



STATE OF THE MEDIA 2020 REPORT

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Introduction

The Access to Information and Protection of Privacy Act (AIPPA), together with the Public Order and Security Act, enacted in 2002, were among some of the most repressive laws used to suppress media freedom and free speech in Zimbabwe.

Scores and scores of journalists were arrested under AIPPA while newspapers such as *The Daily News* and *The Tribune* were closed under this law which at that time was used as the weapon of choice against dissenting voices and media workers.

However, with the coming into being of the 2013 Constitution with its highly acclaimed Bill of Rights and explicit provisions on citizens' right to access to information, it became increasingly clear that AIPPA was anathema to the enjoyment of the very same right it purported to protect.

This point was driven home under Section 62 of the 2013 Constitution (on access to information), that new legislation should be enacted to give effect to the enjoyment of that right, thus paving way for the repealing of AIPPA.

It is in that regard that the enactment of the Freedom of Information Act in July 2020, as part of the unbundling of AIPPA, was welcomed as one of the progressive steps taken by the government of Zimbabwe towards the alignment of the country's laws with the Constitution.

During the year under review, and as the country forged ahead with the media policy and law reform processes, another significant milestone was the licensing of the country's first ever 'privately owned' television stations, and community radio stations.

However, these otherwise positive outcomes on the media reforms front, were marred by the government's seeming determination to amend the 2013 Constitution prior to the alignment of several laws that are not in sync with the country's supreme law enacted in 2013.

This came in the wake of the conclusion of the public hearings on the Constitution Amendment No.2 Bill. The Bill gazetted on 17 January 2020, is made up of 27 sections that propose to amend no less than 30 sections of the Constitution.

The proposed amendments follow the first amendment to the 2013 Constitution which gave the President powers to unilaterally appoint the Chief Justice, Deputy Chief Justice and Judge President of the High Court.

This tampering with the Constitution at a time when several laws which have an impact on the enjoyment of the rights enshrined in Zimbabwe's Bill of Rights, is widely viewed as being aimed at centralising the President's powers, which vitiates against the principle of separation of powers to allow for democratic checks and balances in the spirit of good governance and accountability.

Another dent which cast further aspersions on the government's commitment to uphold and respect constitutionally guaranteed rights, was the spike in the harassment, arrests and assaults of journalists,

human rights activists and members of opposition political parties, despite promises by the post-2017 and post-2018 elections Zanu PF government, to break with the ills of the era of former President Robert Mugabe.

For instance, journalist Hopewell Chin'ono was arrested twice during the course of the year on two separate charges and denied bail at the Magistrates Courts, in the process enduring long detention periods at Chikurubi Maximum Security Prison. For each of the separate charges, Chi'nono only managed to secure his freedom after being granted bail by the High Court.

It is against these retrogressive developments, that the United Nations Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, Clement Nyaletsossi Voule, noted in a report during the year under review, that Zimbabwe was suffering from political polarisation and poor governance.

The Special Rapporteur noted then, that civic space continued to deteriorate, re-establishing an environment of fear and persecution.

Political Context and Key Events

The above scenario came at a time when the country continued on its socio-economic and political meltdown, a situation likely to be worsened by the global COVID-19 pandemic which saw Zimbabwe imposing its own lockdown measures in March 2020.

Inflation remained high at 471% in September 2020, down though from 761% in August and 836% in July the same year. This came at a time when the cost of living for a family of five had risen to Z\$20,000 and Z\$4,000 per person as of end of October from Z\$15,570 in July, according to official statistics

The working age population is 8,1 million persons, constituting about 57% of the country's 14,2 million population, according to the Zimbabwe National Statistics Agency (ZIMSTAT)¹.

Several journalists were caught in the crossfire of the implementation of the 21-day national lockdown imposed at the end of March 2020, with several of them being harassed assaulted or detained by the police and soldiers despite the media being declared an essential service in terms of the COVID-19 regulations.

¹<https://www.newsday.co.zw/2020/11/mthuli-piles-more-misery-on-zimbos/>

Zimbabwe's humanitarian and economic crises came at a time when the protracted impasse over the working conditions and salaries of health workers spilled into 2020 unresolved as witnessed by the continuous strikes by nurses and doctors in addition to similar actions by the country's teachers.

In the meantime, the government forged ahead with its plans to amend the Constitution following completion of the public hearings on the Constitution Amendment No.2 Bill. Contentious sections proposed for amendment, among others, include removal of the presidential running mate clause, tenure (extension of) office of judges, delimitation of constituencies, appointment of the Prosecutor General without public interviews and selection of judges without public interviews.

These proposals were generally rejected during the public hearings. It therefore remains to be seen whether the will of the people will be respected given that the 2013 Constitution was endorsed by an overwhelming 94.5% of voters when it was subjected to a referendum.

While the Freedom of Information Act has since been signed into law, the government gazetted the Cybersecurity and Data Protection Bill, which is strong on surveillance of citizens and weak on balancing cybersecurity with the enjoyment of fundamental rights such as free expression online, privacy and protection of personal data.

The government was also to announce its intentions to come up with a Patriot Bill, which if enacted, has the potential of curtailing the exercise of rights such as media freedom and freedom of expression, right to privacy, access to information, freedom of conscience, political rights, freedom to demonstrate and petition, and freedom of assembly and association.

Meanwhile, the report mentioned earlier in this report, by the UN Special Rapporteur, came on the backdrop of his visit to Zimbabwe on 17 - 27 September 2019 at the invitation of the government. The purpose of the visit was to assess the exercise, promotion and protection of the rights under his mandate in a moment of transition following the adoption of the new Constitution in 2013 and the change of leadership in Zimbabwe.

It is trite to note that the Special Rapporteur, in his report, urged the government to take action to end corruption, and tellingly, to improve the human rights situation and ensure accountability and rule of law to encourage the lifting of "measures" imposed on Zimbabwe.

“While being mindful of the impact of these restrictive measures, the Special Rapporteur believes that, irrespective of such measures, the government has a duty to fulfill its human rights obligations,” reads the report.

He also urged the government to implement recommendations of the commission of enquiry chaired by former South African President Kgalema Motlanthe into the August 2018 killings of six civilians by soldiers in Harare.

In addition, the Special Rapporteur recommended that the government should refrain from introducing restrictions on access to and use of the Internet, including shutdowns.

Voule recommended that Zimbabwe should ensure that Section 210 of the Constitution is operationalised through a consultative process to ensure accountability of law enforcement officials who violate the right to freedom of assembly and of association through an independent oversight body.

His recommendations in that regard are poignant given that the number of cases involving the assault of journalists conducting their lawful professional duties in terms of their right to media freedom, continued with impunity without the culprits being brought to account.

Media Environment

The media operating environment during the period under review is contextualised against developments on the media law reform process, in terms of progress or lack thereof, as well as the enjoyment of the right to media freedom, freedom of expression, and ultimately citizens’ right to access to information.

Regrettably, the situation is still far from the ideal in terms of respect for media freedom which is a critical component in fostering unhindered citizens’ participation in democratic processes for accountable and transparency governance.

According to the Reporters Without Borders 2020 World Press Freedom Day Index, Zimbabwe was positioned at 126 out of 180 countries ranked globally. This ranking should be a sobering and reflective moment for the Zimbabwe government considering that other Southern Africa Development Community countries such as Namibia, South Africa and Botswana were ranked at 23, 31 and 39, respectively.

During the year under review, a total of 52 journalists and media workers (among them, newspaper vendors and media students), were either arrested, assaulted or harassed, while conducting their lawful professional duties. (*Refer to media violations statistics table beneath for further details*).

The African Commission on Human and Peoples' Rights (ACHPR) Special Rapporteur on Freedom of Expression and Access to Information in Africa, Commissioner Jamesina King, wrote to President Emmerson Mnangagwa regarding the arrest and detention of journalist Hopewell Chin'ono.

Speaking during the 67th Ordinary Session of the ACHPR, held [virtually](#), Commissioner King said she wrote the letter to President Mnangagwa on 15 October 2020.

“Journalists and other media practitioners play an important role ... they provide the public with the necessary information to develop an opinion and make informed decisions,” Commissioner King said.

“However, despite their indispensable role in society, journalists are often targets of threats, intimidation, harassment, arbitrary arrest, detentions, and disappearances, in addition to physical attacks, which have sometimes resulted in murder.”

Meanwhile, these violations resulted in MISA Zimbabwe successfully filing for a High Court order barring the police and any other state security agents from arresting, detaining or interfering with the work of journalists.

In a related development, and back-to-back with that application, MISA Zimbabwe, filed yet another successful application with the High Court compelling the Ministry of Health and Child Care and the Ministry of Information, Publicity and Broadcasting Services, to promote citizens' access to information pertaining to the Covid-19 pandemic.

Having to resort to court applications to enforce constitutionally guaranteed rights, therefore speaks volumes about the government's sincerity in entrenching the pillars of democracy and commitment to uphold the rights to media freedom, freedom of expression and access to information as provided for by Sections 61 and 62 of the Constitution, let alone other rights in the Bill of Rights.

Commendably, the Zimbabwe Media Commission Bill passed through the House of Assembly and the Senate, after protracted and robust debate by parliamentarians which culminated in concessions by the government to factor in the agreed positions during key stakeholder engagements.

For instance, Justice, Legal and Parliamentary Affairs Minister, Ziyambi Ziyambi, who was steering the Bill on behalf of Information, Publicity and Broadcasting Services Minister, Monica Mutsvangwa, conceded that there was no harm in removing the clause that allowed the police to assist in media investigations.

Among the other agreed positions, was the need for the Bill to recognise the need for co-regulation of the media. This should then set the course for the proposed Zimbabwe Media Practitioners Bill which, if enacted into law, will foster media accountability and professionalism through a media co-regulatory mechanism together with the Zimbabwe Media Commission (ZMC).

Media stakeholders under the auspices of the Media Alliance of Zimbabwe (MAZ), have since come up with the Draft Zimbabwe Media Practitioners Bill, which was widely welcomed by the media sector during nationwide consultative meetings on the proposed law.

media government relations

In a positive development, a panel comprising journalists, media lecturers and representatives of civic society, noted that while relations between the media and government had relatively improved, more still needs to be done to foster media freedom and the enjoyment of freedom of expression rights.

The panelists who met in January 2020, under the auspices of the African Media Barometer (AMB) Zimbabwe, noted that the current Minister of Information, Publicity and Broadcasting Services, Monica Mutsvangwa, is “proactive” in engaging with journalists.

The findings covered the period between November 2015 – January 2020.

In a summary of their findings on the obtaining media situation, the panelists said in some instances, the Minister had intervened to prevent “threatened” arrests of journalists conducting their lawful professional duties.

It was noted that the ongoing engagements between the media and government was a positive departure from the animosity and suspicion that existed in the past.

“Government (weekly Cabinet) briefings are now open to all, and invitations to government functions are generally issued to all journalists and not just the state media.”

The report, however, notes government threats to clampdown on comments on social media and lack of diversity in the ownership of radio stations and that the content “still reflects the hand of government”.

Media Sustainability

Zimbabwe’s media has not been spared the viability challenges that the sector is facing globally.

This is in terms of the media’s sustainability and viability due to the untenable socio-economic situation which is hurting businesses in the wake of declining revenue streams and incomes.

This is ominous given the role the media plays in providing critical information to the public that assists in making informed decisions. This is even more critical at a time when the country has put in place measures to combat the COVID-19 pandemic.

Suffice to say, the nation would be plunged into darkness if the media collapses, dealing a severe blow to government’s efforts in combating the COVID-19 pandemic and the country’s socio-economic wellbeing and democratic aspirations.

It is with this in mind, that the Chairperson of MISA Zimbabwe, Golden Maunganidze, wrote to the Minister of Information, Publicity and Broadcasting Services, Senator Monica Mutsvangwa, pleading with government to seriously consider coming up with a Media Sustainability Bailout Rescue Package.

This can be in the form of tax/duty exemptions and moratoriums (over a realistically determined period), on newsprint and other mass media production and distribution equipment.

The government should also consider reducing the registration and licensing fees for media houses, as well as doing away with some of the punitive duplicitous levies and fees charged in terms of the country’s regulatory framework.

These inhibitive fees are paid to the Zimbabwe Media Commission, Broadcasting Authority of Zimbabwe, Transmedia Corporation, Zimbabwe Music Rights Association and National Arts Council, over and above the taxes due to the Zimbabwe Revenue Authority.

A Revolving Fund which is administered independently can also be established in that regard.

Arrests, Threats and Harassment of Journalists

Following the declaration of Zimbabwe's COVID-19 Regulations on 30 March 2020, the country witnessed an upsurge in the number of journalists that were harassed, intimidated, assaulted and detained by members of the police and the army while covering their lawful professional duties.

Violations involving 52 media workers that include journalists, vendors and media students, were recorded during the year under review.

As mentioned earlier in this report, some of the notable cases involve the arrest of journalist Hopewell Chin'ono on two separate incidents on charges of incitement to participate in a gathering with intent to promote public violence, and defeating or obstructing the course of justice, respectively.

On 30 July 2020, police raided and ransacked the home of *ZimLive* editor Mduduzi Mathuthu in Zimbabwe's second city of Bulawayo reportedly looking for information on subversive materials linked to the then planned 31 July 2020 nationwide protests.

The police said they believed Mathuthu was organising and advocating for the demonstrations adding that he was using his mobile phone to encourage people to demonstrate.

Mathuthu's nephew, Tawanda Muchehiwa, a media student, also went missing following his arrest on the same day.

Muchehiwa only appeared before the magistrates court in Bulawayo on 4 August 2020 in the company of his doctor in bad health resulting from the torture he was reportedly subjected to during the time he was missing.

His appearance in court followed a High Court *habeas corpus* application by MISA Zimbabwe through lawyer Nqobani Sithole. Subsequently, High Court judge Justice Makonese, on 1 August 2020, ordered the police to investigate Muchehiwa's whereabouts and produce the outcome to the Magistrates Court at Tredgold Building in Bulawayo within 72 hours.

Muchehiwa was later found that evening on 1 August 2020 around 2200hr after he was 'dropped off' at his place of residence by suspected state security agents. He had been missing since 30 July 2020 following

his arrest by the police, with his then known location being that of having been in their custody at Bulawayo Central Police Station.

Several journalists were assaulted by unidentified men at a press conference convened by the Zimbabwe National Students Union on 18 September 2020, next to the Impala Car Rentals offices in Harare.

The student union body had convened the media briefing following the arrest and release on bail of its president after he allegedly led protests demanding answers from the car rental company on the alleged role it played in the abduction of Muchehiwa.

Some of the journalists who were assaulted included freelance journalist James Jemwa, senior journalist Godwin Mangudya, Thomas Madhuku of 263Chat, Munashe Chokodza, Bernard Mpfu and Rumbidzai Chizarura.

Jemwa sustained injuries on his forehead and wrist while his camera and mobile phone were confiscated by the assailants. Chizarura also sustained serious injuries. Mangudya's recorder was also damaged.

Freelance journalist, Terence Sipuma, was reportedly assaulted by members of the army and the police at the Kuwadzana roundabout in Harare while on his way to Chegutu to report on the COVID-19 lockdown.

Munashe Chokodza and Leopold Munhende, journalists with 263Chat and NewZimbabwe.com, respectively, were reportedly assaulted with military whips by soldiers at Warren Park shopping centre in Harare while returning home from work.

When the journalists dropped off at the shopping centre, the army was apparently dispersing people from the shopping centre. They stopped the two and questioned them as to why they were not observing the lockdown regulations. Both Munhende and Chokodza produced their press cards and explained that they were coming from work, as they were part of the essential services workers.

The soldiers apparently remarked: "You journalists think you are special in this country", before ordering them to roll on the ground and assaulting them. They both sustained injuries in the process.

In all these cases, the perpetrators, as has been the case over the years, have never been brought to account.

It is with this in mind that MISA Zimbabwe, under the umbrella of the Media Alliance of Zimbabwe (MAZ), riding on the universal 2020 theme: *Journalism without Fear or Favour*, commemorated the 2020 event under the theme: *Free, independent & safe media key to access to information for all*.

Internet Governance/Freedom of Expression/Access to Information

access to information

While the enactment of the Freedom of Information Act, is a welcome development, there are still outstanding Bills, that deal with regulation of the media and citizens' right to privacy, freedom of expression and access to information, such as the proposed Broadcasting Services Amendment Bill.

However, it is trite to note that, despite the coming into being of this law, the culture and practice of acknowledging receipt of information requests, as opposed to providing the information sought, is still a challenge for some organisations.

According to MISA Zimbabwe's 2020 Transparency Index, targeted institutions do not always notify the requester when they receive the information request letter, but only acknowledge receipt upon physical follow-up visits to their offices.

Of the 10 organisations surveyed, the following had no functional websites (at the time the study was conducted), Chipinge Rural District Council, Ministry of Women Affairs, Community, Small and Medium Enterprises, and Ministry of Mines and Mining Development.

Although six organisations acknowledged receipt of the information requests, only two responded well to the requests.

MISA Zimbabwe encourages organisations to effectively use online platforms to disseminate information to the public. On the other hand, the new Freedom of Information Act, should continuously be evaluated to ensure it gives effect to Sections 61 and 62 of the Constitution that provide for freedom of expression, media freedom and citizens' right to access to information.

Meanwhile, if implemented, some of the provisions of the Freedom of Information Act, will go a long way in giving effect to Sections 61 and 62 of the Constitution which provide for freedom of expression, media freedom and access to information.

Of concern though, among other contentious issues, is the fact that the new law ignored overwhelming submissions by citizens during public hearings into the Freedom of Information Bill before its passage in Parliament, pertaining to the roles of the Zimbabwe Human Rights Commission (ZHRC) and Zimbabwe Media Commission (ZMC).

Overwhelming submissions were made on the need for appeals relating to denial of information requests to be lodged with the ZHRC, or a competent court of law, and not with the ZMC as its constitutional mandate is on media regulation.

On the other hand, there are a myriad of other laws that are in violation of the Constitution, notably, Censorship and Entertainment Controls Act, Official Secrets Act, sections of the Criminal Law (Codification and Reform) Act, Interception of Communications Act, among others.

internet access/governance

The laws mentioned above have a bearing on citizens' right to free expression and media freedom, and continue to exist at a time when the government has since gazetted the Cybersecurity and Data Protection Bill. The Bill has been widely criticised, locally, regionally and internationally, for leaning heavily on mass surveillance of citizens as opposed to balancing cyber security with the enjoyment of fundamental rights.

If passed in its currently defective state (as of 2020), it is feared that the proposed law will pose the greatest threat to the enjoyment of fundamental rights such as free expression, access to information and citizens right to privacy as provided for in Zimbabwe's Bill of Rights.

Remarks by Zimbabwe National Army Commander Lieutenant-General Edzai Chimonyo in March 2020 while addressing senior military commissioned officers at the Zimbabwe Military Academy in Gweru, that the military would soon start snooping into private communications between citizens to "guard against subversion" as social media has become a threat to national security, are telling in that regard.

It should, however, be noted that the Minister of Information Communication Technology, Jenfan Muswere, conceded during debate in parliament that the government would relook clauses 2, 13, 17, 23 and 164 of the Bill. <https://www.herald.co.zw/cyber-bill-to-undergo-amendments/>

For instance, Section 164 criminalises the sending of messages to any person, group or the public, with the intention to incite violence or damage to property. This was widely criticised by MISA Zimbabwe as an attempt to smuggle back criminal defamation which was struck off the statutes by the Constitutional Court.

Among its other contentious provisions, is the proposed use of forensic tools such as the key stroke logger without being clear on how and under what circumstances the method would be applied, as well as the Bill's failure to provide for judicial oversight or other accountability measures for monitoring and reviewing the potential abuse of the use of such intrusive technologies.

It also does not have specific safeguards for whistleblowers which exposes individuals providing information in the public interest.

The Bill should also be split into two separate laws, to deal with cybersecurity and data protection respectively. This will make it easy to strike a strategic balance between security concerns and digital rights.

It is MISA Zimbabwe's well-considered view that the Bill in its current state, entrenches a securocratic approach towards internet governance as opposed to a pro-human rights approach in the regulation of the Internet as provided for by the revised African Charter on Human and Peoples' Rights' Declaration of Freedom of Expression and Access to Information.

In crafting this Bill, Zimbabwe should thus be guided by African regional and continental instruments that include the SADC Model Law on Computer Crime and Cybercrime, SADC Model Law on Data Protection, the African Convention on Cyber Security and Data Protection, and African Declaration on Internet Rights and Freedoms.

Meanwhile, on 9 December 2020, consumers and internet users nationwide struggled to access internet services as one of the biggest internet services provider ZOL Zimbabwe's system was not working, this coming at a time of rising data costs.

This was one of the most widely felt disruptions of internet service platforms since the 2019 national internet shutdown. These disruptions have far-reaching implications on the provision of downstream services.

In Zimbabwe, the ability to access critical services such as healthcare, education, banking and commerce can literally depend on the reliability of the internet at all times, and the broader business online in the age of the global pandemic, COVID-19.

It is not enough for both Internet Service Providers (ISPs) and Mobile Network Operators (MNOs), to blame system upgrades for prolonged interruptions of internet services. ISPs should uphold internet services standards to ensure that disruptions of internet services are minimised, and consumer rights are protected while engaging on the platforms available.

The Postal and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ), should thus enforce the regulations on quality of internet services in Zimbabwe, which include ensuring the availability of services all the time.

The need to ensure the enjoyment of internet services at all material times is further provided for by the Declaration of Principles on Freedom of Expression and Access to Information in Africa which states in its preamble:

The exercise of the right to freedom of expression and to access information using the internet are central to the enjoyment of other rights and essential to bridging the digital divide.

Broadcasting

television licences

The Broadcasting Authority of Zimbabwe (BAZ), on 17 October 2020 announced the awarding of the country's first ever commercial television stations, effectively ending the state-controlled Zimbabwe Broadcasting Corporation's 40-year-old monopoly as the only television station in Zimbabwe.

These were awarded to, Acacia Media Limited; Channel Dzimbahwe; Fairtalk Communications; Jester Media; Rusununguko and ZTN.

While the decision to license more television stations is a welcome development, MISA Zimbabwe is worried at the lack of diversity in the granting of the TV licences. The new TV licence holders, either already hold print or broadcasting licences, or are linked to the government or the governing party.

If Zimbabwe is to have a truly diverse media, there is need for more players from different backgrounds to be granted licences. With this scenario, the country risks having a homogeneity of news and views, which is anathema to democracy.

There is therefore, need for genuine opening of the airwaves, where diversity and pluralism are the guiding principles in the granting of licences.

Meanwhile, the licensing of the country's first ever three community radio stations is a step in the right direction towards opening up the broadcasting sector to new players.

This should go a long way in enhancing citizens' right to access to information on socio-economic developments and issues of concern in their respective communities in the spirit of accountable and responsive governance.

The licensing of Mbembesi Development Trust, trading as, *Ingqanga FM*, Ntepe Manama Community Radio Trust, and Nyangani Community Radio Trust, trading as, *Nyangani FM*, is in line with the African Charter on Broadcasting's three-tier broadcasting system.

The three-tier system comprises public, commercial and community broadcasting, that MISA Zimbabwe, together with the Zimbabwe Association of Community Radio Stations (ZACRAS), has incessantly been advocating for in conformity with regional and international instruments that Zimbabwe is party to.

In pushing for the licensing of community radio stations under its protracted *Free the Airwaves Campaign*, MISA Zimbabwe established preparatory Community Radio Initiatives throughout the country. The newly licensed Ntepe Manama Community Radio Trust in Matabeleland South province, is one such initiative.

BAZ announced the granting of the three community radio licences as well as two campus radio licences to the Midlands State University and University of Zimbabwe. In May 2020, Great Zimbabwe University in Masvingo Province, became the first university in Zimbabwe to get a campus radio broadcasting licence.

However, the country's airwaves are still far from being liberalised notwithstanding the attendant exorbitant fees imposed in the context of the application procedures. For instance the proposed Broadcasting Services Amendment Bill, outlaws donations for the establishment of community radios.

In Zambia, next door, they do not outlaw donations towards establishment and sustenance of community media. In fact, they ensure that their Broadcasting Services Fund services the development of the community radio stations.

It also limits foreign direct investment to 20%. Given the capital intensive nature of the industry, and the exorbitant licensing fees, the elites with their deep pockets, will most likely continue to dominate the sector.

Given the current economic environment, it will be very difficult to raise investment capital without stimulus support from the investment markets. It is, therefore, very likely that the very same voices dominating national and provincial radio stations, are going to diversify into the television broadcasting sector.

Conclusion

While MISA Zimbabwe welcomes the Ministry of Information's open door policy and engagements with media stakeholders in its quest to break with the past, the ultimate objective and outcome should be that of entrenching the pillars of democracy as pledged by President Emmerson Mnangangwa.

The government should thus live up to the letter and spirit of the Constitution through genuine and democratic media law and policy reforms in line with regional and international instruments it is state party to.

In addition, the government should ensure that its proposed cyber security regulations are informed by the Constitution, the revised principles of the ACHPR Declaration on Freedom of Expression and Access to Information and the African Declaration on Internet Rights and Freedoms, among other regional and continental instruments.

The government should unequivocally condemn media freedom violations and take all necessary steps to ensure the safety and security of journalists by bringing the culprits to book in defence of media freedom, and ultimately, citizens' right to free expression and access to information.

Way Forward in 2021

- Government should enact the Cybersecurity and Data Protection law in line with the ACHPR Declaration of Principles on Freedom of Expression and Access to Information, among other regional and continental instruments.
- The outstanding Broadcasting Services Amendment Bill should be benchmarked on the principles of the African Charter on Broadcasting.
- There is need for further opening of the airwaves by licensing more players from different backgrounds to ensure diversity and pluralism in the broadcasting sector as the guiding principles in the granting of licences.
- Newly licensed community radio stations should jealously guard and protect their editorial independence by ensuring their editorial policies are defined and underpinned in pursuit of an inclusive social development agenda. Programming should thus be for-by-and about the community, as envisaged in terms of the African Charter on Broadcasting.
- The Broadcasting Authority of Zimbabwe should ensure that the Broadcasting Fund is channelled towards the viability and sustainability of community radio stations as they are the heartbeat of development and democracy at community and grassroots levels.
- Government should seriously consider coming up with a Media Sustainability Bailout Rescue Package. This can be in the form of tax/duty exemptions and moratoriums (over a realistically determined period), on newsprint and other mass media production and distribution equipment.
- The Postal and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ) should enforce the regulations on quality of internet services in Zimbabwe, which include ensuring the availability of services all the time.
- Laws such as the Censorship and Entertainment Controls Act, Official Secrets Act, sections of the Criminal Law (Codification and Reform) Act, Interception of Communications Act, among others, should be reviewed and aligned with the Constitution.
- The government including the police and other state security agents, should unequivocally condemn media freedom violations to ensure the safety and security of journalists by bringing the

culprits to book in defence of media freedom and ultimately citizens' right to free expression and access to information.

- Journalists and the media as a whole, should be meticulous and thorough in their work in line with the ethics of the profession which stress the tenets of accuracy, fairness and balance in their reportage. The media should always thus be mindful of the fact that media freedom excludes, among others, incitement to violence, hate speech, malicious injury to a person's reputation and right to privacy.
- The government should move with speed to conclude the digital migration process in a transparent and accountable manner.
- The government must review accreditation timelines to provide the Zimbabwe Media Commission with adequate time to plan and liaise with the responsible ministry in reviewing and gazetting fees seamlessly, and urges the Commission to decentralise and speedily undertake the registration and accreditation processes for the convenience of media companies and journalists.
- Government should move with speed in finalising the law reform process in a conducive environment, and towards establishment of co-regulation of the media in Zimbabwe.

Media Freedom Violations Statistics 2020

A total of 52 media workers were either arrested, detained, assaulted or injured in 2020. This marked an 86 % increase in the number of media workers who were violated in 2020 when compared to the number recorded 2019.

Collectively 38 alerts were issued based on the same number of incidents. In some instances, a single incident would involve several journalists. In 2019 we issued 27 alerts.



Media Freedom Violations Categories



Arrested/ Detained

2019 4 cases

2020 18 cases



Threatened/ Harrassed

2019 7 cases

2020 15 cases



Injured

2019 4 cases

2020 3 cases



Banned/ Barred/Censored

2019 1 case

2020 2 cases

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Cases of Media Freedom Violations in 2019

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Cases of Media Freedom Violations in 2020

MEDIA VIOLATIONS 2020 TABLE

Assaulted / Charged		
Victim /Concerned Party	Issue	Date
Zimbabwe Broadcasting Corporation (ZBC) cameraperson, Providence Maranelli.	Maranelli was assaulted by MDC-Alliance security details in Gwanda, Matabeleland South Province, moments after party leader Nelson Chamisa had addressed a meeting.	10 February 2020
Freelance journalist Panashe Makufa.	Makufa was assaulted by the police in the Harare suburb of Kuwadzana while undertaking his professional duties.	04 April 2020
Freelance journalist Terence Sipuma.	Sipuma was reportedly assaulted by members of the police and the army at the Kuwadzana roundabout in Harare while on his way to Chegutu to report on Zimbabwe's 21-day COVID-19 lockdown.	11 April 2020
MunasheChokodza and Leopold Munhende 263Chat and <i>NewZimbabwe.com</i> journalists, respectively.	Chokodza and Munhende who were returning home from work, were assaulted with military whips by soldiers who were dispersing people at the Warren Park shopping centre in Harare, despite producing their journalism accreditation cards.	24 June 2020
Freelance journalist Tapiwa Zivira	Zivirawas reportedly assaulted by the police and members of the Harare Municipal Police while filming an incident involving a truck driver and municipal police officers along Lytton Road in Harare.	16 July 2020

Journalists Godwin Mangudya, Bernard Mpfu, Thomas Madhuku, Rumbidzai Chizarura, Munashe Chokodza and James Jemwa.	Assaulted at a press conference convened by Zimbabwe National Students Union (ZINASU) president Takudzwa Ngadziore, by unidentified men who violently disrupted the presser. The conference was held next to the Impala Car Rentals offices in Harare.	18 September 2020
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Arrested /Detained		
Victim /Concerned Party	Issue	Date
Freelance journalist Kudzanai Musengi.	Musengi was arrested in the central business district of Gweru in the Midlands province and accused of practicing without valid accreditation.	30 March 2020
Tatenda Julius, student journalist on attachment with Pungwe News (New Ziana).	Julius was arrested by the police who accused him of practicing without a press card.	30 March 2020
Three female and one male newspaper vendors.	Police in Masvingo dispersed several newspaper vendors in the southern border town of Masvingo and arrested four of them for violating the COVID-19 regulations.	31 March 2020
Nunurai Jena, journalist with Newsday.	Jena was arrested in the Mashonaland West provincial capital of Chinhoyi while taking pictures of a police checkpoint and charged with disorderly conduct.	2 April 2020
Beatific Ngumbwanda, journalist with <i>TellZim</i> weekly newspaper.	Ngumbwanda, was arrested by the police in Chiredzi who accused him of violating the COVID-19 lockdown regulations as stipulated in terms of Statutory Instrument (SI) 82 of 2020.	8 April 2020
NewsDay journalist Rex Mphisa, and Zimpapers sales	Mphisa and Marerwa were arrested in Dulivhadzimu, in Zimbabwe's southern border	15 May 2020

representative, Charles Marerwa.	town of Beitbridge and charged with contravening COVID-19 regulations.	
Journalists Frank Chikowore and Samuel Takawira	Chikowore and Takawira were arrested at Parktown Clinic in Harare's Waterfalls suburb on 22 May 2020, where three female opposition MDC Alliance officials, that include Member of Parliament for Harare West Joanna Mamombe, were being treated following their alleged abduction and torture after staging a demonstration in Warren Park, Harare.	22 May 2020
Freelance journalist Godfrey Mtimba	Mtimba who is based in Zimbabwe's southern town of Masvingo was charged with undermining the authority of or insulting the President in terms of Section 33 (2) (a) of the Criminal Law (Codification and Reform) Act.	29 June 2020
Freelance journalist Hopewell Chin'ono	Police raided Chin'ono's home and arrested him and subsequently charged him with incitement to participate in a gathering with intent to promote public violence, breaches of peace or bigotry or alternatively incitement to commit public violence.	20 July 2020
Franklin Sibindi, a journalist with the Centre for Innovation and Technology (CITE ZW)	Franklin Sibindi, a journalist with the Centre for Innovation and Technology (CITE ZW) was detained by the police in Bulawayo for allegedly using an expired accreditation card.	31 July 2020
Journalist Gilbert Munetsi	Munetsi spent the night in police cells after he was arrested by police in Chitungwiza outside Harare around 8 pm for allegedly violating the 6 am – 6 pm curfew imposed in terms of the COVID-19 regulations.	7 August 2020

Takunda Mandura(OpenParly), Munashe Chokodza, (263Chat) and Blessing Chidhakwa (Herald)	They were arrested while covering a Harare City Council meeting following a swoop on the meeting by the Special Anti-Corruption Unit (SACU) in Harare and later released without charges.	29 October 2020
Journalists Tafadzwa Nyikadzino and Robert Bhamu.	Arrested for taking pictures at the Mbuya Nehanda statue construction site.	1 November 2020
Journalist Hopewell Chin'ono	Arrested and later charged with defeating or obstructing the course of justice.	3 November 2020
Elizabeth Mashiri (Masvingo Mirror), Patrick Chitumba (The Chronicle)	Detained by soldiers from the Airforce of Zimbabwe in Gweru for about four hours after they were found taking pictures at an accident site where an Airforce aeroplane had reportedly crashed.	24 November 2020
Freelance journalist Panashe Makufa	Makufa was arrested in Harare's central business district while taking pictures of commuter transport problems.	26 November 2020
Freelance journalist Dumisani Zvandasara	Arrested in Kwekwe for using an expired 2019 Zimbabwe Media Commission-issued press card.	26 November 2020
Freelance journalist Philemon Jambaya, Audrey Galawu (ZimMorning Post) Albert Masaka,(Zimbomedia) and three journalism students.	They were arrested in Harare's dormitory town of Chitungwiza following a dragnet swoop by the police on a full council meeting of Chitungwiza Municipality.	3 December 2020

Banned/Censored/Barred		
Victim /Concerned Party	Issue	Date
Alois Vinga, journalist with New Zimbabwe.com.	Vinga was forced to vacate the central business district in Harare by police officers despite	10 April 2020

	journalists being declared an essential service in terms of the COVID-19 lockdown measures.	
Freelance photojournalist James Jemwa.	Jemwa was forced by two soldiers to delete footage he had taken after interviewing some residents in Harare's suburb of Mufakose. The soldiers also reportedly threatened to beat him up if he continued with his interviews and filming.	13 April 2020

Harassed		
Victim /Concerned Party	Issue	Date
Robert Tapfumaneyi, journalist with Zimbabwe-based <i>Sly Media Productions</i> .	Tapfumaneyi was harassed by opposition MDC Alliance security details while covering the opposition party's meeting in Harare's high-density suburb of Mbare.	21 January 2020
Freelance journalist Nyasha Majoni.	Majoni was reportedly manhandled by police in the Midlands town of Kwekwe, who accused him of sending pictures and video clips of police arresting illegal money changers.	27 January 2020
Simbarashe Sithole, journalist with NewsDay.	Sithole was reportedly arraigned before ruling Zanu PF politicians by the party's provincial chairperson at a meeting in Mvurwi, Mashonaland Central province, to explain a story about an alleged rift between MPs and war veterans in the province.	6 March 2020
Mary Taruvinga, journalist with <i>NewZimbabwe.com</i> ,	Taruvinga, was harassed by members of the army and police officers while on her way to work in Harare's central business district.	10 April 2020
ZimLive editor Mduduzi	Police officers on 30 July 2020 raided and	30 July 2020

Mathuthu	ransacked Mathuthu's home in Zimbabwe's second city of Bulawayo reportedly looking for information on subversive materials linked to the then planned for 31 July 2020 protests.	
NewsDay correspondent Kenneth Nyangani	Nyangani was reportedly manhandled at the Zanu PF provincial headquarters in the eastern border town of Mutare while covering demonstrations by some disgruntled party supporters.	8 December 2020

Injured		
Victim /Concerned Party	Issue	Date
Munashe Chokodza and Leopold Munhende 263Chat and <i>NewZimbabwe.com</i> journalists, respectively.	Chokodza and Munhende who were returning home from work, sustained injuries after they were reportedly assaulted with military whips by soldiers who were dispersing people at the Warren Park shopping centre in Harare, despite producing their journalism accreditation cards.	24 June 2020
Journalism student, Tawanda Muchehiwa	Sustained serious life threatening injuries after being reportedly abducted and tortured by suspected state security agents following the raid and ransacking of his uncle, ZimLive editor Mduzuzi Mathuthu' home in Zimbabwe's second city of Bulawayo.	30 July 2020
Journalists James Jemwa and Rumbidzai Chizarura	Sustained injuries after being assaulted by unidentified men who violently disrupted a press conference by Zimbabwe National Students Union (ZINASU) president, Takudzwa	18 September 2020

	Ngadziore, next to the Impala Car Rentals offices in Harare.	
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Threatened		
Victim /Concerned Party	Issue	Date
Journalist Hopewell Chin'ono.	Chin'onosaid he feared for his life following a ruling Zanu PF press conference, during which he was named as attacking the integrity of the First Family by exposing its alleged corruption.	4 June 2020
TellZim journalist UpenyuChaota	A police officer reportedly threatened to shoot Chaota in Zimbabwe's southern border town of Masvingo.	21 July 2020
Chipinge Times editor Ellen Mlambo	The Masvingo Mirror in Zimbabwe's southern town of Masvingo said it was "gravely concerned" with threats that its Chipinge Times editor Ellen Mlambo has been receiving over "land grab" stories she is covering.	28 September 2020

End

