



18 August 2009

THE MINISTER OF MEDIA INFORMATION AND PUBLICITY

Honorable Webster Shamu.

Munhumutapa Building

Samora Macheal Avenue

Harare,

Dear Sir

RE: ENQUIRY ON THE STATE OF THE MEDIA REFORM CONFERENCE HELD IN KARIBA FROM 7-9 MAY 2009 RESOLUTIONS AND ANY POLICY FOLLOW UP INITIATIVES.

1. The Media Institute of Southern Africa Zimbabwe Chapter (MISA Zimbabwe), by copy of this letter hereby makes a formal enquiry pertaining to the above referenced matter. It is now four months since the Government of Zimbabwe through your respected ministry convened a media stakeholders conference in the resort town of Kariba.

1.1 While MISA Zimbabwe, together with members of the Media Alliance of Zimbabwe did not attend the conference in question, we did however make written submissions to your good offices. These submissions were made collectively under the banner of the Media Alliance of Zimbabwe in the week after the stakeholders conference.

1.2 The Ministry of Media, Information and Publicity, through the office of the deputy minister of the same sent out an electronic mail (email) letter with a document titled 'Zimbabwe Media Stakeholders Conference Minutes' on Friday 10 July 2009 to a number of media stakeholders including MISA Zimbabwe. The email in question indicated that the recipients could utilize the attached minutes for 'our record and use'. It is this particular phrase from the ministry that enables us to humbly write this letter of enquiry to your good office.

1.3 In the document that was attached to the email, Section 18, 5 is titled, 'Media Regulation, Access to Information and Protection of Privacy Recommendations' and we quote in full from it below for the purposes of validating our enquiry

**18.5 MEDIA REGULATION, ACCESS TO INFORMATION & PRIVACY
RECOMMENDATIONS**

- v** *The Zimbabwe Media Commission must be constituted as soon as possible, however the ZMC or any similar body controlling the media must not form part of any new constitution.*
- v** *Aippa should be repealed and replaced by two Acts:*
 - Ø** *Freedom of Information Act (to regulate access to information & privacy issues)*
 - Ø** *Media Practitioners Act (to outline procedures for registration of journalists etc which should be as simple and informal as possible, and provide for issues of discipline which must be handled by self regulating bodies)*
- v** *Access to the media industry in broadcasting should be allowed to foreign investors to the extent of 49% maximum, and no discretion should be allowed to the Minister to vary this percentage as in the Broadcasting Services Act.*
- v** *There must be no foreign investment in community broadcasters. Only foreign donations which must be vetted to ensure that such donations do not amount to control of the broadcaster.*
- v** *The offence of criminal defamation should be repealed because civil defamation suffices*

- v** *The Broadcasting Authority Board members must ALL be nominated by the Parliament Standing Rules & orders Committee*

- v** *The National Broadcaster must become a statutory body again instead of being incorporated as a private company controlled by the Ministry. The Board of the National Broadcaster must be nominated by the Standing Rules & Orders Committee of Parliament*

- v** *To reinstate the Zimbabwe Mass Media Trust to manage Zimpapers and Ziana*

- v** *There should be no cross management of Media Houses e.g. the CEO of ZBC should not be the Board Chairman for ZBC and the Herald Editor should not be the Chairman of the Broadcasting Authority*

- v** *The Ministry should assist in the creation of a National Employment Council for Journalists*

- v** *Other laws impacting on the media must be amended*

- v** *In order to increase access to information, the government should fund the expansion of the broadcasting transmission network.*

1.5 While MISA Zimbabwe does not agree with some sections of the recommendations cited above as well as in other parts of the document sent to us, we have quoted from these minutes that your good office sent out to media stakeholders for the purpose of seeking further re-engagement on the entirety of the recommendations of the conference. This is because even though the recommendations may represent the views of the two and a half day conference, to consider them final may not be prudent as we have not yet received any formal feedback on our written submissions to your good office.

1.6 MISA Zimbabwe is of the well considered view that as a follow up to the Kariba Media Stakeholders Conference, and given the lack of acknowledgement of the written input of those

that were unable to attend it, there should be a mechanism through which your good office can facilitate further debate on various issues about democratic media reform in the country before considering these resolutions final.

1.7 The request for a mechanism to dialogue further on the proposed recommendations is made in the spirit and letter of the principle of a consultative follow up on the recommendations before they are considered to be final. It is *best practice*, the world over and especially in democratic societies, that where a policy reform conference has occurred, the final report and recommendation of such said conference, be considered by the relevant stakeholders. This is in order to maintain the spirit of inclusiveness and participatory decision making in as pragmatic a manner possible.

1.8 In conclusion, this letter is written with full cognisance of the fact that haphazard media reform is inimical to the advancement of freedom of expression, access to information as well as press freedom. We are aware that at the time of the writing of this letter, there are already a number of developments around the Zimbabwe Media Commission and the Broadcasting Authority of Zimbabwe. It would be most helpful if there was a review process of establishing how the Kariba conference recommendations and the current legislative reforms that are taking place are complimentary or contradictory.

Yours sincerely,

Loughy Dube

National Chairperson, MISA Zimbabwe

cc:

Hon J. Z Timba, Deputy Minister, Media, Information and Publicity

Honorable Gift Chimankire (Chairperson, Parliamentary Portfolio Committee)

Mr George Charamba, the Permanent Secretary for Media, Information and Publicity



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