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FREEDOM OF THE PRESS

Zambia

[Zambia](#) | [Freedom of the Press 2013](#) | [- Select year -](#)

After several years of threats to press freedom under President Rupiah Banda and the long-ruling Movement for Multiparty Democracy (MMD), the September 2011 presidential election victory of opposition Patriotic Front (PF) leader Michael Sata prompted hope for openings in the media environment. However, the PF government has generally failed to fulfill its promises to advance press freedom, and has targeted critical journalists and outlets with numerous legal and other actions.

The constitution guarantees freedom of speech, but the relevant language can be broadly interpreted. Journalists and media outlets face restrictions under criminal and civil defamation laws, sedition and obscenity laws, and provisions of the penal code such as the Official Secrets Act and the State Security Act. In 2012, Sata demonstrated intolerance of criticism and sought redress through the courts. In one prominent case, the president in May filed a defamation of character lawsuit against the leader of the opposition United Party for National Development (UPND), Hakainde Hichilema, for issuing a press release that accused Sata of corruption. The defamation suit also included editors of two critical publications, Lloyd Himaambo of the online newspaper *Zambian Watchdog* and Richard Sakala of the newspaper *Daily Nation*, for printing stories about the press release. The two outlets faced several similar lawsuits during the year.

A freedom of information bill that had been shelved by previous administrations received support from the new government in 2011. Although the government continued to pledge that it would pass such legislation in 2012, no bill had been put forward by year's end. In a separate setback for media access to government information, Sata held no official press conferences during 2012.

The 2010 Zambia National Broadcasting Corporation (Amendment) Act allows the information minister to select the corporation's board without first receiving nominations from an appointments committee. However, the selections must be ratified by the parliament. The board is tasked with choosing the head of the state-owned Zambia National Broadcasting Corporation (ZNBC). The new government has vowed to reintroduce the appointments committee. Nevertheless, Information Minister Fackson Shamenda unilaterally named economist Chibamba Kanyama as the director general of ZNBC in March 2012, four months before the parliament received a list of board members for approval. The 2002 Independent Broadcasting Authority (IBA) Act was modified in 2010, granting the information minister similar powers of direct appointment for the IBA, the broadcast media regulator. However, by the end of 2012 the IBA had yet to be established, and no new board members had been appointed.

In October 2012, Zambia's registrar of societies threatened to deregister the *Zambian Watchdog*, which is hosted outside Zambia, for allegedly failing to submit a postal address and pay required fees.

The issue of media regulation had been contentious under the Banda government, as the MMD made repeated threats to impose statutory regulation. A consortium of groups within the industry made progress on self-regulation in

2013 SCORES

PRESS STATUS

Partly Free

PRESS FREEDOM SCORE

60

LEGAL ENVIRONMENT

17

POLITICAL ENVIRONMENT

24

ECONOMIC ENVIRONMENT

19

2010, agreeing to establish a voluntary, independent Zambia Media Ethics Council (ZAMEC) and drafting a code of ethics that the proposed council would enforce. However, under Banda, ZAMEC's launch was repeatedly postponed, and the participation of public media workers was prohibited. In a positive step under the new administration, ZAMEC was officially launched in July 2012 with the full participation of the public media, which employ an estimated two-thirds of Zambia's media workers.

Upon taking power, the Sata government pledged to free the public media—consisting of the ZNBC and the widely circulated dailies *Zambia Daily Mail* and *Times of Zambia*—from government control. Throughout 2012, the government made pronouncements that the public media had been depoliticized. However, according to reports by media monitoring groups, these outlets have generally continued to report along progovernment lines, and their journalists continued to practice self-censorship. The only other major daily is the privately owned *Post*, which has long been a vocal supporter of the PF and a critic of the MMD. As a result, all major print publications now favor the government.

Intimidation and physical harassment of journalists occurs occasionally, and perpetrators include members and supporters of both the ruling party and the opposition. In April 2012, three MMD supporters received three-year prison sentences with hard labor for assaulting a crew from independent Muvi TV and stealing their equipment in 2011. In May, the *Zambian Watchdog* claimed that its website was the target of distributed denial-of-service (DDoS) attacks. In July, Defense Minister Godfrey Mwamba said the PF government would “sort out” the *Zambian Watchdog* in response to its highly critical reporting. In August, UPND politician William Banda attempted to strangle Muvi TV cameraman Lloyd Kapusa outside a police station in Lusaka. The case was later settled out of court. In September, a group of PF supporters attacked a photojournalist from the *Post* who attempted to photograph them while they were helping police break up an opposition rally in Lusaka. In October, party cadres from the UPND attacked a ZNBC reporter and camera operator who were at Lusaka's police headquarters to conduct an interview with a police official. The cadres, who accused the journalists of bias against the UPND, threw stones and bricks at them and issued death threats until they took refuge inside police headquarters.

Political actors' intolerance of independent voices also extended to civil society. In September, the PF youth chairman for Copperbelt Province, Kabwe Chanda, accused the Zambia chapter of the Media Institute of Southern Africa (MISA) of becoming politicized. MISA denied the accusation, noting that it had supported the PF's efforts to disseminate its views while in opposition.

In 2011, the Banda government had cracked down on media coverage of a growing separatist movement in Barotseland, in western Zambia. In one incident, security forces closed local station Radio Lyambai and confiscated its equipment after it aired an advertisement for a banned secessionist meeting. Radio Lyambai was subsequently allowed to reopen. However, in April 2012, authorities warned that its coverage of a March separatist council meeting was treasonous.

There are three daily newspapers with wide circulation: the *Zambia Daily Mail*, the *Times of Zambia*, and the *Post*. Several smaller independent papers, such as the *Daily Nation*, also publish. The ZNBC is the primary broadcast outlet covering domestic news. A growing number of private radio stations, including dozens of community radio stations, operate freely, as do four private television stations. International broadcast services are not restricted. Some local private stations, including Radio Phoenix and SkyFM, carry call-in shows that express diverse and critical viewpoints. In August 2012, the government issued 10 full licenses and 16 construction licenses to new radio and television stations.

Also in August, the permanent secretary for information and broadcasting, Amos Malupenga, threatened to revoke the licenses of outlets that attacked the government's reputation. In September, the Zambia Information and Communication Technology Authority reduced the transmission strength of University of Zambia (UNZA) Radio from 1,000 watts to 260 watts, effectively limiting its reach to the campus itself. The station had previously aired interviews with opposition figures. The move sparked protests by university students.

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. The costs of newsprint and ink (including high import duties and taxes), printing, and distribution remain very high, hampering print outlets' ability to increase their readership. The government sometimes uses advertising as a tool to influence media content and coverage. Only 13 percent of the population accessed the internet in 2012 due to high costs.

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