* board while Mr Masautso Nyathando chaired the one at the *Zambia Daily Mail*.

<sup>3</sup>Mail December 1, 2006

so would be dealt with.<sup>1</sup> The quarter in print media ended with litigation involving former *Zambia Daily Mail* managing director Godfrey Malama, who sued his former employers the *Zambia Daily Mail*, demanding about K356 million in terminal benefits.<sup>2</sup>

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<sup>1</sup>*Times* December 5, 2006

<sup>2</sup>*Post* December 22, 2006

## 7.0 Attacks on MISA members and non-MISA members during the Fourth Quarter of 2006

The quarter opened with unknown people on September 30 attacked Zambian based Reuters correspondent Shapi Shacinda near the Taj Pamodzi Hotel in Lusaka as he was driving to Mulungushi International Conference Centre at around 21.55. It appears a car that was trailing him hit his side view mirror and later driving parallel to his car hit it twice. Three men were in the car with the driver wearing a leather jacket. Fearing for his life Shacinda sped off and reported the matter to Police.<sup>1</sup>

Somehow the Shacinda story was not followed up all the media associations. But on October 3 MISA Zambia sent out an Alert over the demonstration outside the privately owned *The Post* newspaper offices by opposition Patriotic Front (PF) supporters against a story which predicted that President Levy Mwanawasa would beat his four rivals, including the PF president Michael Sata while his ruling Movement for Multiparty Democracy (MMD) would win the general elections held on 28 September 2006 with 81 parliamentary seats out of 150. And MISA Zambia Chairperson Fr. Frank Bwalya in a statement on 1 October 2006 condemned the demonstration against the newspaper and Sata's attacks. Prior to the demonstration Sata had earlier accused *The Post* newspaper of conniving with the government to give an impression that Mwanawasa would win the elections.<sup>2</sup>

And Information and Broadcasting Minister, Vernon Mwaanga, announced on September 30 the dissolution of the two boards at the *Times of Zambia* and the *Zambia Daily Mail*. He said the two boards' three-year contract ended about one year ago, but had continued operating at his pleasure.

"I can confirm that I have with immediate effect dissolved the two boards, this has been done to pave way for constitution of new ones," he said.<sup>3</sup>

From public demonstration to physical beating of a *Post* newspaper employee by Council and State police on November 1. The *Post* newspaper distribution assistant was in Lusaka's Longacres area when police beat him up after he allegedly saw them stealing Celtel scratch cards at the Try Me Mini Mart container on Chilufya Mulenga Road. Narrating the incident Vernon Chulu said around 13 hours a combined team of Zambia Police Officers and Lusaka City Council units raided the container requesting for a licence that permits them to sell alcoholic beverages.

"The officers who arrived in a white Nissan pick up registration number ABE 9822 asked the attendant Mimisa Shabwaya.<sup>4</sup>

And ZNBC journalist Faith Kandaba reported Chief Mukuni to police for allegedly making threats that his subjects would burn her alive if she continued asking him about the Legacy Holding's plan to build a hotel in Mosi-oa-Tunya National Park. Though Chief Mukuni denied the allegation Southern Province Police Commanding

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<sup>1</sup>Mail October 2, 2006

<sup>2</sup>MISA Zambia Alert October 3, 2006

<sup>3</sup>Times December 1, 2006 - Ms Joyce Muwo chaired the *Times* Printpak board while Mr Masautso Nyathando chaired the one at the *Zambia Daily Mail*.

<sup>4</sup>Post November 2, 2006

Officer Chewe Bowa confirmed the report saying that the police were investigating the case. Bowa said that Kandaba had reported to police that unknown people had threatened her over her reportage of the Legacy Holdings story. And when contacted by the newspaper Chief Mukuni of the Toka Leya responded: “My dear I’m never a violent man. I can’t kill even a fly.”<sup>1</sup>

However, from chief Mukuni’s threats to litigation as Hetro Mining and Ore Dealers chief executive officer Shawi Fawaz sued the *Monitor and Digest* newspaper and businessman Dante Saunders for libel. According to documents filed in the Kitwe High Court Fawaz has contended that the *Monitor* and Saunders falsely and maliciously published two articles entitled “MMD Fawaz Relationship Questioned” and “Saunders castigates MMD for protecting Fawaz” in the 206 and 297 editions of the *Monitor & Digest* newspaper.<sup>2</sup>

During the quarter the Zambia Union of Journalists (ZUJ) demanded an apology from Home Affairs Deputy Minister, Chrispine Musosha, for claiming that the media had misrepresented his statement over the ban of political rallies. But ZUJ also commended Home Affairs Minister, Ronnie Shikapwasha, for retracting Mr Musosha’s statement, which in ZUJ’s view could have eroded donor and investor confidence that Zambia enjoyed. And ZUJ also advised Mr Musosha not to use the media as a scapegoat for his statements. This was in apparent reference to Mr Musosha’s statement that some sections of the media misrepresented his statement to mean that Government had declared a partial state of emergency. Earlier Mr Musosha announced that the Government had banned all political meetings because of the weaning security situation. In her statement ZUJ president, Isabel Chimangeni said Mr Musosha had failed to name the so-called sections of the media that should be blamed for distorting his statement.<sup>3</sup>

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<sup>1</sup>Post November 14, 2006

<sup>2</sup>Post November 17, 2006

<sup>3</sup>Times December -

## 8.0 Media violations during the third Quarter of 2006

<b>Date</b>	<b>Victim</b>	<b>Attacked/Harassed</b>	<b>Who</b>	<b>Legal/Action</b>
September 30	Shapi Shacinda of Reuters	Harassed	Unknown Persons	No action.
September 30	Fred M'membe – <i>Post</i> newspaper editor	Verbally attacked	PF president Michael Sata	Fr Frank Bwalya MISA chairperson condemned attack. Also MISA Alert issued
September 30	<i>Post</i> newspaper premises	Demonstration blocked by Police	Patriotic Front cadres	Fr Frank Bwalya MISA chairperson condemned attack. Also MISA Alert issued
September 30, 2006	Boards of Directors of <i>Times of Zambia</i> and the <i>Zambia Daily Mail</i>	Fired	Vernon Mwaanga, Minister of Information and Broadcasting	No action from Media
November 1, 2006	Vernon Chulu Assistant Distributor of <i>Post</i> newspaper	Beaten	Council and State Police	No action
	Faith Kandaba of ZNBC TV	Threats	Senior Chief Mukuni of Toka-Leya	No action
November 17, 2006	Monitor & Digest	Sued	Shawi Fawaz	No action from media as they await legal decision

<b>Date</b>	<b>Victim</b>	<b>Attacked/Harassed</b>	<b>Who</b>	<b>Legal/Action</b>
November 24, 2006	Godfrey Malama Managing Director <i>Zambia Daily Mail</i>	Fired	Board of Directors of <i>Zambia Daily Mail</i> on Instruction from Government	No action but later given a MISA Press Freedom Award for Print Media
	Board of Directors and <i>Zambia Daily Mail</i>	Sued	Godfrey Malama former Managing Director	Legal action claiming K356 million in terminal
	Zambian media generally	Attacked for misrepresentation	Home Affairs deputy minister Chrispine Musosha	Condemned by Zambia Union of Journalists chairperson Isabel Chimangeni