



Defending free expression and your right to know

**The Media Monitoring Project Zimbabwe
Monday July 5th - Sunday July 11th 2010
Weekly Media Review 2010-26**

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COMMENT

No hope for media reforms

PRESIDENT Mugabe's omission of a proposed Freedom of Information Bill from the legislative agenda of the Third Session of the Seventh Parliament of Zimbabwe confirmed fears among Zimbabweans that government is not committed to the genuine reform of Zimbabwe's offensive media and information laws.

And instead of scrapping the notorious Access to Information and Protection of Privacy Act altogether, Mugabe gave notice at the opening of the third session of Parliament that only some sections of AIPPA dealing with the registration of journalists will be repealed - and replaced by a Media Practitioners Bill.

This clearly illustrates that under Mugabe's control government has no intention of repealing the restrictive sections of AIPPA governing the public's right to access information held by government. And the proposed Media Practitioners' Bill simply adopts much of the excessively bureaucratic and restrictive measures contained in AIPPA, thus retaining government's statutory control over media activity in Zimbabwe.

This does not constitute media reform by any stretch of the imagination; it is merely a cosmetic manipulation of legislation to give the appearance of reform.

It also represents a slap in the face for Prime Minister Morgan Tsvangirai, who, as head of government, had announced an ambitious work plan that included the total repeal of AIPPA and its replacement with a Freedom of Information Bill that went some way towards restoring the peoples' rights to freely access information held by public bodies. Although Tsvangirai also announced government's plans to introduce a Media Practitioners' Bill, Zimbabwe's media community had hoped that its more Draconian provisions would be removed on its introduction to Parliament.

In what appeared to be a “correction” to its initial story reporting that the Bill would **“do away with the need for registration of journalists and clarify privacy issues in AIPPA”**, *The Herald* (15/7) reported that **“the Bill is expected to change registration procedures, rather than repeal them...”** But it disguised this news under a headline that read ‘Media Reforms on the Cards’ and stated that the measures were in line with the Global Political Agreement.

However, *The Financial Gazette* (15/7) reported that Mugabe’s announcement was viewed as an indication of **“resistance to reforms”** by some elements in government, while *Newsday* (15/7) quoted the Media Institute of Southern Africa (MISA) warning that it **“betrays the authorities’ desire to maintain controls and restrictions”** on the media.

While the MDC might be expected to use its parliamentary majority to challenge the content of these proposed laws, there is little doubt they will get bogged down in a parliamentary stalemate that will leave AIPPA in its present form as an effective weapon for the authorities to maintain their control over all media activity in the country.

THE TOP STORIES

REPORTS disclosing countless problems bedeviling the Constitutional Parliamentary Committee’s outreach consultation programme, which was adjourned this week to allow for the official opening of the Third Session of the Seventh Parliament by President Mugabe, made headlines in both the government and private media.

While all the media publicized the logistical and administrative obstacles affecting the exercise, the government-controlled media either censored or quoted COPAC and ZANU PF dismissing reports of intimidation and violence. The private media reported the threats and violence and quoted civic organizations and commentators saying the problem severely undermined Zimbabweans’ ability to express themselves freely.

The media also paid attention to the debate over whether Zimbabwe should be allowed to sell its controversial Chiadzwa diamonds, which escalated ahead of another meeting of the Kimberley Process Certification Scheme in Russia.

Fig 1: Top stories in the media

Media	Constitutional reforms	Chiadzwa diamonds	Mliswa saga	Humanitarian issues	Human rights
Public media	60	13	5	49	2
Private media	65	16	13	16	22
Total	125	29	18	65	24

COPAC confusion over independent monitors

ALTHOUGH all the media publicized administrative problems affecting the Constitutional Parliamentary Committee's consultative outreach programme, none of them clarified COPAC's position on the role of Zimbabwean civic organizations in the process.

They reported COPAC leaders denying media reports in which they were quoted banning civic organizations from monitoring the outreach programme and threatening them with arrest if they defied the ban (*ZimOnline* & *The Herald*, 7 & 10/7) despite the fact that COPAC's leaders had widely been quoted explicitly saying so (*The Sunday Mail*, 4/6).

ZimOnline quoted COPAC co-chairman Paul Mangwana claiming they had been "**misquoted**" while addressing representatives from the Zimbabwe Lawyers for Human Rights (ZLHR), Zimbabwe Peace Project (ZPP) and Zimbabwe Election Support Network (ZESN), adding that COPAC wanted civic organizations "**to play a role**" in the process.

The Herald's report (10/7) was more confusing. It reported the civic groups as having agreed to COPAC's proposal to operate under a "**code of conduct**" without seeking comment from the groups themselves. Instead, it quoted Mangwana saying COPAC had resolved to allow the NGOs to "**observe**" but not to "**monitor**" the process after having realized that most of them represented "**several interests, which we felt were necessary, like gender and the disabled**". *The Herald* made no attempt to explain the difference between 'monitor' and 'observer' and passively quoted Mangwana "advising" NGOs to report incidents of violence to COPAC and "**not rush to the international media**".

The government media also failed to question COPAC's sincerity in view of subsequent reports about the arrest of civil society monitors, including five in Chirumhanzu barely 48 hours after COPAC had assured civil society groups that they were free to monitor the process (*Studio 7* & *ZimOnline*, 9 & 10/7). This incident was among 13 human rights violations connected with outreach activities reported in the private media.

Instead of investigating the truth of reports that ZANU PF supporters and state security agents were coercing citizens to support ZANU PF's views on the new constitution, the state-run media simply quoted ZANU PF spokesman Rugare Gumbo dismissing the reports as part of a Western plot to discredit the exercise (*The Herald*, 8/7 & ZBC, 9/7, 1pm).

Although all the media publicized some of the constitutional "talking points" discussed at the public meetings, such as the death penalty, devolution of power, gender, presidential powers and terms of office, the government media did not investigate allegations that some participants, mostly living in rural areas, appeared to have been "coached" on what to say.

The private media identified ZANU PF as the major culprit.

The Zimbabwean On Sunday (11/7) cited as proof, contributions by about 200 villagers, mostly resettled farmers, during an outreach meeting in Marondera, which resonated with ZANU PF's policies.

Chiadzwa keeps the media busy

DEBATE over whether Zimbabwe should sell its controversial Chiadzwa diamonds intensified in all the media ahead of another Kimberley Process Certification Scheme (KPCS) meeting in Russia.

The government media focused their coverage on defiant statements by the ZANU PF arm of government declaring that government was prepared to sell the diamonds with or without the KP's approval and appeals by Finance Minister Tendai Biti, the EU, KP monitor Abbey Chikane and African Consolidated Resources (ACR) for the KP to allow Zimbabwe to auction the diamonds for the benefit of Zimbabweans.

However, none of the media viewed the proposed sale as a violation of a Supreme Court ruling on January 25th ordering that all the diamonds that had been confiscated from ACR when government evicted it from Chiadzwa in 2006, and all those excavated since, be deposited at the Reserve Bank for safekeeping until the ownership dispute between government and ACR was resolved (*ZimDaily*, 26/1). Most of the private media and ACR lawyer Jonathan Samkange widely interpreted the ruling as having barred government from selling Chiadzwa's diamonds until the courts delivered a final ruling on the case (*ZimDaily*, 26/1).

However, the private media did quote analysts and some sections of the international community highlighting the negative repercussions of government's plans to sell the diamonds without the KP's approval.

One commentator, Gabriel Shumba, told *The Zimbabwe Independent* (9/7) that if Zimbabwe went ahead it would **“augment the perception that the country has no respect for international law and institutions, even those that it goes into voluntarily”**. Others, such as Eric Bloch and economist John Robertson argued the move to sell diamonds outside the KP would not benefit Zimbabwe's economy as they would be sold far below market prices, and would strain relations with key international partners.

Who's on top at the newsstand?

STATE-controlled newspapers have no monopoly on self-serving propaganda when it comes to circulation and readership claims.

The government-controlled *Herald* and the private weekly, *Financial Gazette*, claimed to be the most popular papers in terms of readership, following the publication of the latest results of the Zimbabwe All Media Products Survey (ZAMPS) for the second quarter of the year.

Earlier, the new independent daily, *NewsDay*, also boasted of having achieved 85 percent sales of its print run on June 23, a development the paper claimed was proof that *NewsDay* was **“fast becoming a paper of choice for many readers and advertisers”** (*Newsday*, 25/7).

But of course, none of the papers provided sales figures to back up their claims, leaving Zimbabweans scratching their heads as to which papers were really the most widely bought or read.

The Herald (7/7) claimed to have **“maintained its dominance as Zimbabwe’s leading daily newspaper”** with a readership share of 41 percent in urban areas, while its sister publication, *The Sunday Mail*, **“continues to be the weekly of choice”**. This was reported under the headline: *The Herald rules the roost*, but didn’t explain who its competition was.

The Herald failed to explain what “readership share” meant, in practical terms. Of course, it did not disclose its actual sales figures, which would give readers a clear idea of how widely it is read.

The Financial Gazette (8/7) claimed to be the most popular business weekly on the strength of the ZAMPS survey. Apart from claiming to be the **“most authoritative business weekly”**, it boasted of having **“reclaimed”** its leadership position among the business weeklies, while its rival, the *Zimbabwe Independent* allegedly **“suffered a massive battering”**. But still no sales figures. *NewsDay*’s articles trumpeting its arrival on the market usually mentioned the share of print run that the paper sells without answering the more important question of how big that run is. For example, a paper that prints 5,000 copies and sells 4,000 has sales amounting to 80 percent of its print run, the same as one that sells 40,000 and prints 50,000.

Reports on hunger, disease resurface

ALTHOUGH the government media carried isolated reports about food shortages, the private media, *The Zimbabwean* (8/7) in particular, exposed the extent of the problem.

The Zimbabwean quoted the latest report by US-based relief agency Fewsnet estimating that that Zimbabwe was likely to have a national grain deficit of over 400 000 tonnes from the 2009/2010 farming season. Fewsnet indicated that the situation was likely to get worse from September with a significant number of households in southern and western parts of the country requiring food aid. Most of the government media’s 24 reports on food security were on the decline in winter wheat production, owing to shortages of inputs.

The remaining 25 on humanitarian issues were mostly on problems affecting the country’s health service delivery system, including disease outbreaks such as cholera in Marange (*The Manica Post*, 9/7), increase in maternal deaths and shortages of anti-retroviral drugs (*The Sunday Mail*, 11/7).

THE MOST POPULAR VOICES

CONSTITUTIONAL Parliamentary Committee (COPAC) co-chairman Douglas Mwonzora was the most quoted individual in the government-controlled media, an indication of the significance of the ongoing constitutional reform programme.

He was accessed for comment 13 times, followed by President Mugabe (10), ZANU PF spokesman Rugare Gumbo (nine) and another COPAC leader, Paul Mangwana (eight). Mwonzora and Mangwana were quoted defending COPAC's outreach consultation programme, while Mugabe was quoted reiterating that Zimbabwe could sell controversial Chiadzwa diamonds without the KP's approval. Gumbo was heard denying reports of violence during the public consultation exercise.

Mangwana topped the bill in the private media.

He was quoted 11 times, followed by Mwonzora (nine), Mugabe and MDC-T spokesman Nelson Chamisa (four times each). Mangwana and Mwonzora were heard defending the outreach programme and denying the occurrence of violence, while Chamisa was quoted confirming its existence, insisting that MDC-T supporters were major targets. Mugabe was quoted saying Zimbabwe would sell its diamonds regardless of the outcome of the KP's meeting.

Human rights abuses

DESPITE assurances by COPAC that it valued civic organizations' monitoring of its constitutional outreach programme and denials of the prevalence of violence during the exercise, 13 of the 15 incidents the private media recorded in the week were related to the outreach programme.

Among them were:

- The abduction of an MDC-T supporter Zvikomborero Mbiri by suspected ZANU PF supporters in Mvurwi and a similar attempt on another, Matthew Gonera, in Manicaland (Studio 7, 7 & 9/7).
- Arrest of an unidentified MDC-T member in Mount Darwin for mobilising party supporters to attend constitutional outreach meetings (Studio 7, 8/7).
- Abduction of three MDC-T activists, Themba Masimura, Roderick Shamu and Gibson Masimura, by suspected state security agents in Marondera East (*The Zimbabwean On Tuesday, 6/7*).
- Coercion of villagers in Matabeleland North and Norton by suspected ZANU PF supporters, war veterans and state security agents to support ZANU PF's views on the new constitution (*The Zimbabwean On Tuesday & Studio 7, 6 & 9/7*).

What they said...

“This court could not be part of this blackmail that offends the ends of justice. Even at this late hour, this court is still not sure of when the State will complete investigations when given the benefit of doubt. I am satisfied that the magistrate misdirected himself in a number of ways. I am not persuaded that the appellant is not a proper candidate for bail” – High Court Judge Garainasu Mawadze setting aside the magistrates’ court decision to deny Centre for Research and Development director Farai Maguwu bail (*The Herald*, 13/7).

“Let no one doubt our resolve to sell them (Chiadzwa diamonds), with or without the KPCS, USA, Canada, Australia or their NGO pawns. We do not need the blessings of anyone, least of all nations with chequered origins and equally chequered profiles in spilling so much blood to lay their hands on resources of other nations” – President Mugabe addressing ZANU PF’s central committee (*The Herald*, 10/6).

Ends/

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