



State of the Media Report 2006

In the Report:

Introduction

Media Environment

Print Media

Broadcasting

Telecommunications

Media Violations Statistics: 2006

❖ Introduction - 2006 socio-political environment

Zimbabwe's unmitigated socio-economic and political meltdown riding on the back of a hyper-inflationary environment continued in a year, during which the ruling Zanu PF government employed desperate measures to cling to power amid growing disaffection with its mismanagement of the once vibrant economy.

The country's current woes took root when the government embarked on a controversial land reform programme six years ago. Since then, the economy has continued on its downward spiral amid projections that inflation could rise to 3 000 percent during the first quarter of 2007.

Shortages of basic commodities such as fuel, electricity, water cuts, cooking oil, sugar and drugs spawned by acute shortages of foreign currency characterised the worsening economic hardships during the year 2006 as the government resorted to knee-jerk fire fighting in an attempt to bandage the open wounds of its skewed macro-economic policies. The government's Look East policy drafted in the wake of targeted Western sanctions against ruling Zanu PF and government officials failed to create the touted economic growth and wealth through meaningful direct foreign investment as unemployment remained pegged at more than 80 percent.

The poverty datum line for an average family of six was pegged at US\$ 834 in November 2006 in a country where the average monthly wage is about Z\$ 37 500 (US\$ 150), making it the lowest in the Southern African Development Community and way below the Poverty Datum Line (PDL)¹.

These efforts which included the introduction of new currency as glorified and espoused through Reserve Bank Governor Dr Gideon Gono's elaborately crafted and high sounding monetary policies came to nothing amid reports of unprecedented corruption in high places and continued price increases².

Inflation which had come down from 600% to below 200% in 2004, is now over 1 000% as of end of 2006. Faced with the growing tide of disaffection as disposable incomes suffered inflation-induced erosions through the government's jaundiced

¹ Consumer Council of Zimbabwe statistics on the bread basket index for November 2006. Refer to www.ccz.org.zw for further details.

² Reserve Bank of Zimbabwe introduced a new currency on 1 August 2006 slashing three zeros from the old currency purportedly to make the currency user friendly.

micro-macro economic policies, the state's machinery, resources and energies were directed at crushing all forms of protests.

Marches and demonstrations organised by civic bodies such as the National Constitutional Assembly to push for a new constitution, Women of Zimbabwe Arise (WOSA), Zimbabwe National Students Union, theatre groups and the Zimbabwe Congress of Trade Unions (ZCTU) were ruthlessly dealt with.

The panicky state of the government came to the fore following the brutal attacks in condemned police cells of the leaders of the ZCTU on 13 September 2006 ahead of planned nationwide marches to protest the worsening economic hardships.

The attacks were so brutal that ZCTU secretary-general Wellington Chibhebhe was hospitalised after sustaining serious head injuries following the assaults perpetrated at Matapi Police Station whose cells were condemned as inhuman and degrading by the Supreme Court. In a foretaste of what the future holds for Zimbabwe, President Robert Mugabe remains ambivalent if not unequivocal as to his retirement plans to which his party, ZANU PF has hinted that he might go on till 2010. President Mugabe's current term ends in 2008. The latest move by ZANU PF to extend President Mugabe's term, without the people's mandate, is yet another indication of desperate measures to hold on to power regardless of the socio-economic and political ramifications. This move is buttressed by the brutal clampdown on all forms of protest meant to silence dissenting voices.

In fact President Mugabe himself gave an indication of the government and ruling Zanu PF's collective ideological framework when commenting on the attacks on the ZCTU leaders.

"We cannot have a situation where people decide to sit in places not allowed and when the police remove them, they say no. We can't have that, that is a revolt to the system. When the police say move, move. If you don't move, you invite the police to use force," said President Mugabe defending the police actions³.

The President's shocking remarks helped in revealing that the police actions were sanctioned at the highest decision-making levels because contrary to the President's assertions, the assaults did not take place on the streets but in police cells after the arrests of the ZCTU leaders well before the march had even taken place.

³ The Herald, 25 September 2006: See also MISA-Zimbabwe alert of 25 September 2006 on www.misazim.co.zw

❖ Media environment

The media environment remains far from improved as repressive laws such as the Access to Information and Protection of Privacy Act (AIPPA), Public Order and Security Act (POSA), Broadcasting Services Act (BSA) remained firmly entrenched in the statutes.

This is despite the assurances given by the government to the African Commission on Human and Peoples' Rights (ACHPR) acknowledging the restrictive nature of AIPPA and POSA⁴ in particular that it would seriously consider revisiting the laws in question. In fact, the state appears determined in its now predictable predilection to shut out all forms of dissent as evidenced not only by the attacks on the ZCTU leadership but through the contemplation of additional repressive legislation⁵.

This is despite its constitutional, regional and international obligations as mandated under the various charters and conventions it has signed, ratified and acceded to in order to foster and secure an environment that respects freedom of expression as a fundamental human right⁶.

This is amply demonstrated through the tabling of the Interception of Communications Bill 2006 to spy into telephone and e-mail messages which was published in a Government Gazette released on 26 May 2006. The Bill seeks to create a monitoring center whose function will be to facilitate authorised interception of communications.

It empowers the chief of defence intelligence, the director-general of the Central Intelligence Organisation, the Commissioner of Police and the Commissioner General of the Zimbabwe Revenue Authority to intercept telephonic, e-mail and cellphone messages⁷.

The Bill also empowers state agencies to open mail passing through the post and through licensed courier service providers. This comes despite a Supreme Court ruling in 2004 which declared unconstitutional Sections 98 and 103 of the Posts and Telecommunications (PTC) Act because they violated Section 20 of the Constitution.

⁴ See MISA-Zimbabwe alert of 27 November 2006 at www.misazim.co.zw

⁵ Government is coming up with a new law the Interception of Communications law that would legalise spying on all forms of communication

⁶ Zimbabwe has so far signed, ratified or acceded to among others, the Windhoek Declaration of 1991, African Charter on Human and People's Rights, Declaration of Principles on Freedom of Expression in Africa and the International Covenant on Civil and Political Rights.

⁷ Interception of Communication Bill (H.B 4, 2006)

Section 20 of the Zimbabwe constitution guarantees freedom of expression, freedom to receive and impart ideas without interference with one's correspondence. The Bill makes it compulsory for service providers to install at their expense software and hardware to enable them to intercept and store information as directed by the state.

An critical analysis of the Bill undertaken by MISA-Zimbabwe shows that even in its revised form, the ICB is retrogressive and repressive and has no place in a democratic society. As was the case with the original Bill, the revised version is badly crafted and littered with vague provisions that render it a dangerously bad law⁸. The Bill fails to disclose the solid objective behind the proposal for interception of communications.

The proposed law betrays the government's determination to criminalise matters that should ordinarily be dealt with by civil courts or through alternative dispute resolution. In addition, the Bill fails to ensure that legitimate professional activities normal in a democracy such as journalism, civic protests, trade unionism and political opposition are not subjected to unwarranted surveillance thereby posing a serious threat to media freedom, freedom of expression and that of association.

News materials could be intercepted in the course of transmission thereby making it impossible or difficult for media houses to operate freely and unhindered. If passed in its present form the ICB will adversely restrict citizen's rights to receive and impart information without hindrance.

Even more worrying is the serious threat that the proposed law poses on the viability of Internet Service Providers (ISPs) some of whom have already indicated that they will be left with no option other than having to close shop. ISPs, the banking, legal and other industries and professions will no longer be able to assure clients that issues discussed or information conveyed in the normal transaction of business will remain private and confidential.

This Bill serves as a pointer to the insincerity of President Mugabe's retirement plans as it is all-embracing in its repressive tentacles which will not only be used against the opposition but to determine who is plotting or linking with who within the ruling Zanu PF's Mugabe-succession power broking politics.

Nearly all-major international agreements on human rights protect the right of individuals from unwarranted invasive surveillance.

⁸ See MISA-Zimbabwe analysis of the revised ICB on www.misazim.co.zw or request a copy from misa@mweb.co.zw

Article 12 of the 1948 Universal Declaration of Human Rights states:

No one should be subjected to arbitrary interference with his privacy, family, home or correspondence, or to attacks on his honour or reputation. Everyone has the right to the protection of the law against such interferences or attacks.

This wording was adopted into Article 17 of the International Covenant on Civil and Political Rights, which went into force in 1966. The U.N. Commissioner on Human Rights in 1988 made it clear that this broadly covers all forms of communications:

Compliance with article 17 requires that the integrity and confidentiality of correspondence should be guaranteed de jure and de facto. Correspondence should be delivered to the addressee without interception and without being opened or otherwise read. Surveillance, whether electronic or otherwise, interceptions of telephonic, telegraphic and other forms of communication, wire-tapping and recording of conversations should be prohibited.

A number of the regional human rights treaties make these rights legally enforceable.

In Africa, the Declaration of Principles on Freedom of Expression in Africa of which Zimbabwe is a signatory stipulates:

1. No one shall be subject to arbitrary interference with his or her freedom of expression.
2. Any restrictions on freedom of expression shall be provided by law, serve a legitimate interest and be necessary in a democratic society.

While cases pertaining to the harassment, arrests, vilification and assault of journalists working for the private media declined compared to the period leading to the 2000 and 2002 parliamentary and presidential elections, respectively, the pattern of the harassments and intolerance remains unchanged. The declining cases of arrests are also attributable to the closure of four newspapers since 2003. Put simply they are less and less media workers operating in Zimbabwe.

The conviction of Botswana journalists under AIPPA demonstrates the government's zeal to maintain an iron fist on the right to free expression and media freedom and throws into serious doubt its pledges to the African Commission on Human and Peoples' Rights to repeal/amend AIPPA, the Public Order and Security Act and the Broadcasting Services Act.

Beauty Mokoba and Keketso Seofela from Botswana Television (BTV) made history when they became the first journalists to be convicted under AIPPA since

its promulgation in 2002. The two pleaded guilty to contravention of Section 83 (1) of the Act, which prohibits "...persons other than accredited journalists (to) practise as a journalist (or to) be employed as such..."

The two were also convicted on their own plea to contravention of Section 12(1) of the Immigration Act. The pair was arrested on 30 April 2006 in Zimbabwe's southwestern town of Plumtree while covering an outbreak of a foot-and-mouth disease and cross-border cattle rustling between the two countries as possible causes for the spread of the epidemic. The news crew was only able to return to Botswana on 2 May 2006 following their release and subsequent appearance before a Plumtree magistrate. They were each granted Z\$4 million bail. On 9 November 2006 Plumtree Magistrate Mark Dziva subsequently fined them Z\$4,000 (US\$16) for practicing journalism in the country without prior accreditation from the Media and Information Commission and Z\$1,000 (US\$4) for being in the country illegally

These events pose serious challenges to media freedom as envisaged under the Windhoek Declaration as it defines Zimbabwe as a no-go area for foreign journalists notwithstanding the difficult environment that local journalists operate under.

This is amply demonstrated by the continued unlawful arrest of journalists working for the private media while conducting their professional duties. Journalists Ndamu Sandu and Godwin Mangudya were arrested on 19 July 2006 and detained at Harare Central Police station without any charges being preferred against them while covering a demonstration by residents demonstrating against poor service delivery by the Harare Municipality. Sandu and Mangudya are accredited journalists as required under AIPPA, but were still arrested while conducting their professional duties of covering and reporting on events as they unfold. Sandu is employed by the privately owned weekly, *The Zimbabwe Standard*, while Mangudya is a journalist with the banned *The Daily News*.

Similarly, Mike Saburi, a freelance cameraperson was arrested together with leaders of the ZCTU on 13 September 2006 ahead of the already-mentioned planned nationwide demonstrations to protest the worsening economic hardships while conducting his lawful duties as a journalist. Saburi was detained for two nights at Harare Central Police Station and only released on bail on 15 September 2006 on charges of violating Section 37 (1) (b) of the Criminal Law (Codification and Reform) Act, which deals with conduct likely to breach public peace. He was later removed from remand after the State withdrew charges against him.

Media organisations such as MISA-Zimbabwe, the Zimbabwe Union of Journalists and Media Monitoring Project of Zimbabwe continue to be attacked as agents of imperialism in a desperate attempt to stall their efforts towards the establishment of an independent, self-regulatory media council. The three organisations constitute the Media Alliance of Zimbabwe (MAZ).

In a statement published in the government-controlled national daily *The Herald* on 29 September 2006, MIC chairman branded the media organisations “regime change activists” ahead of a parliamentary workshop organised by the three groups. The MIC claimed that the two-day workshop which was designed to review the state of the media in Zimbabwe had in fact been convened to create a “stilted platform” to enable the media groups to engage in an orgy of anti-Zimbabwe diatribe.⁹

These machinations were designed to scuttle the meeting, which discussed among other contentious laws, AIPPA, Dr Mahoso’s very lifeblood without which the statutory Commission he chairs would not have come into being. It is trite to note that MISA-Zimbabwe and ZUJ are membership driven organisations and have been on the forefront of pushing for media self-regulation. The vilifications by Mahoso are, therefore, aimed at alienating MISA-Zimbabwe, ZUJ and the MMPZ from their general membership and other freedom of expression and media freedom activists and Zimbabwean citizens at large.

These events continue to unfold despite the ACHPR’s fact-finding mission to Zimbabwe in 2002, which condemned Zimbabwe’s media laws. The ACHPR made yet another follow-up report at the end of its 38th Ordinary Session in Banjul, The Gambia held from November 21 - 5 December 2005 noting again that Zimbabwe’s media laws violated basic freedoms.

In its December 2005 Fact Finding report the Commission, among other contentious issues called on the Zimbabwean government to:

- ❑ Respect fundamental rights and freedoms of expression, association and assembly by repealing or amending repressive legislation, such as the Access to Information and Protection of Privacy Act, the Broadcasting Services Act and Public Order and Security Act.
- ❑ Uphold the principle of separation of powers and the independence of the judiciary and urges the government of Zimbabwe to repeal or amend Constitutional Amendment No 17 and provide an environment conducive to constitutional reform based on fundamental rights.

Almost a year after the publication of the ACHPR and the intervening sessions of the Commission, the government continues to duck and dive on the steps it is

⁹ Refer to *The Herald*, 29 September 2006 and *The Sunday Mail*, 15 October 2006 for details of the attacks against MISA-Zimbabwe, ZUJ and the Media Alliance of Zimbabwe.

taking to comply with the findings in question clearly demonstrating its reluctance to initiate and implement the requisite critical constitutional and legislative reforms.

❖ **Print Media**

Since the closure of the privately owned Daily News and Daily News on Sunday in September 2003, followed by that of the Tribune in June 2004 and the Weekly Times in February 2005, new and potential investors have continued to shun the country's newspaper industry.

While there have been reports of interest in investing in that sector, no sensible investor would dare venture into a sector where security of tenure is not guaranteed due to the stringent registration and accreditation provisions imposed under AIPPA and the real risk of meeting with the same fate as that of the banned newspapers.

Zimbabweans have, therefore, continued to be denied access to alternative sources of information as there are no privately owned dailies operating in the country save for the government-controlled dailies, The Herald and The Chronicle, which unashamedly tow the ruling Zanu PF propaganda as a matter of course. This deprivation allows dictatorship to take hold as affairs of the government are shrouded in secrecy due to failure by citizens and the media to access information held by both public and private institutions.

The only other privately owned publications are the financial weeklies, The Financial Gazette, The Zimbabwe Standard and Zimbabwe Independent which target a special niche market thereby limiting their circulation to about 30 000 copies unlike was the case with The Daily News which was a mass circulation national daily.

The remaining privately owned publications continue to operate under severe constraints of constant threats of civil suits from government officials as they brave the storms of the restrictive media legislative environment in their unrelenting investigative exposure of corruption within the upper echelons of power and the business community.

For instance, in May 2006, the Minister of National Security, Didymus Mutasa, threatened to set the Central Intelligence Organisation on Walter Marwizi, the news editor of the privately owned Zimbabwe Standard. Marwizi was investigating squabbles in the ruling ZANU PF over the running of the eastern City of Mutare. The Financial Gazette has been flooded with lawsuits by Local

Government Minister Ignatius Chombo. The paper has extensively reported on his alleged corrupt activities¹⁰.

Meanwhile, chances of the return of the closed newspapers as evidenced by the seemingly inconclusive legal battle by the Associated of Zimbabwe Newspapers (ANZ), publishers of the banned Daily News notwithstanding the entry of new players, appear very dim. This is more so in light of the government's questionable commitment to repeal/amend AIPPA and its continued faith in the blatantly biased and anti-media freedom and freedom of expression MIC chairman Dr Tafataona Mahoso. As the government's media hatchet person, Dr Mahoso continues to throw spanners into the chances of the return of the Daily News under the guises of acting within the confines of the widely condemned AIPPA by filing continuous counter appeals at every turn of the legal battle despite findings by the courts of his obvious bias against the publishing house.

The MIC chairman continues to enjoy government support and protection despite High Court judge Justice Rita Makarau's judgment on 8 February 2006 in which she ruled that the MIC board chaired by Mahoso was biased against the ANZ. Justice Makarau ruled that Mahoso was biased against ANZ, publishers of the banned Daily News and Daily News on Sunday.

The judge said the MIC's impartiality was tainted by the proven bias of Dr Mahoso thereby barring all members of the Commission's board from involvement in the ANZ's protracted legal battle. Makarau's ruling was an interpretation of Chief Justice Godfrey Chidyausiku's ruling in March 2005 during which he referred to the perceived bias of Dr Mahoso.

In that judgment the full bench of the Supreme Court made a finding that the MIC's conduct towards ANZ would cause apprehension in the mind of an average person. This bias manifests in the form of the counter appeals lodged by the MIC and its refusal to licence the ANZ, which is arguing that it has since complied with the application and registration procedures and requirements as stipulated under AIPPA.

However, on 9 October 2006 Justice Anne Mary Gowora reserved judgment indefinitely and was still to make a ruling in the matter in which the ANZ is seeking a High Court order declaring it duly licensed because the MIC and the Ministry of Information and Publicity has failed to put in place an independent administration committee to adjudicate in the matter and break the legal impasse following the Supreme and High Court findings of 2005 and 2006 respectively.

¹⁰ See The Financial Gazette of November 30 2006 and December 14 2006, www.fingaz.co.zw

Advocate Eric Matinenga representing ANZ, is arguing that the publishing company should be declared duly licensed because the MIC and the responsible ministry failed to respond to the ANZ application within the stipulated 30-day period in the wake of the two judgments as required in terms of Section 66 (3) of AIPPA.

The ANZ has been in the courts since 2003 and its hopes of being duly registered lie with the High Court although there is no guarantee that in the event of a favourable decision Dr Mahoso will not lodge yet another appeal. The inconclusive nature of the legal battle is aptly captured by Advocate Matinenga's impassioned plea for final resolution of the matter before judgment was reserved indefinitely in October 2006.

"The court cannot wash itself off the case like Pontius Pilate. Finality must be drawn to this sorry saga. There is no administrative agency in place to which the matter could be remitted. This is the time to award the applicant the order. The delays will inconvenience Zimbabweans as it delays the right of Zimbabweans to information and freedom of expression provided by the daily publication," said Matinenga.

❖ **Broadcasting Environment**

The Zimbabwe Broadcasting Holdings continued to enjoy its de-facto monopoly of the airwaves, churning out pro-government and ruling Zanu PF propaganda at the exclusion of other socio-economic and political players as the government remained intransigent in the wake of growing calls for the amendment of the Broadcasting Services Act.

Since the enactment of BSA in 2001, no private players have been licensed to operate independent radio and television stations despite the government's commitment to the African Charter on Broadcasting and SADC Guidelines on the Conduct of Democratic Elections.

Despite the restructuring that was effected at ZBH in June 2006 with the merging of its former nine companies into two entities, the broadcaster is still far from fulfilling its expected mandate as an independent public broadcaster.

The changes were effected after the Parliamentary Portfolio Committee on Transport and Communications came up with a report critical of the state

broadcaster on 1 June 2006 and made a number of recommendations. While the government acknowledges the serious weaknesses in the management of the ZBH, the proposed changes fall far short of what is needed to transform the ZBH into a true public broadcaster.

The ZBH has proposed streamlining its business units from nine to three as well as laying off staff. MISA-Zimbabwe, in its response to the parliamentary report noted that the problems at ZBH are not only structural but relate to governance issues as the state broadcaster has no known public mandate obligations and has been turned into a propaganda tool by the ruling elite. The ZBH has since resorted to being called the Zimbabwe Broadcasting Corporation (ZBC). These changes are not clearly explained in light of an existing law, the ZBC Commercialization Act that split the original ZBC into nine business units. Again this indicates a warped policy formulation and implementation system.

ZBH/ZBC will only be able to fulfill its public mandate if massive legislative reforms are undertaken to repeal or amend sections of the BSA.

These legislative reforms will trigger the transformation of ZBH/ZBC from a state controlled to a truly independent public broadcaster as envisaged under the African Charter and SADC Guidelines.

The African Charter espouses editorial independence, plurality and diversity in the broadcasting sector, among other principles and provisions. The Charter emphasises that governments should strive to promote an economic environment that facilitates the development of independent production and diversity in broadcasting.

The SADC Guidelines simplify and amplify the provisions of the Charter by stating that citizens and political parties should especially during elections, enjoy equal and equitable access to the public broadcaster. That has not been the case as meetings and rallies of the main opposition MDC have largely been ignored in what is obviously a deliberate ploy to project Zanu PF as the only major and popular political player in the country.

The restrictive nature of the BSA is evidenced by the diversity of public, commercial and free-to-air television and radio stations in other SADC countries. South Africa leads on all fronts with more than 94 community, 18 commercial and 14 public radio stations¹¹. The Mozambique broadcasting sector is one of the most vibrant and pluralistic in the region, registering remarkable growth in community radio. Church and faith-based organisations have come to dominate

¹¹ Panos Southern Africa, 2006. Mixed Signal: The State of Broadcasting in Southern Africa.

radio broadcasting in Malawi and Zambia. Namibia has as many community radio stations as commercial stations. Although the concept of community radio stations is still to catch on in Angola and Botswana, there are no legal or regulatory barriers to their establishment.

It is significant to note that senior government officials, the Parliamentary Portfolio Committee on Transport and Communications and the Broadcasting Authority of Zimbabwe itself, have acknowledged the defects of the existing legislation. However, at the official policy level, the government continues to defend the BSA demonstrating its reluctance to free the airwaves.

Under the present set-up as dictated by the prevailing legislative environment, the credibility and integrity of Zimbabwe's sole broadcaster has been seriously compromised by the government's stranglehold on ZBH/ZBC's editorial independence which chokes it from fulfilling its public mandate. ZBH/ZBC as presently constituted and structured is accountable to the government which in turn determines its editorial policy and content. To argue otherwise would be an exercise in futility.

The ZBH/ZBC board is handpicked by the Minister of Information and Publicity in consultation with the President, which runs against the grain of the principles of the African Charter on Broadcasting. Ideally, in a democracy the people, through parliamentary public hearings should nominate individuals to sit on such boards or at least parliament should nominate potential board members for recommendation to the responsible Minister. The present set-up at ZBH/ZBC does not guarantee transparency and accountability.

Transformation from a state to a public broadcaster entails the repealing of the current legislative framework that allows the existence of ZBH/ZBC in its current format. The law should be repealed or amended to allow the metamorphosis of ZBH/ZBC into a truly independent omnibus broadcaster, which carries the voices of all sectors regardless of economic, political, language or racial differences.

Parliament should, therefore, push for holistic changes to the broadcasting legislation, which enforces open, transparent and democratic appointments of the board and key staff while reinforcing editorial independence at ZBH/ZBC.

Independence from editorial interference does not necessarily mean that the government should not be involved, but simply means that more sectors and sections of society are involved especially parliament and other key civilian bodies in the running of the public broadcaster.

If ZBH/ZBC is to emerge as a bona fide national broadcaster, it should reach out to each and every part of the country in all languages. This is however, not feasible with the archaic equipment being used by Transmedia Corporation, the country's sole transmission licensee. Entry of private players in the transmission industry will definitely aid the cause since Transmedia has failed to upgrade its coverage of Zimbabwe. It is against that background that Zimbabwean listeners and viewers risk an unprecedented radio and television signal blackout if the government does not move with speed to replace the obsolete transmission equipment¹².

The failure to receive access to alternative channels of information is compounded by the constant jamming of the Voice of America's Studio 7 and SW Radio Africa which broadcast on short wave from Washington DC and London respectively. The radio stations are manned by Zimbabwean journalists and broadcasters exiled in the United States and United Kingdom and serve as alternative sources of information to the state-controlled Zimbabwe Broadcasting Holdings.

Alfred Mandere the chief executive officer of Transmedia Corporation, the sole national signal carrier operator, confirmed the possibility of the imminent blackout.

"The equipment is now old and definitely a transmission blackout for both television and radio is inevitable, it's more like an old car that now needs to be replaced....Government must do something fast because eventually the blackout will dawn. There is need for national investment in the radio and television sector, said Mandere¹³ "

Transmedia has made an appeal for US\$ 64 million to the government for the acquisition of new equipment from China, South Africa and Europe as part of its plan to replace the existing 40-year old equipment and improve transmission coverage.

Due to lack of transmission sites and depleted stations, only 30 percent of the country receives radio and television coverage from the state-controlled Zimbabwe Broadcasting Holdings. Outlying areas, especially those near the border with South Africa rely on the South Africa Broadcasting Corporation (SABC) for radio and TV services.

Editorial independence can only be underpinned by the 'public broadcaster's respect for the right to freedom of expression and information, freedom from

¹² See MISA-Zimbabwe alert of 1 December 2006 on www.misazim.co.zw

¹³ as above

undue government interference - principles upon which a public broadcaster can become more public serving and efficient.

❖ Telecommunications

The Interception of Communications Bill, analysed elsewhere in this report, if passed into law, sounds the death knell against any hopes of Zimbabwe benefiting and developing from the ICT revolution which is fast becoming critical to the strengthening of democracy, social and economic development. This is compounded by the fact that the government is reluctant to streamline its broadcasting policy, regulatory and institutional frameworks with regional and international globalisation processes and practices as epitomised by the advantages offered by the convergences in the ICTs sector.

The government in its increasing paranoia to safeguard the country's 'sovereignty' from its perceived enemies from within and without, however appears determined to kill the geese that lay the golden eggs of ICT development by imposing the intrusive, invasive and compulsory stringent conditions on the ISPs as the means to its objectives to spy into email, cellphone, telephony and internet communications through the proposed Interception of Communications law.

The ISPs have already indicated that the compulsory measures requiring them to provide the enabling equipment will seriously undermine their business viability which hinges to a great extent on confidentiality notwithstanding the huge capital investments that might be required to install the required equipment.¹⁴

Instead of moving towards the furtherance of the Millennium Development Goals through the full utilisation of ICTs to achieve sustainable development by allowing citizens increased access to information, the government appears bent on reversing the little gains achieved so far. This is despite the inherent sustainable development benefits that would accrue from the utilisation of such technology as part of the daily interactive lives of citizens, governments and the business community.

The World Summit on the Information Society (WSIS) Plan of Action calls for the connection of all government departments, ministries and educational facilities to the World Wide Web in order to facilitate the free flow and access to

14

Visit the MISA-Zimbabwe website: www.misazim.co.zw, for a detailed analysis of the revised Interception of Communications Bill.

information. ICT policy cannot, therefore, be separated from the broader legislative environment under which the media and citizens have to access information.

This is as stated in Section C3 of the WSIS Plan of Action, where it states: ICTs allow people anywhere in the world, to access information and knowledge almost instantaneously. Individuals, organisations, and communities should benefit from access to knowledge and information¹⁵.

The viability of private mobile operators is also threatened as evidenced, in a new twist to the proposed centralised control of international telecommunications traffic, as government forges ahead with its plans to pass the spying bill. The Postal and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ) came under attack from the military which argues that the regulatory body (POTRAZ) issued the wrong licenses to the mobile operators making it difficult for it to spy into communications routed through private commercial entities¹⁶.

These revelations could result in the government revoking the licenses of private mobile operators in its determined bid to spy into private communications as proposed under the Interception of Communications Bill.

A senior military official claimed that POTRAZ wrongly issued licenses to Telecel, Econet and NetOne under section 34 of the Posts and Telecommunications Act, which deals with fixed telephony instead of section 31. Section 31 provides for the licensing of mobile service providers which requires them to link their base stations with state-run TelOne.

Colonel Livingstone Chineka, Zimbabwe Defence Forces director of communications, was giving oral evidence on the proposed Interception of Communications Bill before the Parliamentary Portfolio Committee on Transport and Communications on 27 November 2006.

Section 31 stipulates that duly licensed companies should use the Mazowe earth station run by Tel*One, as the sole international gateway.

Such a move, which disregards the citizens' rights to privacy, makes it easier for the Government to intercept all international communications as specified under the proposed Interception of Communications Bill. This policy has serious

¹⁵ WSIS 2004a. Declaration of Principles. In: <http://www.itu.int/wsis/docs/geneva/official/poa.html>. Accessed 12 January 2005.

¹⁶ The Herald. 28 November 2006. Harare

implications on investment in the telecommunications sector and affects the rights of citizens to communicate through service providers of their choice and will derail developments and advancements offered by the ICTs.

These developments come in the wake of a High Court ruling on 6 November 2006 which suspended the Telecommunications (International Termination Rates) Statutory Instrument 70 of March 2006. The regulation seeks to force all telecommunications service providers to utilise the state-controlled fixed telephone service provider, Tel-One international gateway.

Licensed mobile telephone service providers, namely Telecel, Econet and NetOne would, under this regulation, use TelOne for all their international connections. These companies are licensed to operate their own international gateways.

Telecel, on whose court application the decision is based, challenged the constitutionality of the regulation, and stated that it contravenes the Posts and Telecommunications Act. It also cited government interests in TelOne as a reason why the law is biased in effect and implementation. If implemented the law would have meant that TelOne controls all international communications and receives all foreign currency accrued from international connections.

The government gazetted the Telecommunications (International Termination Rates) Statutory Instrument 70 of March 2006 which seeks to regulate all international communications.

Licensed mobile telephone service providers, namely Telecel, Econet and NetOne would, under this regulation, use TelOne for all their international connections. Mobile operators challenged the constitutionality of the regulation in the High Court and cited their licenses as reasons why they would not comply with the regulation.

The regulation was suspended by the High Court on 7 November 2006 until Telecel and Econet file a joint application in the matter. TeleAccess has filed a notice of appeal challenging POTRAZ's decision to cancel its licence arguing that the cancellation is "misguided, malicious and mischievous".

It is significant to note that these unraveling developments come on the back of the cancellation of the licence that was granted to TeleAccess to operate a fixed telephone service.

POTRAZ cancelled the licence on 29 November 2005 in terms of Section 43 of the Postal and Telecommunications Act Chapter 12:05 after TeleAccess failed to roll out its network as expected.

Zimbabwe's telecommunications industry was deregulated in the mid-1990s resulting in TeleAccess being licensed to operate in the fixed telephone service sector. POTRAZ said TeleAccess had failed to provide the envisaged commercial service by 1 May 2003 and was therefore in breach of Statutory Instrument 11 A of 2001. The appeal lodged by TeleAccess against the cancellation of its license is still pending before the courts.

Suffice to say these developments demonstrate the government's determination to retain control of all mediums of communication at any costs by isolating Zimbabwe from the global village and damn the consequences.

The government's intentions aside, it remains an inescapable fact that the future of Zimbabwe's telecommunications sector vis-à-vis the ICT revolution and its quest for foreign direct investment to kick-start the ailing economy remains firmly hinged on the imperative need to review the Postal and Telecommunications Act, the Broadcasting Services Act and the Zimbabwe Broadcasting Act, Public Order and Security Act and the Access to Information and Protection of Privacy Act, among other restrictive laws.

❖ Media violations statistics 2006

While cases of media freedom and freedom of expression violations may have declined markedly compared to the previous year, the pattern and viciousness of the clampdowns on dissenting voices worsened as evidenced by the brutal assaults of the ZCTU leaders, the unwarranted arrests of journalists going about their lawful professional duties and the disruption of peaceful protests.

□ Arrests/media law/litigations

Victim/concerned party	Issue	Date
African Commission on Human and Peoples Rights (ACHPR).	The ACHPR at its 38 th Ordinary Session in December 2005 expressed concern over the suppression of fundamental rights and liberties in Zimbabwe due to the repressive	9 January 2006

	<p>nature of laws such as the Access to Information and Protection of Privacy Act, Public Order and Security Act and the Broadcasting Services Act.</p> <p>Loice Matanda-Moyo, the director of public prosecutions in the Attorney-General's Office, said the government was reviewing AIPPA in light of the damning ACHPR report.</p>	
<p>John Masuku, director of Voice of the People (VOP) radio station.</p>	<p>Appeared in court on further remand on charges of operating a radio station without a licence in terms of the Access to Information and Protection of Privacy Act (AIPPA).</p> <p>Masuku who was arrested after the police raided the VOP offices in Harare on 15 December 2005, was remanded out of custody to 30 March 2006</p>	<p>13 January 2006</p>
<p>Sidney Saize, freelance journalist and former reporter with the banned Daily News.</p>	<p>Arrested on charges of practicing journalism without accreditation and publishing falsehoods in terms of Section 15 of the Public Order and Security Act. Released after spending three nights at Mutare Central Police Station. The police said they would be proceeding by</p>	<p>18 January 2006</p>

	way of summons.	
Arnold Tsunga, deputy chairman of VOP and board member, Nhlanhla Ngwenya.	Police descended on Tsunga and Ngwenya's homes in Harare saying they were keen to question them on allegations of operating a radio station without a licence.	21 January 2006
Anesu Kamba, driver with the Zimbabwe Lawyers for Human Rights (ZLHR) and Charles Nyamufukudzwa, Tsunga's gardener. Tsunga is also the executive director of ZLHR.	Kamba and Nyamufukudzwa were released without charges on 24 January after spending three nights in police custody on allegations of attempting to defeat the course of justice.	24 January 2006
VOP radio station bosses, David Masunda, Arnold Tsunga, board members Lawrence Chibwe, Nhlanhla Ngwenya, Millie Phiri and Isabella Matambanadzo.	Charged with contravening Section 7 (1) of the Broadcasting Services Act as read with paragraphs 4 and 5 Chapter 12:06 which deals with broadcasting and signal carriers. Granted \$4 million bail each and remanded to 10 February 2006 and ordered to report to the police once a week on Fridays.	24 January 2006
General Laws Amendment Act.	The Act, which tightens the presidential insult laws and communication of falsehoods under the Public Order and Security Act, is signed into law by Acting President Joice Mujuru. The amendment increases the fine	3 February 2006

	<p>imposed under Section 16 of POSA which deals with undermining the authority of the President from Z\$ 20 000 to Z\$ 2 million or one year imprisonment or both such fine or imprisonment.</p> <p>In the same vein those convicted under Section 15 of POSA which deals with publishing or communication of statements prejudicial to the state, are now liable to a fine of Z\$10 million or five years imprisonment - up from Z\$100 000.</p>	
VOP radio station board members	A Harare magistrate relaxed the reporting conditions against David Masunda, VOP chairman, his deputy Arnold Tsunga, and board members Lawrence Chibwe, Millie Phiri and Nhlanhla Ngwenya.	10 February 2006
VOP radio station	The directors of VOP filed an application for refusal of further remand arguing that the facts placed before the courts do not constitute an offence. A ruling was expected on 1 March 2006.	28 February 2006
VOP radio station	The application by VOP directors for refusal of further remand is turned down by a Harare	3 March 2006

	magistrate.	
Interception of Communications Bill 2006	The government is reported as having drafted the Bill to spy into e-mail messages. The Bill seeks to empower the chief of defence intelligence, the director-general of the Central Intelligence Organisation, Commissioner of Police and Commissioner-General of the Zimbabwe Revenue Authority to intercept telephonic, email and cellphone messages.	17 March 2006
ANZ, publishers of the Daily News and Daily News on Sunday	ANZ's protracted legal battle to be licensed took a new twist with the Minister of Information and Publicity Dr Tichaona Jokonya (now deceased) expected to decide the publishing company's fate. This came in the wake of Justice Rita Makarau's order barring the MIC from presiding over its application to be licensed.	17 March 2006
Access to Information and Protection of Privacy Act (AIPPA) amendment proposals.	Dr Tafataona Mahoso, chairman of the Media and Information Commission, told the Parliamentary Portfolio Committee on Transport and Communications that the MIC had submitted proposals to	21 March 2006

	amend AIPPA in order to regulate the entry of foreign publications into Zimbabwe. He said distributors who import foreign periodicals should indicate where they are procuring such materials.	
Fungai Machirori, media student with National University of Science and Technology.	Arrested for taking photographs of students demonstrating at the university campus without police permission. Machirori was later released without charges.	6 April 2006
ANZ, publishers of the banned Daily News and Daily News on Sunday.	The Minister of Information and Publicity Dr Tichaona Jokonya files opposing papers after the publishing company had filed for a High Court order to be deemed duly registered. In his papers Jokonya argued that he could not appoint an independent committee to preside over the matter because the Access to Information and Protection of Privacy Act has no provision authorising him to so proceed.	20 April 2006
VOP radio station bosses.	Harare magistrate sets their trial date for 15 June 2006.	26 April 2006
Beauty Mokoba and Keketso Seofela, journalists with Botswana Television.	Arrested and detained for two days in Zimbabwe's south western border town of	30 April 2006

	<p>Plumtree and charged with practicing journalism without accreditation.</p> <p>The two who were released on bail where arrested while covering the outbreak of foot and mouth disease and cross-border cattle rustling between the two countries as the possible cause for the spread of the epidemic.</p>	
<p>Maria Nyanyiwa, Nyasha Bosha and Kundai Mugwanda, journalists with VOP Radio Station.</p>	<p>Subpoenaed to appear in court when the trial of their directors opens on 15 June 2006. They were arrested on 15 December 2005 and spent four nights in police cells after the police raided the VOP offices confiscating computers, equipment and administration files.</p>	<p>12 May 2006</p>
<p>Beauty Mokoba and Keketso Seofela, journalists with Botswana Television.</p>	<p>The two journalists were further remanded to 26 June 2006. They were arrested and charged for practicing journalism without accreditation on April 30 2006.</p>	<p>23 May 2006</p>
<p>Interception of Communications Bill 2006</p>	<p>A Bill meant to spy on all communications into and out of the country is gazetted by the government.</p>	<p>26 May 2006</p>
<p>Associated Newspapers of Zimbabwe (ANZ) publishers of the banned Daily News and Daily News on Sunday.</p>	<p>ANZ insists that power to appoint an ad hoc committee to oversee their licensing rests with the Minister of Information. The</p>	<p>9 June 2006</p>

	Minister had argued that such powers could only be granted to him after the amendment of the Access to Information and Protection of Privacy Act (AIPPA).	
Voice of the People Radio Station (VOP) board members	The trial of VOP directors was postponed to 25 September 2006 after the state applied for the postponement because its key witness was in Switzerland.	15 June 2006
Ndamu Sandu (<i>Zimbabwe Standard</i>) and Godwin Mangudya, journalist with the banned Daily News.	The two were arrested together with 17 members of the Combined Harare Residents Association (CHRA) who were demonstrating against poor service delivery by the Harare City Council. They were released without being charged.	20 July 2006
Interception of Communications Bill	The Bill to spy on communications in the country was presented before Parliament for the first time.	27 July 2006
Mike Saburi, freelance cameraperson, and Zimbabwe Congress of Trade Unions (ZCTU) leaders	Armed riot police sealed off Harare's central business district and arrested Saburi and ZCTU leaders ahead of a planned demonstration against the worsening economic hardships.	13 September 2006
President Robert Mugabe	President Mugabe	25 September 2006

	defends the brutal police attacks against leaders of the ZCTU despite international condemnation and increasing demands for full investigations into the assaults which led to the hospitalisation of secretary-general Wellington Chibhebhe.	
Associated Newspapers of Zimbabwe (ANZ) publishers of the banned Daily News and Daily News on Sunday.	The case in which ANZ is seeking a High Court order to be duly licensed is postponed.	5 October 2006
Zimbabwe Congress of Trade Unions leaders.	The trial of ZCTU president Lovemore Matombo and 30 other accused persons arrested in Harare on 13 September 2006 ahead of planned demonstrations to protest against the worsening economic hardships, is postponed to 30 October 2006.	17 October 2006
Zimbabwe Congress of Trade Unions (ZCTU) leaders.	The trial of the ZCTU leaders accused of staging an illegal demonstration in Harare, again fails to kick off on 30 October 2006 after the defence applied to have the matter referred to the Supreme Court. In its application the defence argued that the Criminal Law (Codification and Reform) Act under which the accused are being charged is	30 October 2006

	unconstitutional.	
Interception of Communications Bill	<p>The government revised the Interception of Communications Bill 2006 following strong objections by the Parliamentary Legal Committee on the constitutionality of its provisions.</p> <p>The revised version still falls far short of meeting the required constitutional and democratic benchmarks and largely ignores the inputs and concerns raised by civic society organisations and the business community.</p>	3 November 2006
Independent Journalists Association of Zimbabwe (IJAZ), Zimbabwe Lawyers for Human Rights and Media Institute of Southern Africa.	<p>The African Commission on Human and Peoples' Rights deferred a communication filed jointly by the three organisations to its next session. The communication challenges the constitutionality of the Access to Information and Protection of Privacy Act. The Commission said it was postponing the issue to allow time for the government and the three media organisations to find amicable solutions regarding contentious legislation in Zimbabwe.</p>	27 November 2006
Telecel, NetOne and Econet mobile telephone	The three companies were said to have been	28 November 2006

operators	issued with the wrong licenses by the Posts and Telecommunications Regulatory Authority of Zimbabwe. In his oral submissions before the Parliamentary Portfolio Committee on Transport and Communications, Colonel Livingstone Chineka, defence forces director of communications, said the licenses in question should be revoked to link their base stations with the Mazowe Earth Station run by Tel*One. This would enable the government to intercept all communications as is being considered under the Interception of Communications Bill.	
Transmedia Corporation	Alfred Mandere, the chief executive officer of Transmedia Corporation said Zimbabwean listeners and viewers risk an unprecedented radio and television signal blackout if the government does not move to replace obsolete transmission equipment. He said Transmedia required US\$ 64 million to replace the existing 40-year old equipment and improve transmission.	1 December 2006

Beaten

Victim	Incident/issue	Date
ZCTU president Lovemore Matombo and secretary-general Wellington Chibhebhe.	Detained and brutally assaulted by police following their arrest on 13 September 2006. Chibhebhe was hospitalised following the brutal attacks.	14 September 2006
National Constitutional Assembly (NCA).	Ten members of the NCA were injured, five of them seriously, when police disrupted a planned demonstration in Harare to press for a new democratic constitution.	26 September 2006
Bulawayo Theatre Artists	Police in Bulawayo severely assaulted four street theatre artists for satirising Zimbabwe's worsening socio-economic crisis following the staging of a play dubbed <i>Indhlala</i> (Hunger). The artists who were ordered to roll on the tarmac while being assaulted with batons and planks were subsequently arrested and only released the next day without charges.	1 December 2006

□ **Harassed / Threats/Kidnapped**

Victim	Incident	Date
Zimbabwe Independent	George Charamba, the Secretary for Information and Publicity threatened	13 March 2006

	to set the police on the privately owned weekly and institute legal action over a story linking him to Zanu PF's succession infightings published on 10 March 2006.	
Hosea Chipanga, prominent Zimbabwean musician	Forced to pull out workers day celebrations organised by the Zimbabwe Congress of Trade Unions on 1 May 2006 after receiving anonymous death threats on his cellphone. In 2006 the Central Intelligence Organisation warned Chipanga to refrain from singing anti-President Robert Mugabe songs during a music gala organised in honour of Zimbabwe's fallen heroes in the Midlands town of Kwekwe on 5 August 2005.	1 May 2006
The Zimbabwe Independent and the area prosecutor for Manicaland, Levison Chikafu.	The Minister of National Security Didymus Mutasa, threatens to sue the Independent and Chikafu over the publication of statements made in an open court.	11 August 2006
Opposition parliamentarians, Job Sikhala and Goodrich Chimbaira. Sikhala and Chimbaira are parliamentarians for St Marys and Zengeza respectively.	Charged for staging an allegedly illegal demonstration against Chitungwiza Municipality following an increase in water charges in contravention of the Public Order and Security Act (POSA).	16 August 2006
Zimbabwe Union of	The chairman of the	2 October 2006

<p>Journalists (ZUJ) and freelance journalist, Nunurai Jena</p>	<p>state-controlled Media and Information Commission Dr Tafataona Mahoso said the government should investigate the ZUJ leadership for what he described as its “anti-government propaganda” activities. In a statement the MIC also accused Jena, ZUJ’s provincial secretary in Mashonaland West Province, of stringing for the Voice of America’s Studio 7.</p>	
<p>Progressive Teachers Union of Zimbabwe (PTUZ)</p>	<p>State security agents confiscated short wave radio receivers bought for teachers in Gokwe district in a desperate bid to bar them from listening to foreign stations that beam into Zimbabwe. PTUZ secretary-general Raymond Majongwe said the radios had been confiscated from 17 teachers in the area by persons who identified themselves as working for the President’s Office.</p>	<p>7 December 2006</p>
<p>British journalist Jerome Lynch and three other journalists working for Objective Productions.</p>	<p>Nicholas van Hoogstraten, a business tycoon linked to the ruling Zanu PF imposed restrictions on the visiting team barring them from reporting on Zimbabwe’s controversial land reform</p>	<p>15 December 2006</p>

	programme. The journalists were allegedly locked in a hotel room in Harare by the business tycoon. The journalists had been assigned to produce a documentary on Zimbabwe by Britains Channel 4. They fled the country leaving behind their valuable equipment following their fallout with van Hoogstraten.	

❑ **Banned/Deported/ Denied work permit**

Victim	Case	Date
SABC crew	SABC crew is barred from a press briefing during which the Minister of Finance Herbert Murerwa was discussing the outcome of an IMF team's visit to Zimbabwe. Brian Hungwe, the SABC correspondent in Zimbabwe, said the minister had told him that he was not willing to discuss issues with foreign journalists because of their alleged hostility to Zimbabwe. They were later granted	2 February 2006

	the interview.	
Zimbabwe's church groups	The police banned countrywide commemoration marches planned by church groups to mark the anniversary of the plight of thousands who were left homeless in the aftermath of the government's controversial Operation Restore Order. The UN estimates that 700 000 people were left homeless when the government launched the operation in May 2005.	18 May 2006
SW Radio Africa (SWRA)	SWRA said it continued to experience jamming problems, which affect its signal in some parts of the country especially in Harare.	28 September 2006
The Zimbabwean, a weekly published in London and distributed in Zimbabwe.	Law enforcement agents confiscated documents and demanded information from the proprietor of the Zimbabwean's Harare distributing office.	5 October 2006
Associated Newspapers of Zimbabwe (ANZ) publishers of the banned Daily News and Daily News.	Hearing into the case in which ANZ is seeking an order to be duly licensed opens before High Court judge Justice Anne Mary Gowora.	9 October 2006

□ **Victory**

Parties	Matter	Date
---------	--------	------

Bright Matonga, deputy Minister of Information and Publicity.	The deputy minister told the weekly Sunday Mirror that the government would amend the Broadcasting Services Act to ease the entry of private players into the broadcasting sector. He said then that the ministry was awaiting recommendations from the Broadcasting Authority of Zimbabwe.	9 January 2006
Associated Newspapers of Zimbabwe (ANZ), publishers of the banned Daily News and Daily News on Sunday.	High Court judge Justice Rita Makarau quashed the state-controlled Media and Information Commission's (MIC) refusal to grant ANZ an operating licence and ruled that the application for registration should be considered afresh.	9 February 2006
Dr Tafataona Mahoso, chairman of the Media and Information Commission (MIC).	Dr Mahoso conceded before the Parliamentary Portfolio Committee on Transport and Communications, on the need to set up a self-regulatory media council as opposed to the present set up where he chairs the statutory MIC. Dr Mahoso is a vociferous critic of independent media councils.	21 March 2006
International Press Institute (IPS).	The IPS attacked the African Union over its lethargy in tackling Zimbabwe's poor human rights record particularly	14 April 2006

	its lack of respect for freedom of the press. In a letter to the African Union chairman Denis Sassou-Nguesso and UN Secretary-General Kofi Annan, dated 14 April 2006. The IPS noted that efforts by the African Commission on Human and Peoples' Rights to try and influence Zimbabwe to respect fundamental rights and freedoms had largely gone unheeded.	
Communications Bill	A Bill to establish a Converged National Information and Communication Technologies Regulator to facilitate implementation of Zimbabwe's ICT policy will be tabled during the country's Second Session of the Sixth Parliament.	31 July 2006
Broadcasting Authority of Zimbabwe (BAZ) chairman Pikirayi Deketeke.	Deketeke blamed the Ministry of Information and Publicity for the delays in the issuing of broadcasting licenses to private players and for community radio stations after the ministry failed to respond to the enabling recommendations submitted by the licensing authority that would ease the entry of private players.	24 August 2006

Parliamentary Portfolio Committee on Transport and Communications	The Committee grilled the Acting Minister on Transport and Communications Munyaradzi Paul Mangwana on what steps were being taken to allow the easy entry of private players into the broadcasting sector.	11 September 2006
Mike Saburi, a freelance cameraperson and ZCTU leaders.	Saburi and the ZCTU leaders are released on bail after being charged with contravening Section 37 (1) (b) Chapter 9:23 of the Criminal Law (Codification and Reform) Act. The section deals with conduct likely to breach public peace.	15 September 2006
Mike Saburi, freelance cameraperson.	Saburi was removed from remand after the state withdrew charges against him. He was arrested on 13 September together with the leaders of the Zimbabwe Congress of Trade Unions ahead of planned nationwide demonstrations.	3 October 2006
Acting Minister of Information and Publicity Munyaradzi Paul Mangwana.	The Acting Minister said the government is willing to amend certain sections of the Access to Information and Protection of Privacy Act that curtail media freedom.	16 October 2006
Telecel	The High Court suspended the Telecommunications	7 November 2007

	<p>(International Termination Rates) Statutory Instrument 70 of March 2006 after mobile operator Telecel challenged the constitutionality of the regulation which seeks to force all telecommunications service providers to utilise the government owned fixed telephone service provider, Tel*One's international gateway. If implemented, the law will allow Tel*One to control all international communications and receive all foreign currency accrued from international connections.</p>	
<p>Zimbabwe Lawyers for Human Rights (ZLHR), Progressive Teachers Union of Zimbabwe.</p>	<p>Gokwe magistrate orders state security agents identified as Mr Mlotshwa and Emmanuel Takadiyi to return the radio receivers they seized from teachers in Gokwe after the ZLHR successfully filed an application for the granting of a provisional order to that effect. The radios had been bought for the teachers in the area which has poor radio transmission signals by PTUZ.</p>	<p>16 December 2006</p>

For any questions, queries or clarifications please contact

**Nyasha Nyakunu
Research and Information Officer
MISA-Zimbabwe
84 McChlery Drive
Eastlea
Box HR 8113
Harare
Zimbabwe
Phone 00 263 4 77 61 65, 746 838
Mobile 00 263 (0) 11 602 448
E mail: misa@mweb.co.zw
Website: www.misazim.co.zw**
