

MISA Zambia

State of the Media Report for the Second Quarter 2007

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1.0 Introduction to the State of the Media in Zambia Second Quarter 2007

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 first quarter of 2007. This assessment and record describes the media situation in Zambia during this period and was prepared by the Zambian Chapter of the Media Institute of Southern Africa – (MISA Zambia). This includes the environment in which media institutions exist and operate and how that environment affects individual journalists.

Included in the second quarter report are a number of landmarks that provided an interesting backdrop to the media environment in Zambia. The most significant development during the second quarter was the sacking of veteran politician and survivor of under three presidents information minister Vernon Mwaanga by President Mwanawasa on April 11¹ and replace him ten days later with Mike Mlongoti as the new information minister on April 23.²

During the quarter public media appeared before the Parliamentary committee for Information and Broadcasting. Editor in chief at the *Zambia Daily Mail* Leonard Kantumoya told the committee on April 25 that lack of operational tools and other logistical problems have impaired the efficiency of the paper on the market. On the same day Times Managing Director Arnold Kapelembi talked about logistical problems as a hindrance to the provision of information by his newspaper while ZNBC Director General Joseph Salasini said ZNBC was doing its best to promote the image of Zambia locally and abroad. He cited the coverage of cultural ceremonies as one way he was doing so.³

The quarter also marked the annual World Press freedom day at which media associations, including MISA Zambia, asked government to re-introduce the Freedom of Information Bill in Parliament.

But two issues of interest during the quarter include apparent interference of editorial process of the public media that appears to emanate from State House. The issue relates to threats of closure of two radio stations. The first to receive such a threat was Sky FM in Monze and shortly after Radio Pasmé in Petauke.

Lastly, as was the case during the first quarter level of advocacy appears to have generally taken back step among media organisations.

¹Mail April 12, 2007

²Mail April 24, 2007

³Mail April 26/07

2.0 Media Environment during the Second Quarter of 2007

The media environment in the second quarter was dominated by the dismissal of information minister Vernon Mwaanga, events leading to World Press Freedom Day, the launching of the John Manyarara Investigative Award and the commissioning of the Livingstone international Airport.

Mwaanga was sacked on April 11 and MISA Zambia chairperson Frank Bwalya issued a press statement on April 12 describing the events leading to the minister's dismissal as follows: "The embarrassing manner in which government used the public media to lie about the Mwaanga/Katumbi scandal should convince doubting Thomases' that the State should never be allowed to legislate on the media in Zambia or any other country. Governments will always need a media that can be compromised or in deed corrupted and used as a propaganda tool. The majority of us in the media do realise that government's recent ill-conceived determination to regulate the media is driven by the desire to create a media terrain characterised by impediments that literally criminalise the noble duties of a journalist. It is, therefore, very disappointing to note that some members of the opposition are on the wrong side of the debate on this issue.¹

But at the World Press Freedom Day Information minister Mike Mulongoti urged the media to adhere to journalism ethics and not to go astray in reporting. He said there was a tendency by the media to abrogate ethics and eventually defame some people. And on May 11 the information minister revealed that President Mwanawasa complained that the media did not capture the complete picture of what he said at the commissioning of the rehabilitated Livingstone International Airport

Earlier and at the launch of the Judge John Manyarara Investigative Awards MISA Zambia chairperson Father Frank Bwalya said investigative journalism was cardinal in the fight against corruption as it made leaders guard jealously the public resources entrusted to them in line with the expectations of the citizens. Fr Bwalya said as a way of encouraging investigative journalism, MISA regional office inaugurated an award named after the MISA Trust Fund Board (MFB) founding chairperson, Judge John Olivier Manyarara during the World Press Freedom Day in 2001.²

Fr Bwalya said the award was aimed at rewarding excellence in investigative journalism which included a scholarship that would enable the recipient to attend training projects at universities or training institutions in the Southern Africa Development Community (SADC) member countries. And according to Bwalya the articles to be considered should be newsworthy, demonstrate investigative journalistic skills and methodologies like data

¹MISA Zambia Press Statement April 12, 2007 - We just hope that people like Dr Peter Machungwa are beginning to grasp the folly of calls to regulate the media by a statutory legal framework. Dr Machungwa has just benefited from the wealth of a free and vibrant media that respects truth above cheap political engineering. We saw him in *The Post* edition of Tuesday watching the DVD of Mr Mwaanga's interview in the DRC. Definitely, Dr Machungwa left *The Post* offices enlightened and empowered with information that would make him debate intelligently in Parliament and make the government accountable. As such, his support for media regulation is very unfortunate.

²*Times* April 17, 2007 - At the time of the inauguration, the award carried a cash prize of 2,000 Euros and a scholarship valued at 10,000 Euros. This year, the award had been split into the John Manyarara Investigative Journalist of the Year Award and John Manyarara Upcoming Investigative Journalist of the Year Award. "The Investigative Journalist of the Year will receive a cash prize of 4,000 Euros while the Upcoming Journalist Award of the Year will receive a cash prize of 2,000 Euros and a scholarship of 6,000 Euros to further develop his or her investigative skills," Fr Bwalya said.

searching as well as depth and insight. Also the articles should have been published between January 1, and December 31, 2006.¹

CelTel Zambia Limited set aside K60 billion to improve its service delivery to customers on the Copperbelt. CelTel northern region manager, Martin Mambwe, said the money would be used to buy equipment that would enable subscribers on the Copperbelt to make calls without passing through Lusaka transmitters and that would reduce on the call charges. The current problems being faced were as a result of high volumes of calls that use the one transmitter in Lusaka.² Mambwe said this in an interview in Chingola yesterday after responding to complaints from subscribers over the problem they face in making calls.³

Some of the money would be used to erect 20 more towers to bring the number to 34 in the region. “We want to live up to our mandates of making life better for the Zambian citizens, not only through telephone but also through the introduction of new products and services that keep up with the ever-changing international telecommunication trends. “As we are improving, the equipment the subscribers may be facing problems. The new CelTel Access has taken the country by storm. Once the work was completed there would be the mobility, productivity, convenience and the speed achieved with the help of the new service,” Mr. Mambwe said.⁴ He appealed to subscribers to wait for that big change saying CelTel was the first mobile network provider to expand its coverage to the nine provinces and the 72 districts respectively.

Apart from Mwaanga’s dismissal in April the quarter also witnessed a flurry of meetings of Parliamentary Select Committees one of which was the Information and Broadcasting Committee. Speaking when he appeared before the parliamentary committee on April 25 *Mail* Editor in Chief Leonard Kantumoya said lack of operational tools and other logistical problems had impaired the efficiency of the paper on the market. And addressing the same committee *Times* Editor in Chief Arnold Kapelembi also alluded to logistical problems as hindrance to provision of information while ZNBC Director General Joseph Salasini said ZNBC was doing its best to promote the image of Zambia locally and abroad. He cited the coverage of cultural ceremonies as an example of this.⁵

A number of activities were organised for the week lead to World Press Freedom Day. At the conference media associations called for media law reform to enable the fourth estate played a role in attaining good governance. PAZA, MISA and Press Freedom Committee – Press Freedom Committee chairperson Webster Malido said law reforms in media were important. Enactment of the FOI essential and would make media perform to the expectations of the public. Malido, Amos Chanda and Henry Kabwe discussed during the

¹“As part of the awards, 11 journalists from each of the MISA represented countries will be sponsored to attend a three day Power Reporting workshop on investigative journalism organised by the University of Witwatersrand in South Africa,” Fr Bwalya said. Also in *Mail* April 17 MISA Zambia says investigative journalism is crucial in efforts to consolidate democracy in Southern Africa. MISA Zambia chairperson said this April 16 press briefing when launching the John Manyarara investigative Award.

²*Times* April 17, 2007. Also in *Mail* of the same date.

³*Times*

⁴He said subscribers could now surf the internet and read the e-mails from their laptop, desk top computer or directly on the data-enabled handset at the rate of 0.20 units per megabyte. “This is the cheapest internet in Zambia. CelTel has revolutionised business because your office is wherever you want it to be,” he said.

⁵*Mail* April 26/07

World press Freedom activities. The theme for 2007 was FOI for Accountable leadership and development.¹ At another conference organized by the Kasoma Media Foundation – its acting chairperson Anastasia Kasoma called for a responsible press.²

The same message was echoed by information minister Mike Mlongoti. The minister urged the media to act responsibly and adhere to journalism ethics and not to go astray in reporting. However, Mlongoti also complained that there was a tendency by the media to abrogate ethics and eventually defame some people. He assured media practitioners that Government was committed to media freedom and would, therefore, ensure that an enabling environment was offered to journalists. In this regard the media should, therefore, ensure that they were objective in their reporting and even when advising the Government, the media should do so without necessarily insulting. Mlongoti also assured journalists and citizens that free expression would be maintained. He said the state would not deliberately hinder the media or the public from enjoying their constitutional right, even though media reforms seem to be too slow in coming.³

And Zambia Union of Journalist (ZUJ) president, Isabel Chimangeni, said there was need for the media to be ethical so that the access to information legislation could benefit all the stakeholders. She urged the media to take the issue of being ethical seriously, saying it was not a matter that should be thrown in the wind.

“Let us prove that we are a responsible people who can manage our own affairs without necessarily being regulated by an Act of Parliament,” Ms Chimangeni said adding that the battle for the legislation was not for the faint-hearted.

The Media Institute of Southern Africa (MISA) -Zambia chairperson for print media, Henry Kabwe, took the opportunity to launch the book *So This Is Democracy 2006*. Kabwe said the book was the 13th edition since MISA started publishing the book. The 2006 edition highlighted 144 alerts in 11 Southern African Development Community (SADC) countries. The figure marked a decrease of 7.6 per cent from the previous 155.⁴

Several other organizations addressed the gathering and these included the Press Association of Zambia (PAZA) vice-president, Amos Chanda, who said the FOI was cardinal in the fight against corruption and that it was not only for the benefit of the media but the entire country. Next was Transparency International Zambia (TIZ) president, Reuben Lifuka, who said the media could play a pivotal role in the enactment of the new Constitution while Zambia Community Media Forum (ZaCoMeF) coordinator Elias Banda said community media members were still targets of harassment and orchestrated threats from public officials and influential members of the community in which they operate. Banda, said most of the attacks had been as a result of the community media reporting on community interest issues ranging from the abuse of allocated public resources to airing demands for better services by their communities. He added the

¹Mail April 30, 2007

²Mail May 1-2007

³Times May 4, 2007

⁴Times May 4, 2007. Also *So This is Democracy* published by MISA in Windhoek, Namibia.

media's role in the enactment of the new Constitution could not be down-played.¹

Apart from asking media personnel to be responsible and professional in their work Mulongoti also challenged the media and civil society to educate people on the contents of the Constitution instead of only highlighting the mode of adoption and the roadmaps. Information and Broadcasting Services Minister, Mike Mulongoti, said the majority of He noted that Zambians were not alive to the debate going on regarding the adoption of the Constitution and the proposed roadmaps. Further Mulongoti said it was important that Zambians took time to study the Constitution before claiming that the country needed a Constitution that would stand the test of time. Hence Zambians would only take keen interest in the contents of the draft Constitution if the media and other stakeholders spearheaded the education campaign.² He said the majority of Zambians did not understand the contents of the Constitution and later on the adoption process. He insisted that government was committed to the enactment of a Constitution which would be difficult to amend even after many generations. He further claimed that the government had agreed to the demands of a Constituent Assembly but would not do so without following the provisions of the law. "Our current Constitution provides for freedom of information, assembly and association. The new Constitution would still have the same provisions, so when you say new Constitution what are you saying? We need to attend to those clauses that make it difficult for people to move on."³

And Law Association of Zambia (LAZ) president, Elijah Banda in an interview in Ndola said a statutory regulatory body for journalists had its demerits. He said the journalism profession should instead be allowed to regulate itself because an independent regulator could end up stifling the profession.

"An environment where journalists are working is of paramount importance and law-enforcement organs should ensure that journalists are free from threats," he said adding that brutality against journalists, especially those executing their duties, should be denounced.⁴

In an interview Press Association of Zambia (PAZA) president, Andrew Sakala, condemned the proposal to introduce the proposed regulator, saying it is unacceptable. He said the move to introduce a regulatory body was a path that had already been walked in the past but was blocked by the media. He said organisations like the Media Council of Zambia (MECOZ) and statutory institutions like the courts were already in place to offer

¹Others in attendance were African Parliamentarians Network Against Corruption (APNAC) chairperson, Given Lubinda, Women for Change executive director, Emily Sikazwe, and political activist, Dante Saunders, among others.

The media organisations in attendance included The Post, Zambia Daily Mail, Zambia National Broadcasting Corporation (ZNBC), Radio Phoenix, Radio Yatsani and Radio Mukuni, Zambia News and Information Services (ZANIS), Christian Voice and Zambia Institute of Mass Communication (ZAMCOM).

Meanwhile, United Party for National Development (UPND) president, Hakainde Hichilema, has urged the Government to facilitate the enactment of (FOB) Bill and bring about an independent media body to enhance good governance.

Mr. Hichilema said in a statement that once implemented, the Act would not only benefit the media but would enable the fight against corruption much easier, among other social vices.

"Now that the Supreme Court has passed its judgment, we demand Government to fully operationalise the regulatory body under the Independent Broadcasting Authority (IBA)," he said.

²The minister said many people had not yet read the draft report of the Willa Mung'omba Constitution Review Commission (CRC) but had all the time been demanding a Constitution that they claimed would stand the test of time.

³Times May 4, 2007

⁴Times May 4, 2007

redress to members of the public who felt aggrieved. PAZA was against some existing laws that often worked against the media fraternity, as it was of the view that peaceful expression of an opinion should not result in criminal sanctions. In Kitwe the district commissioner, McDonald Mtine, said government was committed to media law reforms in the country.¹

In Lusaka the Chief Justice Ernest Sakala, speaking during a dinner organized by the Press Freedom Committee of the Post said Zambia's survival depends on existence of free media and judiciary.²

During the first quarter we reported Mwaanga continued emphasis that there was no censorship of the public media in Zambia. Of interest in this regard was the revelation by his successor Mike Mlongoti on May 11 that President Mwanawasa complained that the media did not capture the complete picture of what he said at the commissioning of the rehabilitated Livingstone International Airport. According to Mlongoti the president claimed that the media concentrated on the extended runway and ignored what he termed the equally important issues he addressed. In this regard Mlongoti told public media that he did not expect excuses from them. "Your role is to provide to provide support services to government through dissemination of information on all development issues," he said during Labour Day Awards at Mass Media Complex.³ This directive appeared to suggest editorial interference in the operations of public media.

Towards the end of the quarter ZAMTEL board chairperson, Ernest Muyovwe announced that the company had embarked on a \$100 million project to upgrade of its operations. Speaking during a Presidential Luncheon held in honour of DR Congo President, Joseph Kabila, who was in the country to officially open the Zambia International Trade Fair, Muyovwe said the money would be used to roll out the fibre optic system, which would be instrumental in the inception of cable television in Zambia. He said the fibre optic system would be installed at the cost of \$48 million and was expected to be operational before the end of next 2008. Further Zamtel would also roll out its Cell-Z mobile phone service to all the 72 districts in Zambia and the company hoped this would result in the subscriber base increasing to one million. "The infrastructure rehabilitation and installation of new systems will provide cost effective services to support economic growth," he said.⁴ He said it was Zamtel's wish to excel in the Information Communication Technology as the field required continuous improvement.⁵

At a certificate giving ceremony deputy minister for community Development John Chinyanta said Government was happy with ZACOMEF for training young journalists because these journalists were playing a good role in development.⁶

¹Times May 4, 2007 - Mtine, who was speaking during the commemoration of World Press Freedom Day held at Kitwe's City Square, said the Government was in pursuit of a strengthened media framework in Zambia.

²Mail May 5, 2007

³Mail May 12, 2007 - The minister specifically mentioned ZANIS, Times, Mail and ZNBC.

⁴Times June 29, 2007 - Mr. Muyovwe said the company would install metropolitan network in Lusaka that would provide business units and institution like the University of Zambia (UNZA) and the University Teaching Hospital (UTH) with broadband services.

⁵Times June 29, 2007 - Zamtel is part of the consortium installing a sub marine cable on the west coast of Africa, which upon, completion would result in reducing the cost of international calls

⁶Mail June 30, 2007 - The Deputy minister said this at ZAMCOM

3.0 Broadcast Media during the Second Quarter of 2007

The quarter in broadcasting opened with CHISAMBA Member of Parliament, Moses Muteteka, announcing that he had brokered a deal with Engineering Services Corporation (ESCO) and the Media Trust Fund (MTF) to set up a radio station in his constituency called Mukuni Radio Station. He said in Lusaka that all the groundwork for the project had been completed and the radio station would be commissioned by June 2007.

“This radio station will assist the people of Chisamba to nurture their traditional culture and will also boost communication. The MTF is already training officials that will run the radio station when it opens,” Mr. Muteteka said.¹

The good news aside the quarter saw threats from two sources. The first threat was from former Kapoche MP Charles Banda who threatened to sue Chief Mwanjwanthu, Radio PASME and MMD Petauke chairperson Simeon Banda for defamation. The former MP had the election of Nicholas Banda nullified after he petitioned the election of Nicholas Banda.²

The second affected Radio Mano a community radio station in Kasama, Northern province, which was raided by Anti-Corruption Commission officials. According to the MISA Zambia alert the radio station had its operations disturbed when officers from the Anti-Corruption Commission (ACC) sealed off the premises at around 10:00hours on Friday, 30 March 2007, to carry out investigations. Station Manager David Chanda said the officers produced a search warrant which did not state exactly what they were looking for. He said they termed their visit “a classified investigation”. Chanda said that the ACC officers confined the staff to one room and told them not to leave until the search, which lasted four hours, was over. However, throughout the search the station continued broadcasting, though most of them stayed away the following day fearing another visit by the ACC. By 4 April 2007 the station was operating normally. Among the documents seized during the ACC search were the radio station’s cheque book, some documents and files, Chanda’s diary. When asked whether he had any suspicion on what or who the ACC were investigating, Chanda said: “They could be investigating an individual on corruption or the station as a whole. As for me, they have not approached me to say they are investigating me”.³

The ACC confirmed to the Zambia daily mail that it was investigating some senior management staff at Radio Mano in Kasama for alleged corrupt practices. ACC Public Relations Officer Timothy Moono confirmed that ACC had conducted a search of the station. “On Friday March 30 ACC conducted a search on Radio Mano in furtherance of a complaint concerning a senior member of staff. Search conducted between 10.45 – 14.00 hours in the presence of senior management staff. Several items relevant to the investigation were seized and taken to ACC offices in Kasama. Employees were neither detained nor the Radio station closed during the search. The decision to close the station was made by management on Saturday March 31, 2007. It came as a surprise when

¹Times April 3, 2007

²Mail April 4, 2007 - He claimed he spent K143m during the campaign.

³MISA Zambia Alert Zambia 4th April, 2007

around 18 hours on March 30 the station broadcast news flashes that operations at Radio Mano had ground to a halt during the search and that staff members were detained in one room until the search was over,” Moono said.¹

The ACC denied suggestion that the station was stopped from broadcasting or that its staff were confined in one room during the period of the search. Instead Moono said the ACC was surprised that the radio station claimed this was the case and also that it had aired a statement by the executive director David Chanda expressing disappointment at the conduct of ACC officers as they had not revealed to the station what they were searching for and what offence if any, the station had committed.² MISA Zambia issued another alert on April 10, 2007 restating the same events confirming that according to Chanda staff were confined in one room, documents and files including the cheque book were confiscated. The search lasted for four hours, Chanda said and added that the station did not go off air but the staff did not report for work the next day for fear of being confined again by the ACC. However, the workers are back at the station (April 10) and normal operations of the station have continued.³

But apart from denying that staff were confined to one room Moono, the ACC public relations officer also said that the search was not extended to the studio and the production room, but was confined to the offices of the accountants, executive director and the programmes manager where several items relevant to the investigations were seized and taken to ACC offices in Kasama.

And in a press statement released following the dismissal of Vernon Mwaanga MISA Zambia was concerned about how public media was mobilised in defence of the information minister. Thus MISA Zambia advised members of Parliament who are wasting their time talking about regulating the media to demand editorial independence of State controlled print media and the quick implementation of the Independent Broadcasting Authority (IBA) and Zambia National Broadcasting Corporation (ZNBC) Amendment Act Number 17 of 2002. We also call upon government to quickly commence the process of enacting the Freedom of Information Bill (FOI).⁴

Towards the end of April Government announced it was considering giving grants to public media to sustain its operations. Permanent secretary Emmanuel Nyirenda told a Parliamentary Committee on Information and Broadcasting on April 26. He also said that Government was seeking advice of the Attorney general on how to implement the IBA. Nyirenda assured the Parliamentary Committee that the implementation of the IBA would be done in 2007. Further government was also seeking advice on whether to call for fresh names of people to sit on the two boards or not and the minister would soon announce the next move after consultation.⁵

¹Mail April 6/07

² Chanda also said that documents including cheque books had been confiscated by the ACC and arising from this March 2007 salaries of employees would be delayed. When contacted by the paper Chanda insisted that staff were detained in a studio while ACC conducted the search. “They didn’t specify what they were looking for and who they were targeting,” Chanda said.

³MISA Zambia Alert April 10, 2007

⁴MISA Zambia Press Statement April 12, 2007

⁵Mail April 27, 2007

But on May 4 Southern Province minister Joseph Mulyata threatened SKY FM with closure for what he called unethical and unprofessional broadcasting. Mulyata said government would be forced to withdraw the station's licence if the station continued airing views that were anti government.¹

Media bodies that included MISA Zambia, the Zambia Union of Journalists and the Press association of Zambia advised the minister on his threats of SKY FM. ZUJ president Isabel Chimangeni said the minister's statement was as threat to democracy and freedom of expression while PAZA vice president Amos Chanda described Mulyata's threats as uninformed extremism that was out of tune with progressive leadership at the ministry of information and broadcasting.²

MISA Zambia issued an alert on the minister's threats in which he alleged "unethical and unprofessional" conduct by the station. Mulyata, who was addressing heads of government departments in Monze accused the station of propagating anti government programmes. He said government would withdraw the station's broadcasting license if the station continued to air what he termed "anti-government views."

"We can withdraw the license if you continue propagating the views of the opposition. We gave you the license to operate objectively but what we are seeing is that you are keen at propagating views of the opposition and some NGOs," he said.³

SKY FM, a commercial station some 200 km from Lusaka, had just featured Evangelical Fellowship of Zambia (EFZ) Executive Director Bishop Paul Mususu who discussed Zambia's constitutional making process. Mulyata alleged that the station allowed Bishop Mususu to insult President Levy Mwanawasa and Government without giving an opportunity to any official to give counter views.

But in an interview with MISA Zambia on 7 May 2007, Sky FM Station Manager Esnart Hamiyanda dismissed Mulyata's allegations that her station was being unprofessional. She said her station had tried to be objective by extending several invitations to the ruling Movement for Multi Party Democracy (MMD) and government officials but has not been successful.

"For government officials, it has been very difficult to get them. Every time you invite them, they'll tell you they are unable, ask you to write to the Permanent Secretary, they don't get back to us or they simply withdraw at the last minute but we need our programme to move," she said adding that Bishop Mususu happened to be in Monze and her station decided to host a special programme to discuss issues relating to the constitution and he agreed.

¹Mail May 7, 2007

²Mail May 8, 2007

³MISA Zambia Alert 8 May 2007

And in an interview with MISA Zambia on 8 May 2007, Bishop Mususu, who featured on behalf of the Oasis Forum, a civil society organisation advocating for a new constitution, denied insulting the President and challenged Mulyata to listen to the tape. “I don’t remember saying anything insulting or demeaning of the President. The only reference to the President and George Kunda (Minister of Justice) was that they were not the only lawyers. In fact I was quoting from the legal advice given to us by our legal experts on the constitutional making issue,” he said.

MISA Zambia Chairperson Fr. Frank Bwalya described Mulyata's statement as retrogressive and immature. Fr. Bwalya said if the Minister was aggrieved with the conduct of Sky FM, there were laid down procedures which he could follow instead of issuing threats.

Towards the end of May MISA Zambia issued a press statement expressing concern about increasing threats by government official directed at radio stations across the country. “Within a space of two weeks, we have recorded two major threats on freedom of the media, and freedom of expression. In the latest incident, Minister of Information and Broadcasting Services, Mike Mulongoti, threatened to revoke the commercial broadcasting license of Petauke Explorers Radio Station, for featuring opposition Patriotic Front (PF) leader, Michael Sata, on a paid for radio programme, the statement said.¹

“Zambia is an aspiring democratic country that should cherish freedom of expression and divergence of views. As such, the recent threats by the two Ministers are a source of great concern. We feel that it is once again time for us to re-engage government on this and other matters, to prevent further suppression of media freedom and people’s rights to free expression,” the statement signed by MISA Zambia chairperson Fr Frank Bwalya. The statement added: “Our position on these matters is well known. As a matter of principle, we condemn any form of attack on media freedom and free expression. As such, we condemn the unwarranted attacks on Petauke Explorers Radio Station and Sky FM Radio Station.”

MISA Zambia issued a second press statement expressing similar sentiments of concern. However, the second statement was specific to threats by the Minister of Information and Broadcasting Services Mike Mlongoti who threatened to revoke a broadcasting license for Petauke’s *Explorer radio*, a commercial radio station in Eastern province for featuring opposition Patriotic Front (PF) President Michael Sata on a paid for radio programme. MISA Zambia described the incident as is very saddening especially that Mlongoti’s threats on *Petauke Explorer* come two weeks after Southern Province Minister Joseph Mulyata threatened *Sky FM*, another commercial radio station in Monze Southern province with closure for featuring Evangelical Fellowship of Zambia (EFZ) Executive Director Bishop Paul Mususu who was discussing the constitution. In MISA Zambia’s view it is healthy in a democratic society to encourage divergence of viewpoints. “We are of the view that the political threats against Petauke Explorers are unjustifiable, especially that the station was within the terms of its license conditions to broadcast the

¹MISA Zambia Press statement May 21, 2007. the statement referred to the May 4 Mulyata threat to Sky FM after Bishop Mususu was featured

paid for political advertisement by the Patriotic Front and nothing in its license prohibits the station from airing paid for political programmes,” the statement signed by Fr Frank Bwalya said.¹

On May 23 the *Zambia Daily Mail* apologized to Radio Icengelo over the story of alleging that the station unfairly dismissed some volunteers who had worked for the station for several months.²

On May 28 information minister Mike Mlongoti denied that government would arbitrarily shut down stations violating the law. Instead, he said, government would separate managers that feature guests fond of insulting others in the name of freedom of speech. Speaking on MISA Zambia programme Face the Media on Radio 5FM the minister said the state would ensure that such radio managers who feature politicians fond of using abusive language are separated from an organization and dealt with. Further Mlongoti denied threatening Radio Explorer for featuring Michael Sata.³

And in what may be described as a delayed alert MISA Zambia on June 25 issued an alert that covered Mlongoti’s threat of May 17, 2007 of revoking the operating licence of Petauke Explorers. The alert restated MISA Zambia chairperson Fr Frank Bwalya condemnation of the threats which it had described as unwarranted and clearly against the culture of media pluralism. The alert also described how Mlongoti on May 28, 2007, denied the allegations on Face the Media, a MISA Zambia sponsored programme on 5FM Radio station, saying that he had only phoned the proprietor to inquire on the complaint lodged with him by a concerned Petauke resident who complained that Sata was insulting during an interview on the radio station. Mlongoti said the proprietor regretted the development and informed him that he had since suspended the station manager.⁴

On June 29 Radio Phoenix Managing Director appeared before the Parliamentary Committee for Information and Broadcasting. She told the committee that her station would ban some political leaders painting a bad picture of Zambia. She said her station would not allow such leaders to appear on any of their programmes. “We cannot allow those leaders who cannot behave themselves on air especially during live programmes,” she said.⁵

¹MISA Zambia second press statement dated may 21, 2007 on Petauke Explorer. “If the MMD is aggrieved by what Mr. Sata said, they should approach the station to be given equal air time, which they should pay for, to rebut his claims. We are sure that the station will gladly allow them the chance to refute Mr. Sata’s charges,” the statement added.

²*Mail* May 23, 2007. Story reported in the first quarter report.

³*Mail* May 29, 2007

⁴MISA Zambia alert June 25, 2007 - Mlongoti issued the threats after the station featured Michael Sata, a vocal president of the opposition Patriotic Front (PF), which gave the ruling Movement for Multi party Democracy (MMD) tight competition in the September 28 2006 tripartite elections. Various political parties were in Zambia’s Eastern province campaigning for the Kapoche parliamentary seat that fell vacant following the nullification of an earlier victory by an MMD candidate, Nicholas Banda by the Lusaka High court due to malpractices during the September 28 2006 tripartite elections. The by-election took place on June 5, 2007. Sata had been featured on the station on May 14, 2007 from 9h00 to 10h00. Petauke Explorers radio Station Manager, Victor Msadabwe told the Media Institute of Southern Africa (MISA) Zambia in an email, that his station had also featured the United National Independent Party (UNIP) and had extended the same request to the ruling MMD but they did not respond to the invitation.

⁵ *Mail* June 30, 2007 – In fact Radio phoenix has banned PF leader Michael Sata.

4.0 Freedom of Information during the Second Quarter of 2007

The question of Freedom of Information was, it appears, put to the test by the dismissal of information minister Vernon Mwaanga. According to MISA Zambia in its statement on April 12 President Mwanawasa cited reports in *The Post* newspaper about what he termed Mwaanga's irresponsibility. He also watched a DVD of one of Mwaanga's interviews in the DRC which convinced him that Mwaanga had conducted himself in an extremely irresponsible manner which substantially departed from his expectations as the President. Thus in MISA Zambia's view President Mwanawasa's decision to dismiss Mwaanga was taken after accessing information on the matter and, MISA emphasised: "We believe that this access to information should not be a privilege of the President alone, but should be the right of every citizen," the statement said.¹

According to MISA Zambia President Mwanawasa benefited from a progressive and principled disclosure by *The Post* and as the media, this was one of the rationale for demanding an Freedom of Information law.² MISA Zambia reminded journalists working for the public and private media that journalism was a noble profession and they should not allow themselves to be used by people with a vested interest - especially politicians - to peddle lies and all manner of propaganda to serve their purpose.

And Permanent secretary Emmanuel Nyirenda told the Parliamentary Committee on Information and Broadcasting on April 26 that government had accepted in principle the Freedom of Information Bill. And Committee chairperson Peter Machungwa said he and other members of the committee were looking forward to the day the FOI would tabled in the House.³ And in one of the activities on April 29 preceding the World Press Freedom Day Media associations (PAZA, MISA and the Press Freedom Committee of the post) called for media law reform to enable the fourth estate play its role in attaining good governance. Press Freedom Committee chairperson Webster Malido said law reforms in media were important and the enactment of the Freedom of Information law essential because it would make the media perform to the expectations of the public.⁴ A similar call for a Freedom of Information law was made on May 2 during a media conference at Mulungushi Conference Centre. Then delegates resolved that there was need for increased and free access to publicly held information as essential in the creation of open society.⁵

And information minister Mike Mlongoti said in Government's eyes no media institution was inferior to the other. He said even if the Freedom of Information (FOI) Bill was enacted, the media should still act responsibly. He said it would be unfair for the media to use the FOI for their on benefits but instead ensure that journalists acted responsibly. "If you use the FOI responsibly, no one would say 'why do you need it?' You have to act

¹MISA Zambia press Statement April 12, 2007

²We commend *The Post* for making available information about what actually transpired during Mr Mwaanga's interview in the DRC for the public to know the truth which sets us free, the statement said.

³Mail April 27, 2007

⁴Mail April 30, 2007 Malido, MISA Zambia chairperson for print Henry Kabwe and PAZA vice president Amos Chanda were discussing various issues related to World Press freedom day.

⁵Mail May 3, 2007 Various papers were presented to the conference

responsibly,” Mlongoti said.¹ On May 11 the minister returned to the same theme. He urged the public media in Zambia “to feed the public with information that will help them make right decisions.”² Mlongoti returned to the Freedom of Information theme on June 27 when he featured on ZNBC’s radio two Government forum Programme. The minister announced that government would soon circulate a Cabinet memorandum on drafts of the Freedom of Information (FOI) bill to all the ministries to ask for their comments. He said the Government would proceed appropriately and did not want to rush the process of reintroducing the FOI bill to Parliament. He said the introduction of such a piece of legislature required several issues to be taken into account, such as sensitising the public. “Even in countries where this law has been enacted, they are having problems. Take for instance the United States, after the September 11 terrorist attacks they had to re-examine this law. Government experts have looked at the drafts of this bill and very soon a Cabinet memo will be circulated in ministries for comments,” Mr. Mlongoti said. He claimed that when Britain enacted such a piece of legislation it only implemented the law after five years.³

“As Government, we would want to immediately implement this law once it has been enacted. We don’t want to have a situation of Britain,” he said.

Further the minister said the current challenge for Zambia over the FOI Bill was to enhance information capacity in acquisition and storage so that peace could not be jeopardized. Besides, he said, there was need to train officers in the handling of information in as far dissemination was concerned so as to align it in a manner that did not endanger and compromise the security of the nation.

¹*Times* May 4, 2007

²*Times* May 12, 2007 Minister was speaking during the Zambia News and Information Services (ZANIS) Labour Day award giving ceremony in Lusaka. He called for hard work among the workers if they expected to be awarded.

³*Times* June 28, 2007

5.0 Print Media during the Second Quarter of 2007

The dismissal of information minister Vernon Mwaanga was the highlight of reporting in print media. MISA Zambia acknowledged this fact through a press release¹ in which the association advised members of Parliament who, it said were wasting their time talking about regulating the media to demand editorial independence of State controlled print media.

“Governments will always need a media that can be compromised or in deed corrupted and used as a propaganda tool. The majority of us in the media do realise that government’s recent ill-conceived determination to regulate the media is driven by the desire to create a media terrain characterised by impediments that literally criminalise the noble duties of a journalist. It is, therefore, very disappointing to note that some members of the opposition are on the wrong side of the debate on this issue,” the statement signed by chairperson Fr Frank Bwalya said.

In April unionised workers at the *Times* downed tools to express their displeasure at the way negotiations for improved salaries were going. The strike involved workers in Lusaka, Kabwe and Ndola.² On April 18 the times workers called off their sit-in protest following a meeting of the two parties with the Labour Commissioner at the Ministry of Labour at which an agreement was reached to allow the on-going negotiations between the Zambia Union of Journalists (ZUJ) and management to continue. A joint statement signed by ZUJ general secretary Nigel Mulenga and Times Printpak human resources manager Martin Chikoti, said the two parties had agreed that the negotiations would resume as soon as possible. Labour Commissioner Noah Siasimuna confirmed that the sit-in protest, which started on April 17, had been called off.³

Towards the end of April information ministry permanent secretary Emmanuel Nyirenda told the parliamentary committee on information and broadcasting that government was considering giving grants to public media to sustain its operations. Nyirenda on April 26 said the two newspapers were making insignificant profits. He said government was also planning to equip ZANIS with small printing press for the production of vernacular newspapers⁴.

In June the Parliamentary Committee on Information and Broadcasting Services toured Times Printpak in Ndola. The committee chairperson Peter Machungwa urged journalists in the public media to give balanced information in order to stave off the notion that their reporting was biased towards the Government. He said there was a general belief that the public media had always been reporting in favour of the Government, thus putting other

¹MISA Zambia press statement dated April 12, 2007 We just hope that people like Dr Peter Machungwa are beginning to grasp the folly of calls to regulate the media by a statutory legal framework. Dr Machungwa has just benefited from the wealth of a free and vibrant media that respects truth above cheap political engineering. We saw him in *The Post* edition of Tuesday watching the DVD of Mr Mwaanga’s interview in the DRC. Definitely, Dr Machungwa left *The Post* offices enlightened and empowered with information that would make him debate intelligently in Parliament and make the government accountable.

²Mail April 18, 2007. Strike was on April 17, 2007

³Times April 19, 2007

⁴Mail April 27, 2007

sectors of society at a disadvantage. Machungwa also observed that the Government being the chief beneficiary should inject some funds to enable the public media operates favourably in a highly competitive market.

“The printing machine is very old. This tour has been an eye-opener because we’ve learnt that you’ve been using a machine, which is 35 years old. It is difficult for you to compete. It is incumbent upon the Government to modernise operations,” he said adding that he was aware that the Government and the public had benefited greatly from the Times of Zambia, hence the need to put more resources into the firm. Chipili Member of Parliament Davis Mwila said the committee had now an insight in the operations of the *Times* and would compile a report on their findings while Mpika central MP Mwansa Kapeya said there was need for modern equipment because the media world over had undergone changes, hence the need for the *Times* to move with the changing trends.

And *Times* Printpak managing director Arnold Kapelembi when asked if the Government had been giving the company grants, said the newspaper was surviving and sustaining operations from its own resources. He was however happy that Information and Broadcasting, Permanent Secretary Emmanuel Nyirenda, since he assumed his position had been trying to lobby for the recapitalisation of the company. Kapelembi said the Government had sourced a machine from China, but it was not suitable for newspaper printing. Besides the government had in 2006 procured eight vehicles for newspaper distribution but that it was expensive to extend the services to the rural areas where readership was poor, he added.¹

¹Times June 26, 2007 Dr Machungwa was accompanied by members, Mwansa Kapeya (Mpika Central), Davis Mwila (Chipili), Moses Muteteka (Chisamba), and Josephine Limata (Luampa). He was amazed at the state of the printing press at Times Printpak.

7.0 Attacks on MISA members and non-MISA members during the Second Quarter of 2007

The quarter saw concerted attacks on the media and apparent editorial interference of public media that had its origins in State House. On May 4 Southern province minister Joseph Mulyata threatened SKY FM in Monze with closure for what he called unethical and unprofessional broadcasting. Mulyata said government would be forced to withdraw the licence if the station continued airing views that were anti government.¹

A week later on May 11 information minister Mike Mlongoti revealed that President Mwanawasa had complained that the media did not capture the complete picture of what he said when he commissioned the rehabilitated Livingstone International Airport and that instead the media concentrated on the extended runway ignoring other equally important issues he had raised in his address. In this regard, Mlongoti said, he did not expect excuses from the public media. “Your role is to provide to provide support services to government through dissemination of information on all development issues,” he said.²

On May 21, 2007 MISA Zambia issued press statement covering threats by the Minister of Information and Broadcasting Services Mike Mlongoti who threatened to revoke a broadcasting license for Petauke’s *Explorer radio*, a commercial radio station in Eastern province for featuring opposition Patriotic Front (PF) President Michael Sata on a paid for radio programme. But on May 28 the minister told Radio 5FM that Government would not arbitrarily shut down stations violating the law but instead separate managers that feature guests fond of insulting others in the name of freedom of speech. Mulongoti said the state would ensure that radio managers who feature politicians fond of using abusive language are separated from an organization and dealt with. He denied threatening Radio explorer for featuring Michael Sata.³ On June 25, 2007 MISA Zambia issued an alert on the threat to Petauke Explorers.

¹Mail May 7, 2007

²Mail May 12, 2007 He specifically mentioned ZANIS, Times, Mail and ZNBC during Labour Day Awards at Mass Media complex during Labour Day Awards.

³Mail May 29, 2007 - Minister was speaking on MISA Zambia programme Face the Media on Radio 5FM.

8.0 Media violations during the Second Quarter of 2007

Date	Victim	Attacked/harassed	Arrested/Detained	Legal/Action
May 4	SKY FM in Monze	Threatened with closure by Southern Province minister Joseph Mulyata		MISA Zambia Press statement condemning minister's attack
May 11	Public media – Times, Mail, ZNBC and ZANIS	Verbal warning by minister of information Mike Mlongoti to serve government. Warning instigated by President Mwanawasa's complaint that public media did not report his address		No action taken by MISA Zambia
May 17	Radio Pasmе in Petauke	Threatened with closure by information minister for hosting opposition leader Michael Sata		MISA Zambia press statement condemning minister's attack
June 25	Radio Pasmе in Petauke	Denial by information minister that he did not threaten but says he telephoned owner of the station regards complaint by a local MMD official		MISA Zambia alert outlines all issues related to the threat.