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## Zambia

**Country:**

[Zambia](#)

**Year:**

2016

**Press Freedom Status:**

Not Free

**PFS Score:**

61

**Legal Environment:**

19

**Political Environment:**

23

**Economic Environment:**

19

### Overview

Freedoms of speech and the press are constitutionally guaranteed, but the government often restricts these rights in practice. Existing patterns of political intimidation and economic fragility persisted in 2015, though there was no repetition of the previous year's censorship linked to reporting about the health of then president Michael Sata, who died in October 2014.

### Key Developments

- The editor of and a reporter for the *Post* newspaper were arrested in July for publishing allegedly classified information about a corruption probe involving a presidential aide.
- The information minister threatened to revoke the broadcast license of the privately owned Radio Phoenix in October, accusing it of promoting the opposition.
- Supporters of the ruling party repeatedly used force to disrupt radio broadcasts featuring opposition leaders during the year, and violently attacked two journalists investigating possible election fraud in December.

**Legal Environment: 19 / 30** (↓1)

The constitution guarantees freedom of expression, but the relevant language can be interpreted to allow legal restrictions on various grounds. Journalists and media outlets face such restrictions under criminal and civil defamation laws, sedition and obscenity laws, and provisions of the penal code including the State Security Act. A new draft constitution was awaiting the president's signature at the end of 2015, and a referendum on a related bill of rights was planned for August 2016, potentially introducing improved safeguards for media freedom.

Fred M'membe, editor and owner of the *Post* newspaper, was arrested along with reporter Mukosha Funga in July 2015 and accused of publishing classified information. The paper had printed a letter from the anticorruption commission indicating that an aide to President Edgar Lungu was under investigation for seeking a bribe from a Chinese contractor. The case was pending at year's end. Separately, M'membe was charged with defamation and contempt of court in March for publishing critical comments by Rainbow Party leader Wynter Kabimba about former president Rupiah Banda.

Also in July, a former member of parliament, Geoffrey Bwalya Mwamba, sued the state-owned *Zambia Daily Mail* for libel, accusing the newspaper of having misrepresented his views. The case was unresolved at year's end.

A freedom of information bill that had been shelved by previous administrations received fresh support when the Patriotic Front (PF) took power in 2011. However, the bill had not been submitted to parliament as of the end of 2015.

The governance structures of the state broadcaster and the broadcasting regulator leave both vulnerable to political interference. The 2010 Zambia National Broadcasting Corporation (Amendment) Act authorizes the information minister to select the corporation's board without first seeking nominations from an appointments committee, though the selections must be ratified by the parliament. The board is responsible for appointing the head of the state-owned Zambia National Broadcasting Corporation (ZNBC).

The 2002 Independent Broadcasting Authority (IBA) Act was modified in 2010, granting the information minister similar powers of direct appointment for the board of the IBA, the broadcast media regulator, which is responsible for issuing licenses. In 2013 the government appointed Josephine Mapona, a former journalist, as IBA director general, and a board was appointed in 2014, after considerable delay. That year, the IBA began processing applications for broadcasting licenses, a task that had previously been the responsibility of the Ministry of Information and Broadcasting Services. The IBA also launched a code of ethics based on recommendations that media outlets made to the Zambia Media Council (ZAMEC), a voluntary, independent organization for Zambia's media workers. However, as of 2015 the IBA effectively remained under the control of the government and continued to make politicized threats.

The Zambia Information and Communication Technology Authority (ZICTA) requires all citizens to register their mobile phone SIM cards under their real names. Those who fail to do so can have their phones deactivated. Although the government claims that this

requirement is intended to promote security, it has the effect of compromising the ability of Zambians to communicate anonymously.

Those seeking to enter the field of journalism face few practical barriers, especially given the availability of various digital tools that allow citizens to set up blogs and publish content outside of mainstream media platforms. The Zambia Chapter of the Media Institute of Southern Africa (MISA-Zambia) is the representative body for media in the country and operates advocacy programs aimed at advancing media freedom and freedom of expression. ZAMEC focuses on ethical and labor-related concerns within the industry.

### **Political Environment: 23 / 40 (↑2)**

The Zambian media remained politically polarized in 2015. The ZNBC and other state-owned media provided favorable coverage of the PF government, while a number of private outlets took a harshly critical stance, in some cases reflecting the political views of their owners. M'membe and the *Post* have largely opposed the PF government since a schism in the ruling party in mid-2014. However, despite several cases of government interference, self-censorship, and political violence against the media during 2015, there was no repetition of the unusual secrecy and censorship in 2014 surrounding the failing health of then president Sata.

Among other instances of state pressure on editorial independence, Central Province Minister Davies Chisopa of the PF ordered the dissolution of the board of Mkushi Community Radio in August over its alleged bias in favor of the opposition United Party for National Development (UPND), though it was unclear whether he had legal authority to do so. Also that month, the ZNBC suspended radio producer and union leader Martin Maseka for publicly criticizing Information Minister Chishimba Kambwili's threat to fire ZNBC staff who had been protesting questionable management practices at the broadcaster. In October, Lusaka-based Radio Phoenix fired presenter Christine Ngwisha a few days after she conducted a contentious interview with Kambwili. The minister later threatened to revoke the station's broadcast license, accusing it of promoting the UPND.

Internet-based news outlets that routinely criticize the government, such as the *Zambian Watchdog* and *Zambia Reports*, have faced periodic blocking efforts in Zambia, but their content could still be accessed on mobile devices, using circumvention tools and mirror sites, and via Facebook and Twitter. Kambwili reiterated government denunciations of the outlets in 2015, saying their conduct bordered on "utter criminality."

Journalists and outlets have experienced greater violence in the course of their work and in retaliation for their reporting in recent years, particularly from partisan supporters of the PF. In July 2015, armed PF cadres entered the studios of Radio Icengelo in Kitwe and blocked UPND leader Hakainde Hichilema from participating in a scheduled program. PF supporters similarly forced their way into a community radio station in Lundazi and disrupted a broadcast featuring the leader of a new political party in December. Later that month, the ruling party's cadres violently broke up a live appearance by Kabimba at Breeze FM in Chipata. The station subsequently suspended all coverage of politics to avoid further violence. A week after the Breeze FM incident, *Post* journalist Peter Sukwa

and Feel Free Radio journalist Kelvin Phiri were attacked by PF members while investigating allegations that non-Zambians were being registered as voters in Vubwi, on the border with Malawi. One of the journalists said the assailants, who included local party officials, had urinated into his mouth and poured fuel on him, threatening to set him alight.

### **Economic Environment: 19 / 30**

Although the media market is dominated by the ZNBC, the state-owned papers *Zambia Daily Mail* and *Times of Zambia*, and the *Post*, there are several private television stations with smaller audiences, some independent papers, and a growing number of private and community radio stations. International broadcast services are not restricted. Some radio stations, including Radio Phoenix, UNZA Radio, and Pan African Radio, carry call-in shows that express diverse and critical viewpoints. Radio remains the medium of choice in most of the country because of its relatively low cost of access, but many stations face financial difficulties due to their dependence on sponsored programming and the small advertising market. Reception of both state and private television signals throughout the country remains poor. There is also a state-owned national news agency, the Zambia News and Information Services (ZANIS).

Despite the attempted blocking of some critical websites, the internet remains one of the freest spaces for journalists and bloggers to express criticism of the government. Internet penetration was estimated at 21 percent in 2015. Access is more prevalent in urban areas, where there is a greater number of internet cafés and mobile signals are stronger. In rural areas, access to mobile internet service remains difficult in practice, due in part to poor signals and high costs.

The costs of newsprint and ink (which include substantial import duties and taxes), printing, and distribution remain very high, hampering print outlets' ability to increase their readership. The majority of advertising comes from the government, which places its ads exclusively in the state media. There have also been reports of private companies withholding advertising from critical private outlets due to fear of government retaliation.

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