ZIMBABWE

A Case of Freedom of Expression and the Media in Rapid Decline

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Section 20 of Zimbabwe Constitution

No person shall be prevented from exercising his/her freedom of expression, which includes the freedom to hold opinions and to receive and/or communicate ideas and information without interference. A person shall also have freedom with his/her correspondence. A law may limit freedom of expression if it is necessary to do so in the interests of defence, public safety, public order, the economic interests of the state, public morality, public health or for the protection of rights, freedoms and reputations of others or for protecting the independence of courts and parliament. A law limiting freedom of expression shall not go beyond what is necessary in a democratic society.

Article 19 of the Universal Declaration of Human Rights:

“Everyone has the right to freedom of opinion and expression; this right includes the right to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”
Introduction
Since 1999, conditions conducive to freedom of expression and freedom of the media as articulated in section 20 of the Zimbabwe Constitution, Article 9 of the African Charter on Human and Peoples’ Rights and Article 19 of the Universal Declaration of Human Rights have progressively deteriorated in Zimbabwe. Three major political processes, namely the constitution-making exercise in 1999 and the subsequent referendum on a draft constitution in early 2000, the parliamentary elections of 2000 and the forthcoming Presidential Election in March 2002 have influenced this deterioration.

All three processes required a high degree of freedom of expression and freedom of the media, precisely because the processes required all Zimbabweans to be able to express themselves freely in and outside the media. A constitution-making process where the public had an input required that the media not only inform audiences by accessing views from all shades and opinions, but also be an open forum for debate and discussion in which all views, ideas, and opinions had a place.

Instead, the space for freedom of expression and freedom of the media has narrowed more than at any time since Zimbabwe’s independence in 1980. The narrowing of the space for free expression both within and outside the media has been a result of legislative action, combined with practices such as harassment, arrests, detentions, expulsions, banning and acts of violence against both the local and international media.

The deterioration in internationally accepted standards of freedom of expression and freedom of the media has occurred at a time when Zimbabwe’s privately owned press has become more robust and has expanded to include the first privately owned daily newspaper, The Daily News.

Political Context
Since 1997, Zimbabwe has been going through difficult political and economic crises that have put freedom of expression and freedom of the media into sharp focus. The political crisis is characterised by violent invasions and expropriation of white-owned farms as part of “fast-track” government land redistribution exercise. The fast track process has raised legal issues and led to a confrontation between the judiciary and government over the rule of law. The confrontation has attracted international attention. The economic crisis has manifested itself in three digit inflation levels, acute shortages of fuel and basic commodities because of lack of foreign currency, and high unemployment levels.
The crises occurred at a time when Zimbabwe embarked on a constitution-making exercise and a new formidable opposition party the Movement for Democratic Change (MDC) emerged to challenge ZANU (PF), which has been in power since independence in 1980. The political and economic crises contributed to discontent in urban areas and protest actions against the ruling party. The situation was clearly a threat to the continued hold on power for the ruling party. Its reaction has been characterised by repression and increasing authoritarian actions.

**Overview of the Media Context**
The media structure in Zimbabwe is characterised by the dominance of state-linked and controlled media in both the broadcasting and print sectors. In broadcasting, the Zimbabwe Broadcasting Corporation, which is nominally a public broadcaster, is the sole broadcaster and had until 2000 a legislated monopoly. Despite the end of the monopoly, no new radio or television stations have been licensed.

In practice, the monopoly remains in place. The state controlled media publishes two daily newspapers, two Sunday papers, one weekly and the country’s only indigenous language paper. There are at present (i.e. in 2002) five privately owned newspapers that are free from editorial control by the government. Three are weeklies, one Sunday paper and one daily. The privately owned newspapers’ distribution network is concentrated largely in the urban areas while the network of the state-linked papers extends into some rural areas. The majority of Zimbabweans who live in the rural areas receive their information from radio that is state-controlled.

The ruling party’s information chiefs have since independence been in charge of the public media and drive information and media policy. They also double up as regulators of the media sector. Even though under a new broadcasting Act the Broadcasting Authority of Zimbabwe is the regulator, it has not been given the resources to enable it perform its duties, and has yet to commence any of the functions assigned to it, including inviting applications for private broadcasting licences.

State media and information policy is characterised by control and restriction rather than the creation of an enabling environment for a media system that is editorially free.
The privately owned print media has especially over the last three years, borne the brunt of government hostility in the form of vitriolic attacks, harassment, the bombing of offices and a printing press, arrests and detentions, often for brief periods.

Over a year later, those who bombed the printing press of The Daily News have not yet been apprehended. The bombing of the press occurred in atmosphere of strong verbal attacks on The Daily News by the Minister of State (Information and Publicity) which some argue created an environment which could encourage such attacks.

Government often labels the private press as British or foreign sponsored. These attacks are also aimed at casting doubt on the credibility of the private press in the eyes of the readers. The success or otherwise of these attacks is difficult to judge but certainly create an environment where overzealous supporters of the ruling party can attack the private press without being directed to do so. As a matter of fact the private press has suffered spates of seizures and destruction of newspapers from vendors in major urban centres as well as purported ‘banning’ from circulation by what appears to be militants linked to the ruling party.

International correspondents have since 2001, increasingly been barred from Zimbabwe. Actual expulsions of foreign correspondents include that of the correspondent of a South African weekly paper the Mail and Guardian, Mercedes Sayagues, and BBC correspondent, Joseph Winter. Accreditation has been denied without explanation and the BBC was banned outright.

Since 2000, media and security legislation has been passed that has far reaching implications for freedom and free flow of information, editorial and journalistic independence. A common characteristic of this legislation is that it seeks to regulate the media through additional controls exercised by the Minister of Information and the President rather than independent regulatory bodies.

The legislation consists of two Acts and one Bill, the Broadcasting Services Act of 2001, the Public Order and Security Act 2002 and the Access to Information and Protection of Privacy Bill 2002, which has yet to be signed into law by the President.

It is important to note that the political and legal context of the media has never been favourable to media freedom and free expression. Media analysts and activists have pointed out that Zimbabwe’s Constitution does not adequately guarantee freedom of
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expression, particularly freedom of the media. Any protection it offered is negated by a plethora of pre-colonial legislation that was never repealed although it clearly went contrary to Section 20 of the independence constitution.

The legislation ranges from the official secrets, criminal defamation, stringent defamation and sedition laws that tend to protect reputations of public figures at the expense of accountability. There are security laws that prevent the media from carrying out robust investigative journalism. There is even a Parliamentary Privileges and Immunities Act that prevents journalists from reporting the activities of the people’s representatives and permits parliament to sit as a court to try to pass sentence, including custodial sentences, on journalists.

The mere existence of such laws without their being used can be considered an anachronism that has no effect. Unfortunately, over the years, beginning in the late 1980s, into the 1990s and over the last three years, these laws have been used to arrest, charge and try some journalists and editors. Also over the last three years, the frequency with which they have been used has increased.

In particular, journalists in privately owned media have been arrested purportedly as having violated these laws, although none so far has been brought to trial and convicted before a court of law. The indirect effects of arrests on journalists can result in self-censorship. Self-censorship can be more pernicious than direct forms of censorship because it is self-imposed and could therefore go further than the authorities would.

Harassment of the media, editors and journalists
The escalation of the harassment of the media, including arrests of journalists and editors and expulsion of foreign correspondents can be traced back to 1998 when Mark Chavunduka and Raymond Choto, editor and senior reporter respectively, of The Standard were arrested, detained and severely tortured by the security forces over a story about an attempted coup. The repression of the media and attacks on the media picked up again in 1999 when the government attempted to craft a new constitution which was defeated in a referendum in February 2000.

The constitution-making exercise started on a bitter note when there was major disagreement between the government and the National Constitutional Assembly (NCA) over the composition of the constitutional commission. The NCA a coalition of civic organisations had been for sometime campaigning for a new constitution to
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replace the Lancaster House crafted one that granted Zimbabwe independence in 1980. In the event the government went ahead with a commission made up of all the 150 members of parliament, 149 of whom then were ZANU (PF) members and individual Zimbabweans from a cross section of society, but chosen by the president. The upshot of the dispute was that a range of civic groups including labour, human rights groups and media activists boycotted the commission and decided to mobilise against participation by the public in the commission’s activities. It appears that the NCA was not successful in this respect and that the public willingly gave their views to the commission.

The role of the media came into sharp focus during the process of gathering views from the public as input towards the drafting of a new constitution that was to be presented to the public during a referendum. A key feature of the current media context, which has immense implications for freedom of expression and freedom of the media developed during this period. The state-controlled Zimbabwe Broadcasting Corporation and print media increasingly acted as the voice of the Commission and indirectly as a voice of the ruling party which dominated the commission.

On the other hand, the privately owned media became a voice for the critics from civil society, in particular the NCA. During the early days of the commission, it was possible for members of the commission and the public to write opinion pieces on particular constitutional issues across the spectrum of the print media in Zimbabwe. However, as the bitterness continued, a clear rift between the Commission and the private press developed which lead to an increasingly harsh verbal exchange and the labelling of each other negatively.

The seeds of an atmosphere that was not conducive to a positive yet robust exchange of a range of ideas, opinions and views were laid. It is true though to say that some degree of exchange of ideas on the issues by people in the commission remained until the referendum.

According to the Media Monitoring Project of Zimbabwe, the state-controlled media did not play an impartial role, during the referendum campaign, to educate the public on the issues in the draft constitution. The tendency was for the state-controlled media to campaign for the acceptance of the draft constitution, which according to the opponents of the Commission, had not accommodated the views expressed by the public. A public who wanted a constitution which limited the powers of the President and political office
holders, and protected fundamental human freedoms including freedom of expression, the media, freedom of association and assembly.

The tendency of the private media in what was clearly becoming a polarised media environment, was to give a voice to critics of the draft constitution and to those who were campaigning for its rejection.

Firstly, the development of this polarised media environment must be seen as part of the contraction of the space for free expression in Zimbabwe, regardless of who is to blame. Secondly, in a polarised media environment, there is a decline in the credibility of the media in the eyes of the public and this undermines its institutional role to inform, analyse and provide a forum for public debate and discussion. Thirdly, it creates a situation conducive, if care is not taken, for practices that do not meet the high standards of professionalism expected of journalists.

For journalists in the state linked media, propaganda in the service and defence of power becomes the norm. For journalists in the private press, there develops a tendency to exaggerate and sensationalise issues in the absence of access to official comment and therefore to speculate and report rumour as truth. Such tendencies within the media in Zimbabwe have manifested themselves in the last three years.

It is not surprising therefore that the genre of stories that are a denial of a story published in the other paper have become common. In the polarised environment, the government increasingly made scathing attacks on the privately owned media, labelling it the opposition press while the political opposition and civil society labelled the public media the official press and government or ruling party mouth pieces.

The government’s draft constitution was rejected in the referendum in February 2000. The period marked progressive closure to the public press for the opposition and civil society and increasing hostility by the government and ruling party towards civic organisations.

The aftermath of the defeat of the government’s draft constitution saw the ongoing land invasions or ‘demonstrations’ as the government calls them. This was also the period leading to the June 2000 parliamentary elections, in which for the first time since independence, the ruling party faced strong opposition from the Movement for Democratic Change (MDC). The MDC was formed by trade unions and allied groups in
civil society, including human rights and student movements, liberal lawyers and academics.

The role of the media naturally came into sharp focus because it had a key role to play in the elections by informing the electorate on the candidates and political parties as well as analysing their policies and providing a forum for parties and candidates to articulate their views.

**Legislative Action**

One of the greatest ironies of Zimbabwe in the last three years in relation to the question of creating an environment conducive to freedom of expression and of the media has been that after nearly 20 years of independence, there has been movement towards legislation specific to the media that creates an enabling environment. Closer examination reveals that laws regulating media have been designed to further increase control by the authorities.

Control by the authorities and the lack of clearly defined media policy characterises both the Broadcasting Services Act of 2001 and the Access to Information and Protection of Privacy Bill of 2002. The Public Order and Security Act clearly imposes editorial control on the media and limits freedom of expression and assembly in ways that are inconsistent with democratic norms, and violates international norms and standards. The repressive legislation was not passed through normal parliamentary procedures.

**Broadcasting Services Act of 2001**

The Broadcasting Services Act can be said to have come into being as a way of reintroducing and perpetuating the monopoly of the state-controlled ZBC which had been struck down by the Supreme Court as a violation of Section 20 of the Constitution which protects freedom of expression in Zimbabwe.

The Act is basically the temporary measures that were put in place to shut down Capital Radio, which had started broadcasting when the monopoly was struck down and the government ordered to formulate licensing regulations. After the station was forcibly closed, the government passed regulations under the Presidential Temporary Measures Act to regulate broadcasting while policy and regulations were being formulated. After normal parliamentary procedures had been suspended, the temporary measures with minor amendments became what is currently the Broadcasting Services Act 2001.
While the Act creates the Broadcasting Authority of Zimbabwe (BAZ) as an independent regulator, it does not give the BAZ full powers to license, monitor and regulate the broadcasting sector. The BAZ does not have the power to lay out rules for free media coverage during elections and instead during the current Presidential election campaign in 2002, the ZBC has laid out its own rules. According to the Media Monitoring Project in Zimbabwe the ZBC has gone on to disregard its own rules by reporting positively and in a partisan manner on ZANU(PF)’s Presidential campaign and always negatively on the MDC campaign.

Final authority on critical issues such as the awarding, cancellation and variation of licence conditions and the appointment and termination of board appointments lies with the Minister of Information and Publicity in the President’s Office.

Breaches of the Broadcasting Act carry hefty fines, imprisonment and forfeiture of equipment to the government. These measures are draconian and not justifiable in a democratic society. In addition, the duration of licences, which is two years for national broadcasters and one year for community stations, is too short and would deter investment in the media. Finally, the total prohibition of foreign ownership goes beyond the internationally accepted standard and would have the undesirable effect of preventing much needed access to capital, technology, management expertise and skills for the broadcasting sector.

The regulatory powers given to the Minister and the President over media, and which potentially can be abused for political purposes are overwhelming. This creates a situation where those who make policy also exercise regulatory functions. Since the public media fall under the Minister’s office it also means that those who exercise the powers of ownership over public media are the same people who make policy and regulate the sector.

This combination is clearly unhealthy and is inconsistent with democratic norms that promote separation of roles and independent regulation as a way of levelling the playing field and protecting institutions from those who might abuse power. Separation of policy making from regulation and operation is particularly important in the media sector.
This Act is particularly harmful in that it regulates content and therefore encroaches into the area of editorial independence. Control and regulation of content means that private, community and public service broadcasters would find themselves under government control in complete contravention of norms of editorial and journalistic freedoms. Among such controls are restrictions on political content in community radio stations and content relating to elections during an election campaign.

Finally, BAZ lacks operational and financial independence and therefore lacks capacity as well as the credibility that a regulator should enjoy. Therefore, the Department of Information and Publicity effectively remains the regulator.

Controversially the Act also creates a levy on all broadcasters to be used to fund the development of the broadcasting sector. While the creation of a fund to develop the sector and fund local content programming is commendable, compulsory levies raised by a regulator that does not enjoy independence raise questions about government interference in private media operations. Such actions can undermine the independence of the stations.

As Zimbabweans go into one of the most important elections in the country’s post independence era, they have no access to local private or community owned broadcasting stations nor a genuine public broadcaster and therefore effectively no access to alternative sources of information. The situation is worsened by the fact that radio remains the most effective means of communication.

**Public Order and Security Act 2002**

The Public Order and Security Act (2002), originally shelved in 1996 was resuscitated in the aftermath of a global context where anti-terrorism acts were being passed around the world following the September 11 terrorist attacks in United States of America. A feature of these acts, but not all, is that they tend to abrogate rights that people suspected of criminal activity relating to state security would normally enjoy. Many observers have noted that this opened the door for repressive regimes and authoritarian governments to oppress the people.

The POSA’s criminalisation of content or speech that is critical of the President elevates him to a politician beyond criticism and scrutiny, which is very unusual in democratic dispensations and is clearly a severe limitation to free speech by the media, political opponents and the public. Such limitation renders a president running for re-
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election as a candidate beyond critique and analysis by his opponents, which negates the purpose of election campaigning.

The POSA requires that non-professional organisations, excluding churches, apply for permission for marches, demonstrations, gatherings and rallies. This limitation is tantamount to suspension of civil and political liberties, in particular the freedoms of association and assembly. In fact, since its passing the POSA has been used to great effect to curtail and deny Zimbabweans freedom of assembly and freedom of association.

Marches to protest against the Access to Information and Privacy Bill were disallowed by the police and when journalists defied the ban, the march was broken up by riot police. The chief organiser of the march, former Financial Gazette Special Projects Editor and foreign correspondent for the Independent Newspaper, Basildon Peta was harassed by the police to the extent that the furore surrounding his interrogation led to controversies in the local and international media over how long he was in police custody.

The result was that Peta had to flee Zimbabwe mid-February 2002 to South Africa fearing for his life. The POSA has certainly created a climate where journalists can no longer practise freely.

According to media reports in Zimbabwe, the POSA has also been used to deny up to 60 rallies and campaign meetings of the main opposition party the Movement for Democratic Change. No gatherings of the ruling ZANU (PF) party appear to have been denied. The denial of permission to hold campaign meetings clearly disadvantages the MDC from campaigning and creates a situation in which the elections cannot be free and fair.

It must be noted that the general atmosphere of electoral violence appears to be mostly directed at the MDC and its supporters. Violent acts range from beatings, disruption of rallies and meetings, killings, stoning of offices and ambushing of MDC campaign convoys. Ironically, this violence has not receded despite the passing of the POSA. It is also not only the MDC that has faced the draconian restrictions of the POSA, the National Constitutional Assembly has also been denied permission for its marches, and an attempt to defy the ban resulted in arrests and detention, including that of an MP.
The only conclusion that can be reached is that the POSA is an instrument not for public order and security but for selective repression of critics and opponents, in particular the political opposition during an election campaign. Such action justifies to be called a violation of freedom of expression of the highest order.

Access to Information and Privacy Bill
The Access to Information and Protection of Privacy Bill (2000) in its original form as presented to parliament in December 2001 deserved the term draconian. In short, the bill’s underlying effect is to restrict rather than allow access to information.

Instead of following the accepted practice of creating mechanisms to allow the public to access information they might need to know in order to exercise and defend their rights, it aggravates the lack of disclosure by public officials, including members of the Executive. Further, the bill protects such public officials from being sued in the courts over failure to disclose information.

Instead of contributing to free expression, the bill will further restrict free speech. In its original form the bill would also have banned foreign ownership of the media, introduced registration of media houses and journalists at the discretion of the Minister advised by a Media and Information Commission appointed by the same Minister and disallowed foreign correspondents from reporting from Zimbabwe. Only Zimbabwean citizens could report for foreign media.

Finally, the Media and Information Commission would have the power to try and punish journalists for breaches of journalistic ethics and professional norms, including the publishing of false news and reproducing stories from other media. The Media and Information Commission would effectively be a statutory media council with powers to impose fines and custodial sentences or both.

The Bill was met with massive opposition from local journalists, international media houses, media watchdog organizations, human rights organisations, activists, academics, lawyers and free speech organisations around the world. According to media reports from Zimbabwe, the Bill received even internal opposition from within ZANU (PF).

A three-man Parliamentary Legal Committee headed by a ZANU (PF) Member of Parliament and with a ZANU (PF) majority, stalled the passage of the bill for sometime...
after condemning substantial portions as unconstitutional. Upwards of 39 amendments were then made which changed some of the draconian aspects of the bill.

Some in the media celebrated these changes as a triumph for media freedom and freedom of expression. Among the amendments made was changing the composition of the Media and Information Commission to allow journalists associations to nominate three members, dropping the requirement for media houses to register, allowing foreign ownership of the media as long as Zimbabweans were majority owners and allowing accreditation of foreign journalists for limited periods.

As some media reports have pointed out, an analysis of the Bill as it was passed shows however that many of its features remain and can be used to restrict and control the media. Even with representatives of journalists associations, a state appointed and controlled Media and Information Commission can now be set up to control the media through accreditation, registration and adjudicating complaints against the press.

The amendments made to the bill before its final passage still do not adequately promote access to information to the degree that is the accepted norm in democratic dispensations. The provisions of access to information are still limited and do not allow access to information on public policy-making and Cabinet discussions, thereby creating a barrier to scrutiny of the government by the media. It fails for example to provide for an independent information commissioner who has powers to force public officials to disclose information in the public interest.

The bill therefore fails to create an environment where there is open and accountable governance. The bill also fails to provide for careful and limited measures in which the public can access information held by those private bodies, information that has implications for transparency and the rights of individuals. Taken as a whole the bill restricts rather than promotes access to information necessary for an informed citizenry to participate in political processes and enjoy their rights.

Another major argument against the bill is that it combines a concern for promotion of access to information with the question of what to do with breaches of professional ethics and what the bill calls ‘false news’ or news that can cause ‘alarm and despondency’ and invasion of privacy.
Invasion of privacy is a legitimate concern but regulating through statutory means compromises media freedom. A voluntary media council might not necessarily solve this problem but it is the lesser evil.

Even if the Bill has not yet been signed into law, its elements or objectives are already in place and being practiced by the Department of Information and Publicity through a tightening of the accreditation rules and outright expulsion of foreign journalists and banning of particular media organisations.

In February 2002, there were threats to hunt down foreign journalists who had entered the country as tourists. The threat resulted in some foreign correspondents leaving the country. Journalists from particular European Union countries are also being denied accreditation for the 2002 Presidential elections.

It is true though that sustained pressure on the government can cause division within and result in the government retreating from draconian legislation. Any advocacy actions therefore must focus on those strategies that can influence opposition and protest action not only from outside ZANU (PF) but also from within.

**Recommendations**

Article 19 recommends the following actions in the short and long term which would halt the deterioration in standards of freedom of expression and freedom of the media expected in a democratic society and which are consistent with Section 20 of the Zimbabwean constitution:

1. *The public media must cover all Presidential candidates in an impartial, objective and balanced manner.*

2. *The Access to Information and Protection of Privacy Bill should not be signed into law to allow for further consultations with the broadest possible range of Zimbabweans, including journalists and media houses on a new Bill which separates issues of freedom of information from regulation of breaches of professional ethics by journalists and media houses.*

3. *Provisions in the Public Order and Security Act which violate the freedoms of expression, assembly and association should be suspended while consultations on a new*
bill which, while guaranteeing state security, does not infringe on citizens’ political and civil rights. In particular, provisions of the Act that require to citizens apply to the police to hold marches, demonstrations and meetings should be suspended before the elections and after. The provisions should be varied to require that citizens need only notify the police so they can protect the public and those taking part in gatherings and marches.

4. The government should issue a statement condemning violence against journalists and media houses by anyone and assure all journalists and media houses that they will not be hindered in their work and the distribution of their publications.

5. The government, ruling party and all political parties must desist from making verbal attacks on journalists and media houses that may possibly create a dangerous environment for them.

6. The government must lift the ban on foreign media and on foreign correspondents from reporting in Zimbabwe. Additionally, the current stringent criteria for accreditation and denial of accreditation be scrapped in favour of accreditation for all who require it.

7. The government must initiate a process of a full review of the Broadcasting Services Act of 2001 with a view to formulating a new bill that is consistent with Section 20 of the constitution and creates a policy and legislative environment conducive to the growth and development of a free, pluralistic and diverse broadcasting sector. To facilitate such a process the Act might need to be suspended.

8. The government must allow the public media to enjoy editorial independence and for journalists working in that sector to enjoy professional independence.

9. The government suspends all laws and/or provisions (including the Official Secrets Act, Criminal Defamation, The Parliamentary Privileges and Immunities Act) that impinge on freedom of expression and freedom of the media and engage in a process of wide consultations to create laws and policies which protect, extend and entrench a culture of respect for free speech and editorial independence.
ARTICLE 19 works to promote, protect and fulfil freedom of expression, including access to information and to the means of communication. We do this through advocacy, campaigns, research, litigation and the building of partnerships. We engage global, regional, state institutions and the private sector in critical dialogue and hold them accountable for the implementation of international standards.

The Africa Centre for Free Expression is the African Office of ARTICLE 19 based in Johannesburg, we believe that democracy and social justice are promoted and protected through the full exercise of the right to freedom of expression, including access to information and to the means of communication.

Goals
- Strengthen legal, institutional and policy frameworks for freedom of expression, access to information and access to the means of communication.
- Increase global, regional and national awareness in support for such initiatives.
- Engage with civil society actors to build global, regional and national capacities to monitor and shape the policies of governments, corporate actors, professional groups and multilateral institutions with regard to freedom of expression, access to information and access to the means of communication.
- Promote broader popular participation by all citizens in public affairs and decision making at the global, regional, national and local levels through the promotion of freedom of expression, access to information and access to the means of communication.

Strategic Objectives
- Promote media pluralism and diversity by challenging content related laws, advancing alternative models for public service broadcasting, supporting local content and independent production provisions, and assisting local and community based media and communications initiatives that advance the right to communicate and equitable utilisation of new information and communications technologies.
- Support and develop good governance initiatives that embrace public accountability and access to information, including those that cover the private sector, promote understanding and awareness of the importance of access to social and economic information to promote good governance and combat corruption.
- Protect and lobby on behalf of individuals and groups who are persecuted for expressing their views, including monitoring and reporting of abuses and the undertaking of reactive and proactive litigation in international and domestic courts.
- Develop or refine strategies for conflict prevention and resolution, advocate public participation in monitoring, reviewing and shaping truth and reconciliation processes, and promote understanding and awareness of the role of freedom of expression and access to information in preventing and resolving conflicts in which minority rights are violated.
- Promote a regional Declaration on Freedom of Expression and support the establishment of appropriate and effective mechanisms within the African Commission on Human and Peoples’ Rights for monitoring freedom of expression across the region.
- Identify areas of specialisation and focus through ongoing research and strategy development, including setting up of benchmarking, quality development and outcomes based management systems.
Erratum sheet

The first page of this report summarises the content of Article 20 of the Zimbabwean Constitution to enable the lay person to understand easily the spirit of the text. It is by no means a full reproduction of the text.
The relevant part of Article 20 of the Zimbabwean Constitution reads as follows:

(1) Except with his own consent or by way of parental discipline, no person shall be hindered in the enjoyment of his freedom of expression, that is to say, freedom to hold opinions and to receive and impart ideas and information without interference, and freedom from interference with his correspondence.

(2) Nothing contained in or done under the authority of any law shall be held to be in contravention of subsection (1) to the extent that the law in question makes provision–

(a) in the interests of defence, public safety, public order, the economic interests of the State, public morality or public health;

(b) for the purpose of–

(i) protecting the reputations, rights and freedoms of other persons or the private lives of persons concerned in legal proceedings;

(ii) preventing the disclosure of information received in confidence;

(iii) maintaining the authority and independence of the courts or tribunals or Parliament;

(iv) regulating the technical administration, technical operation or general efficiency of telephony, telegraphy, posts, wireless broadcasting or television or creating or regulating any monopoly in these fields;

(v) in the case of correspondence, preventing the unlawful dispatch therewith of any other matter; or

(c) that imposes restrictions upon public officers;

except so far as that provision or, as the case may be, the thing done under the authority thereof is shown not to be reasonably justifiable in a democratic society.