

## Kasunda elected as MISA regional chair

Anthony Kasunda, the chairperson of the Malawi chapter of the Media Institute of Southern Africa (MISA-Malaw) has been elected chairperson of the MISA Regional Governing Council (RGC) at the 2012 Annual General Meeting (AGM) held on 29 July 2012, at the Indaba Hotel and Conference Centre in Fourways, Johannesburg, South Africa.

 By Gregory Gondwe: @Kalipochi<sup>31 Jul 2012</sup>



Anthony Kasunda

Kasunda had six votes against two that Alec Lushaba, chairperson of MISA-Swaziland, polled.

According to MISA secretariat, Kasunda will continue to serve as MISA-Malawi chair based on 2011 Constitutional amendments that abolished the Executive Council.

Soon after the elections Kasunda led the eight MISA chapters of Botswana, Lesotho, Tanzania, Zimbabwe, Zambia, Swaziland, Namibia and his country Malawi in issuing a communiqué.

As regional governors, the eight that included chairpersons, Modise Maphanyane of MISA Botswana, Joseph Ailonga of MISA Namibia, Daniel Sikazwe of MISA Zambia, Mzimkhulu Sithetho of MISA Lesotho, Njabulo Ncube of MISA Zimbabwe Mohammed Tibanyendera of MISA Tanzania, Lushaba and Kasunda opened their statement with appreciation.

### Improvements in media freedom and freedom of expression

"We note with appreciation overall improvements in the media freedom and freedom of expression environment in the Southern African Development Community (SADC) region," the communiqué signed by all the eight say.

The governors then said such improvements are evident in the positive engagements in dialogue between governments and media policy lobby groups, as well as greater recognition of the watchdog role that media is required to play.

### Attacks against media denounced

"As much as we applaud governments for these efforts, we must take exception to reports of intimidation and physical attacks against media practitioners. We denounce and condemn any form of intimidation directed at media practitioners," the statement reads in part.

The MISA Regional Governing Council (RGC) then said in an effort to ensure that media operate in a conducive environment; they commend the efforts of certain governments to either repeal repressive laws that infringe on media freedom or develop policies that enhance access to information and freedom of expression.

The governors then mentioned each of the eight countries in the statement and either recommended where there is need for change or commended where they view as positive development for the progressive growth of the media.

"MISA wishes to recognise the positive actions by the new government in Malawi to facilitate the work of the media. Of importance is the repeal of Section 46 of the Penal Code and other laws that threaten the existence of independent media that country," the governors say in their communiqué before adding:

"We also applaud the leadership's commitment to ensure that no media outlet is denied access to government advertisements. We are indeed pleased with the awarding of 15 broadcasting licenses, a true indication of the willingness open airwaves in Malawi."

## **An increase in civil defamation cases**

In Namibia, the governors stated that MISA is encouraged with the implementation of Communication Act and the interaction of the Communications Regulations Authority of Namibia with media houses.

"Furthermore, MISA has welcomed the unbanning of government advertisements in the local independent daily newspaper *The Namibian*," the governors stated before pointing out their worry: "Of concern, however, is the increase in civil defamation cases against the media when the office of the Ombudsman has proven itself as a workable alternative."

MISA gave thumbs up to Lesotho for the public commitment of the new coalition government of Lesotho to pass the Media Policy and Access to Information legislation within 100 days.

"We pledge our support to facilitate this bold commitment," they declared.

This is in contrast to situation in Swaziland, where the governors observed continuous infringements on citizens' rights to freedom of expression and media freedom remain a major concern for MISA.

"We appeal to the Government of Swaziland to adhere to the constitution of the country and the principles outlined in the Windhoek Declaration on a Diverse and Pluralistic African Press," pleaded the governors.

## **Emphasis on access to information**

Of paramount importance to MISA, they say are the efforts being undertaken by various stakeholders to ensure that Access to Information laws are enacted by SADC member states.

"MISA continues to emphasise that access to information is not a right of the media only, but a basic right and necessity for all citizens. For this reason, we call on SADC Governments to show their commitment by signing the African Platform on Access to Information Declaration," the governors said in the statement.

MISA expressed pleasure with the efforts of the Zambian government and civil society to enact an Access to Information law within the coming months.

"Also, explicit provision on clauses of access to information, media freedom and the transformation of state owned media in the First Draft of the (new) Republican Constitution are noted and must remain in the new and final Constitution," the statement reads in part on Zambia.

RGC says progress in Botswana to have an Access to Information law enacted deserves recognition.

The regional body also noted that the governments of Lesotho and Malawi have also committed themselves to support the process of formulating this important legislation.

Turning to the United Republic of Tanzania, MISA observes that as Tanzania undergoes constitutional reform, it would like encourage both the government and the citizenry to take advantage of the process to make access to information by all people and media freedom a priority in the new Constitution.

"Similarly, we hope that the Zimbabwean government will ensure that media freedoms, freedom of expression and access

information, are enshrined in the new Constitution," the governors say.

## Mindful of legislative Acts

Still, they declared that they remain mindful of the plethora of legislation like the Access to Information and Protection of Privacy Act (AIPPA), the Public Order and Security Act (POSA), the Official Secrets Act and the effect they have had on the democracy and development in Zimbabwe.

"Such laws have no place in a modern, progressive State that claims to promote democracy and sustainable development, say the governors.

The eight governors then say despite the positive policy developments in the region, MISA remains concerned that governments are slow to take the bold step to transform state broadcasters into public broadcasters.

"We continue to lobby governments to guarantee editorial independence for broadcasters who are funded by the public so that they discharge their services in a professional manner," says the RGC communiqué. "In this regard, we will support efforts to put in place legal instruments that will facilitate these reforms."

## Analogue to digital broadcasting migration

The governors also stated that MISA would also like to remind governments that the deadline imposed by the international Telecommunications Union to migrate from analogue to digital broadcasting is approaching and that there is need to take concerted efforts to formulate policy and to be technically ready.

In Botswana, the governors say MISA is concerned that the draft Botswana Communications Authority (BOCRA) Bill being debated in Parliament, does not make provision for a licensing regime for community broadcasting and has removed state media from being legislated by this authority.

"This is a grave omission, even compared to the previous Broadcasting Act of 1998," observes the communiqué.

Before pledging that as a leading institution engaged in media policy reform in southern Africa, they renew their commitment to defending media freedom and freedom of expression in the region.

"We will continue to engage governments and relevant stakeholders as we continue to advance an appreciation that the right to freedom of expression is central to democracy and sustainable development," the statement states.

## ABOUT GREGORY GONDWE: @KALIPOCHI

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