

Zambia

	2014	2015		
Internet Freedom Status	Partly Free	Partly Free	Population:	15.1 million
Obstacles to Access (0-25)	12	11	Internet Penetration 2014:	17 percent
Limits on Content (0-35)	13	12	Social Media/ICT Apps Blocked:	No
Violations of User Rights (0-40)	18	17	Political/Social Content Blocked:	No
TOTAL* (0-100)	43	40	Bloggers/ICT Users Arrested:	No
			Press Freedom 2015 Status:	Not Free

* 0=most free, 100=least free

Key Developments: June 2014 – May 2015

- There were no websites blocked during the coverage period, compared to the previous period, when four independent news outlets were targeted for blocking (see **Blocking and Filtering**).
- Despite the unblocking of critical websites, government officials repeatedly issued threats to shutdown select websites and blogs (see **Blocking and Filtering**).
- Leaked emails from the Italian surveillance firm Hacking Team revealed that the company may have sold its sophisticated spyware known as Remote Control System (RCS) to the Zambian authorities (see **Surveillance, Privacy, and Anonymity**).

Introduction

Zambia was among the early adopters of the internet in sub-Saharan Africa with the installation of dial-up and satellite technology at the University of Zambia in the early 1990s. It was also incidentally one of the first countries in the region to censor online content. In 1996, the government demanded the removal of a banned edition of *The Post* from the newspaper's website by threatening to hold the internet service provider (ISP), Zamnet, criminally liable for the content. There were no other reported incidents of internet censorship until July 2013, when four independent online news outlets were blocked, purportedly by the government for their critical coverage of the Patriotic Front (PF) ruling party under President Michael Sata.

In 2014-2015, the Zambian government eased up on earlier efforts to restrict internet freedom, which included the blocking of news websites from July 2013 to April 2014 and arrests of several journalists suspected of their affiliation with the blocked news outlets. This continued under the new president, Edgar Lungu, who was elected in January 2015 in a presidential by-election following the death of President Michael Sata in October 2014. Nevertheless, government officials repeatedly issued threats to shutdown select websites and blogs throughout the year, and the blocking of critical websites in the past suggests that this method of internet censorship may be practiced again in the future.

Concerns of government surveillance increased in 2015, particularly after leaked emails from the Italian surveillance firm Hacking Team revealed that the company may have sold its sophisticated spyware known as Remote Control System (RCS) to the Zambian authorities.

Obstacles to Access

Internet and mobile access rose steadily though remained low, hindered by high costs, poor infrastructure, and a large urban-rural divide.

Availability and Ease of Access

Access to information and communication technologies (ICTs) in Zambia has increased steadily over the past few years, from a penetration rate of 10 percent in 2010 to over 17 percent in 2014, according to the International Telecommunication Union (ITU).¹ However, mobile phone penetration increased more rapidly, growing from 49 percent in 2010 to 67 percent in 2014 as most Zambian ICT users access the internet via mobile phones.² As of March 2015, mobile internet users comprise 28 percent of the Zambian population, increasing from a mere 3 percent in 2011.³ Meanwhile, internet connection speeds in Zambia are slow, averaging 1.3 Mbps compared to a global average of 3.9 Mbps, according to May 2015 data from Akamai's *State of the Internet* report.⁴

The costs of ICT ownership and access are very expensive and out of reach for the majority of citizens in Zambia, where the average minimum wage is approximately US\$75 per month. Blackberry

1 International Telecommunication Union, "Percentage of Individuals Using the Internet," 2000-2014, <http://bit.ly/1cblxxY>.

2 International Telecommunication Union, "Mobile-Cellular Subscriptions," 2000-2014, <http://bit.ly/1cblxxY>.

3 Zambia Information and Communications Technology Authority (ZICTA), "ICT Indicators," <http://bit.ly/1RKOUsl>.

4 Akamai, "Broadband Adoption," map visualization, *State of the Internet Report*, <http://akamai.me/1LiS6KD>.

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devices are the most popular internet-enabled mobile phones in Zambia due to cheap subscription fees, which cost as low as US\$10 per month for access. Nevertheless, high costs hinder most Zambians from accessing more advanced internet applications, with a standard smart phone costing about US\$250 while broadband subscriptions cost an average of US\$50 for a 10 GB of data. Less than 1 percent of Zambians access the internet from their homes via fixed-line broadband subscriptions, which cost an average of US\$62 as of February 2015. Zambians also access the internet at cybercafes, which cost slightly less than US\$2 per hour. In recent years, however, cybercafes have become less popular as people increasingly access the internet via mobile devices.

While access to ICTs is steadily increasing, it is only widespread in urban areas such as Lusaka (the capital), Copperbelt (the economic hub of the country), and Livingstone (the tourist capital). Access in rural areas has lagged behind due to the high costs of hardware and software, erratic and expensive electricity, poor network coverage, and high levels of illiteracy. Moreover, the government has lacked the resources needed to prioritise the development of ICT infrastructure in rural areas, resulting in a significant urban-rural divide.

Restrictions on Connectivity

There have been no reports of the Zambian government restricting connectivity to internet or mobile phone services to date, though partial state ownership over the country's fiber backbone and control over connections to the international internet may enable the government to restrict connectivity at will.⁵

As a landlocked country, Zambia's national fiber backbone is provided by three operators: state-owned Zambia Telecommunications Ltd (Zamtel), state-owned Zambia Electricity Supply Corporation Ltd (ZESCO),⁶ and privately-owned Copperbelt Energy Corporation (CEC). Zamtel operates the fiber-optic connection to two international submarine cables the WACS and Sat-3.⁷ MTN and Airtel lease access to the undersea cables from Zamtel, while MTN also connects directly to the EASSy.⁸ According to a July 2013 *Zambian Watchdog* report, the government may also control the country's internet exchange point (IXP), which is reportedly housed in the same building as state-owned Zamtel in Lusaka.⁹

ICT Market

The Zambian market for ISPs is very competitive and characterized by a lack of a significant dominant player.¹⁰ As of 2015, there are 23 ISPs, three of which are also the country's mobile phone pro-

5 According to the ITU, the gateway to the international internet in Zambia is fully liberalized and competitive. See, International Telecommunication Union, "Zambia Profile (Latest data available: 2013)," *ICT-Eye*, accessed February 11 2015, <http://bit.ly/1NEnLHK>.

6 Michael Malakata, "ZESCO begins leasing fiber communication backbone," *Network World*, September 24, 2008, <http://bit.ly/1LcyRkN>.

7 Michael Malakata, "Zambia's Zamtel connects to WACS, Sat-3 undersea cables," *PC Advisor*, July 26, 2012, accessed February 11, 2015 <http://bit.ly/1OxJLFC>.

8 "MTN Zambia to invest USD3 million on connection to EASSy," *TeleGeography*, March 29, 2012, accessed February 11, 2015, <http://bit.ly/1k89kjF>.

9 In bid to spy on citizens, Sata gives Chinese complete access to Zambia's military, OP files," *Zambian Watchdog*, "July 23, 2013, accessed February 11, 2015, <http://bit.ly/1LczMlf>.

10 Shuller Habeenzu, "Zambia ICT Sector Performance Review 2009/2010," (policy paper, Research ICT Africa, 2010) <http://bit.ly/1NK9LgU>.

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viders: MTN, Airtel, and state-owned Zamtel.¹¹ All internet and mobile service providers are privately owned, with the exception of Zamtel, which was renationalized in January 2012 under the directive of the late President Michael Sata.¹² Sata's predecessor had sold the 75 percent share of Zamtel to Lap Green in 2010 for US\$257 million.¹³ While Zamtel has the smallest share in the mobile phone market,¹⁴ it commands the largest share of internet subscriptions, with 61 percent of the market, as of February 2013.¹⁵

Regulatory Bodies

The Zambia Information and Communications Authority (ZICTA) is the regulatory body for the country's ICT sector. Established under the Information and Communication Technologies Act of 2009, ZICTA is known to be generally autonomous in its decision-making, although the government has some ability to influence ZICTA's activities.¹⁶ The Minister of Information and Broadcasting Services is mandated to oversee ZICTA's activities and appoint the members and chairperson of the ZICTA board.¹⁷ The minister is also entitled to issue general directives, which the regulator is obligated to carry out.¹⁸

Some internet content is also regulated by the Independent Broadcasting Authority, which oversees the enforcement and compliance of regulations in broadcast programming. This includes programming that is streamed and published online by TV and radio stations.¹⁹

Limits on Content

Online content in Zambia was unrestricted during the coverage period, in contrast to the previous period when four independent online news outlets were blocked for several months.

Blocking and Filtering

In 1996, Zambia became the first country in sub-Saharan Africa to censor online content when the government demanded the removal of a banned edition of *The Post* from the newspaper's website by threatening to hold the internet service provider (ISP), Zamnet, criminally liable for the content. There were no other reported incidents of internet censorship until July 2013, when four independent online news outlets—*Zambia Watchdog*, *Zambia Reports*, *Barotse Post*, and *Radio Barotse*—were blocked until April 2014, purportedly by the government for their critical coverage of the Patriotic

11 ZICTA "Internet Service Provider," accessed February 10, 2015, <http://bit.ly/1MsuzmW>.

12 Sata "deemed it desirable to acquire back the 75 percent shareholding of Libya's Lap Green Network in Zamtel." George Chellah "Press Statement: ZAMTEL Nationalization," press release, January 24, 2012, accessed February 10, 2015, <http://on.fb.me/1OxKImP>.

13 Matthew Saltmarsh, "Privitization of Zambian Phone Company Degenerates Into a Feud," *New York Times*, October 3, 2010, <http://nyti.ms/1VURg8z>.

14 "MTN Zambia is the country's largest mobile operator – ZICA," *Lusaka Voice*, March 2, 2015, <http://bit.ly/1KbWIT2>.

15 Deloitte, *Doing Business in Zambia – A unique flavour*, March 2013, <http://bit.ly/1NeSJUU>.

16 International Telecommunication Union, "Zambia Profile (Latest data available: 2013)."

17 First Schedule (Section 4), The Information and Communication Technologies Act [No. 15 of 2009], <http://bit.ly/1KbWEx7>.

18 The Information and Communication Technologies Act, No. 15 of 2009, Part XI, art 91, <http://bit.ly/1KbWEx7>; See also, Shuller Habeenzu, "Zambia ICT Sector Performance Review 2009/2010," (policy paper, Research ICT Africa, 2010) <http://bit.ly/1NK9LgU>.

19 Independent Broadcasting Authority, "About Us," accessed May 18, 2015, <http://www.iba.org.zm/about-us.html>.

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Front ruling party under President Michael Sata.²⁰ The government had previously tried to ban *Zambian Watchdog* in 2012.

No other websites were blocked during the coverage period; social media and communications platforms such as YouTube, Twitter, Facebook, WhatsApp, and international blog hosting services were freely available. Nevertheless, government officials repeatedly issued threats to shutdown select websites and blogs,²¹ and the 2013-2014 blocking of critical news websites suggests that this method of internet censorship may be practiced again in the future.²²

There is no concrete evidence that the government was behind the blocking of websites in 2013 and 2014, indicating a complete lack of transparency behind censorship decisions, in addition to an ineffective complaints and appeals process through the regulatory body ZICTA. Testing conducted by the Tor Project's Open Observatory of Network Interference (OONI) in July 2013 discovered the presence of deep packet inspection (DPI) filtering tactics as the source of the block.²³ *Zambian Watchdog* accused Chinese company Huawei Technologies of installing DPI on Zambia's ISPs to enable the blocking of internet content. While the government did not claim responsibility for the blocking, Vice President Guy Scott reportedly stated that the independent outlet deserved to be censored because it was "promoting hate speech" and disseminating false news.²⁴ He also characterized the party responsible for the blocking as a "well-wisher" and thanked them for their work.²⁵

Content Removal

The government has also been known to censor internet content by directing online media editors to remove material considered problematic or offensive upon request. However, the extent of this practice is unknown given the predominance of state-owned and progovernment news outlets in the country. Instances of takedown requests are likely unreported, while self-censorship may limit the volume of critical content that could be targeted. The only known incident comes from *Zambia Reports*, who publicly admitted to complying with a government takedown request in its July 2013 open letter to the government, though the outlet did not reveal the nature of the content that was taken down or when it occurred.²⁶ Otherwise, intermediaries are not held liable for content under the 2009 Electronic Communications and Transactions Act.²⁷

Media, Diversity, and Content Manipulation

Online content producers face considerably less government pressure compared to their traditional media counterparts, though the majority of online news sources in Zambia are merely web versions of progovernment mainstream outlets. As a result, social media platforms and citizen journalists

20 "Zambia blocks third website: Barotse Post," *Zambian Watchdog*, September 10, 2013, <http://bit.ly/1MFdqLs>.

21 Gershom Ndhlovu, "New Minister Threatens to Shut Down Zambian Independent News Site," *Global Voices*, February 18, 2015, accessed May 18, 2015, <http://bit.ly/1jEv5HI>.

22 Peter Adamu, "Zambia Reports, Watchdog 'Unblocked'," *Zambia Reports*, April 4, 2014, <http://bit.ly/1KbWYfu>; "The Watchdog has been released," *Zambia Weekly*, March 27, 2014, <http://bit.ly/1X7wVPP>.

23 Open Observatory of Network Interference (OONI), "Zambia, a country under Deep Packet Inspection," July 15, 2013, <http://bit.ly/1GgAU8r>.

24 Michael Chawe, "Zambia admits blocking critical online site," *Africa Review*, July 25, 2013, <http://bit.ly/1LQ3aLc>.

25 Michael Malakata, "Proposed Zambian law to 'regulate' online media," *Web Africa*, January 16, 2014, <http://bit.ly/1hHsdZ6>.

26 Editor, "Zambia Requested to Stop Blocking Access to Websites," *Zambia Reports*, July 25, 2013, <http://bit.ly/1Rdpkve>.

27 Electronic Communications and Transaction Act No. 21 of 2009, Part X, Limitation of Liability of Service Providers, <http://bit.ly/1Pk92TO>.

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have emerged as important sources of information, and Zambians now recognize the parallel existence of official media and alternative voices from online sources. The Zambian blogosphere is vibrant, representing diverse viewpoints and opposition voices, and many mainstream journalists have turned to blogs to express themselves more freely. Zambia's internet offers content in five local languages, including English,²⁸ although it is difficult to find content produced or written strictly in local languages.

While blogs hosted on international platforms have proliferated in recent years, online publications face economic constraints that compromise their ability to remain financially sustainable. The government is the largest source of advertising revenue for traditional media outlets and has been known to withhold advertisements from critical outlets.²⁹ Moreover, private companies often do not advertise in news outlets that seem antagonistic to government policies out of fear of the potential repercussions.³⁰ These trends are likely mirrored online, though in general, online news platforms are much less developed than print and broadcast media. The two most popular independent online news outlets in Zambia—*Zambian Watchdog* and *Zambia Reports*—are both hosted abroad and receive advertising revenue from international businesses.

Growing government pressure on the media in recent years has created a climate of self-censorship among journalists, both on and offline. Online journalists and bloggers are increasingly choosing to write anonymously due to harassment, the threat of legal action, or both,³¹ particularly on issues regarding politics and corruption involving government officials. Social media users tend to express themselves more freely online, but a growing belief that the government monitors social media activity has made users more cautious in recent years.³² Meanwhile, progovernment trolls are becoming increasingly common on social media platforms such as Facebook, typically flooding posts that are critical of the government with insults and comments on unrelated issues.³³ Some observers suspect that the government may be paying the trolls to disseminate progovernment propaganda.³⁴

Digital Activism

Social media outlets, particularly Facebook, have played an important role in mobilizing Zambian citizens around a variety of social and economic issues, such as land reform, the mining industry, and taxes. Digital activism efforts have yet to result in significant social or political change. In 2014, the poverty alleviation organization Action-Aid Zambia led a social media campaign to lobby for reform and transparency in the country's mining taxation laws, persuading the Zambian government to begin a review some of the contentious laws governing the mining sector.^{35,36}

28 Google Zambia, <http://bit.ly/1hHm9jf>.

29 Freedom House, "Zambia," *Freedom of the Press 2014*, <http://www.freedomhouse.org/report/freedom-press/2014/zambia>.

30 "Zambia 2013," African Media Barometer (Friedrich-Ebert-Stiftung: fesmedia Africa, 2013).

31 "Zambia 2013," African Media Barometer (Friedrich-Ebert-Stiftung: fesmedia Africa, 2013).

32 Catherine de Lange, "Journalism in Zambia: Self-Censorship, Blocked Websites, and Social Media Monitoring," International Reporting Project, Johns Hopkins University, July 26, 2013, accessed March 8, 2015, <http://bit.ly/1MFfQJQ>.

33 Zambian Economist, Facebook Post, July 12, 2014, accessed September 23, 2014, <http://on.fb.me/1GIYKED>.

34 Evans Mulenga, "Zambia's Growing Censorship Problem," *Zambia Reports*, May 6, 2014, <http://bit.ly/1jriYOu>.

35 Cecilia Jamasmie, "Zambia scales back mining royalties to 9%," *Mining*, April 20, 2015, accessed May 25, 2015, <http://bit.ly/1Jp7DVt>.

36 Action-Aid Zambia, Facebook Campaign on Tax dodging in Zambia, https://www.facebook.com/AAZambia?ref=br_rs.

Violations of User Rights

The Zambian government was less restrictive on online journalists during this report's coverage period compared to the previous period, when the authorities used both legal and extrajudicial measures to punish online journalists for critical media coverage. No arrests for online activities were reported, while one journalist arrested in 2013 was acquitted of all charges. Leaked emails from the Italian surveillance firm Hacking Team revealed that the company may have sold its sophisticated spyware known as RCS to the authorities.

Legal Environment

Freedom of expression is enshrined in the Zambian Constitution but is limited by broad interpretations of other statutes that restrict expression in the interest of public order and safety, national security, morality, and health.³⁷ The constitution does not explicitly guarantee press freedom but includes a provision stating, "no law shall make any provision that derogates from freedom of the press."³⁸ Some media observers have noted that the provision inadequately protects press freedom.³⁹ However, a new draft constitution was posted online for public review in October 2014.⁴⁰ The draft constitution includes specific protections for print, broadcast, and electronic media freedom, and explicitly prohibits the government from exercising control or interfering with media activities.⁴¹ As of mid-2015, the review process for the draft constitution was still ongoing.

Nevertheless, freedom of expression and the media continue to be limited by clauses in the penal code that criminalize defamation of the president⁴² and give the president "absolute discretion" to ban publications regarded as "contrary to the public interest."⁴³ In April 2014, the government reportedly stated intentions to introduce legislation regulating online media, citing the problems of "internet abuse" and cybercrime.⁴⁴ To date, no restrictive laws related to the regulation of ICTs and online activities have been introduced.

Judicial independence is guaranteed in the constitution but in practice this is not respected and undermined by other laws that allow for executive interference in Zambia's justice system. Notably, the Service Commissions Act—which establishes a Judicial Service Commission to advise the president on judicial appointments—provides the president with the power to give the commission "general directions as the President may consider, necessary" and obliges the commission to comply with the directions.⁴⁵

37 Zambia's Constitution of 1991 with Amendments through 2009, art. 20 (1), Protection of Freedom of Expression, [accessed March 3, 2015](http://bit.ly/1RKTYga), <http://bit.ly/1RKTYga>.

38 Zambia's Constitution of 1991 with Amendments through 2009, art. 20 (2), Protection of Freedom of Expression.

39 "Zambia 2013," African Media Barometer (Friedrich-Ebert-Stiftung: fesmedia Africa, 2013).

40 Clement Malambo, "Government Releases Draft Constitution Ahead of Jubilee," *Zambia Reports*, October 23, 2014, <http://bit.ly/1MFgYgM>.

41 DRAFT Constitution of Zambia, refer to article 36 Freedom of media, see: "The Constitution of Zambia," *Zambian Watchdog*, January 2014, <http://bit.ly/1GgHJ9L>.

42 The Penal Code Act, Chapter 7, art. 69, accessed March 3, 2015, http://www.unodc.org/res/cld/document/zmb/1931/the_penal_code_act_html/Zambia_Penal_Code_Act_1930_as_amended_2005.pdf.

43 The Penal Code Act, Chapter 7, art. 53.

44 Michael Malakata, "Zambia rejects new constitution permitting online news freedom," *PC Advisor*, April 11, 2014, accessed February 27, 2015, <http://bit.ly/1MFhETH>.

45 Service Commissions Act, Cap 259, Part II, Service Commissions, <http://bit.ly/1hHnYwq>; See also: Richard Lee, "Executive interference undermines judiciary in Zambia," Open Society Initiative for Southern Africa (blog), August 27, 2013, <http://bit.ly/1KbYIoY>.

Prosecutions and Detentions for Online Activities

The Zambian government was less restrictive on the press and Zambian internet users during this report's coverage period compared to the previous period, when the authorities used both legal and extrajudicial measures to punish online journalists for critical media coverage. In 2013, three journalists suspected of working for *Zambian Watchdog* were arrested and handed trumped up charges of sedition and possession of obscene material.^{46,47} In August 2015, one of the journalists, Clayson Hamasaka, who was charged with possession of pornography, was acquitted after a court ruled that the evidence against the journalist had been planted.⁴⁸ The other two cases were still in the courts awaiting judgments as of October 2015, and no arrests for online activities were reported from June 2014 to May 2015.

Surveillance, Privacy, and Anonymity

Little is known about the Zambian government's surveillance practices and capabilities. In July 2015, email leaks from the Italian surveillance firm Hacking Team revealed that the company may have sold sophisticated spyware known as Remote Control System (RCS) to the Zambian authorities.⁴⁹ While the leaked emails did not confirm the sale, they point to the government's intent to acquire such technologies that can monitor and intercept user communications.

The Electronic Communications and Transaction Act of 2009 details conditions for lawful interception of communications, which generally requires a court order.⁵⁰ Yet, under the late President Michael Sata, numerous reports accused the government of conducting extensive illegal surveillance of citizens' ICT activities, such as the phone tapping of senior government officials who fell out of the ruling party's favor,⁵¹ civil society leaders,⁵² and journalists.⁵³

Otherwise, details of potential extralegal government surveillance stem mostly from *Zambian Watchdog* reports.⁵⁴ According to the news outlet, the government contracted Chinese experts in 2013 to install an internet surveillance system that could monitor, intercept, censor, and mine data from digital communications.⁵⁵ The subsequent blocking of *Zambian Watchdog* and *Zambia Reports* in July 2013 corroborated the use of deep-packet inspection (DPI) technology as the mechanism behind the blocking.⁵⁶ *Zambian Watchdog* also separately reported that President Sata had signed a

46 See Freedom House, "Zambia," *Freedom on the Net 2014*, <http://bit.ly/1Lwi0dZ>; "One journalist charged with sedition, one released without being questioned," *Zambian Watchdog*, July 10, 2013, <http://bit.ly/1LQ6BBv>; AFP, "Zambian police charge investigative journalist," *Daily Nation*, July 18, 2013, <http://bit.ly/1X7AK7t>.

47 "Hamasaka released on police bond, may face more trumped-up charges," *Zambian Watchdog*, July 30, 2013, <http://bit.ly/1VVhtck>; AFP, "Reporter arrested for porn after criticizing Zambia's president," *Mail & Guardian*, July 30, 2013, accessed March 7, 2015, <http://bit.ly/1LwipxZ>; Nse Udoh "Zambia: Journalist Wilson Mpondamali Acquitted," *All Africa*, August 1, 2014, <http://bit.ly/1RdrhrA>.

48 "Journalist Clayson Hamasaka acquitted, evidence was planted," *Lusaka Times*, August 11, 2015, <http://bit.ly/1OGezSX>.

49 Ryan Gallagher, Twitter Post, July 6, 2015, 1:10 PM, <http://bit.ly/1OGeQoW>.

50 Electronic Communications and Transaction Act No. 21 of 2009, Part XI, Interception of Communication.

51 Evans Mulenga, "Sata Is Listening to Your Conversation," *Zambia Reports*, October 9, 2013, <http://bit.ly/1X7BJVc>; Rebecca Chao, "Zambian President Admits to Spying on Fellow Officials," *TechPresident* (blog), October 16, 2013, <http://bit.ly/1GJ08ak>.

52 Peter Adamu, "Sata is Tapping Phones, says Fr Bwalya," *Zambia Reports*, January 23, 2014, <http://bit.ly/1VViJfg>.

53 "Airtel Zambia Facing Phone Tapping Allegations," *AfricaMetro*, June 18, 2015, <http://bit.ly/1VUX2Hh>.

54 Many of *Zambian Watchdog's* news reports about surveillance could not be corroborated by a second source.

55 Michael Malakata, "China reportedly helping Zambia with eavesdropping technology," *Computer World*, February 19, 2013, <http://bit.ly/1VVkiAY>; "PF govt to crack on internet users, targeting ZWD and Diplomats," *Zambian Watchdog*, February 14, 2013, <http://bit.ly/1LcEI9y>.

56 OONI, "Zambia, a country under Deep Packet Inspection."

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presidential order in February 2013 authorizing the president's office to interfere with ICT communications without oversight.⁵⁷ According to the anonymous news article, ZICTA had directed all ISPs and mobile service providers in Zambia "to allow safe passage of Information Technology (IT) Specialists from the Office of the President and China."⁵⁸ Later in September 2013, *Zambian Watchdog* reported that China's Huawei had installed email hacking devices on all ISPs in Zambia.⁵⁹ No further reports of surveillance abuse have been reported under Zambia's new president, Edgar Lungu, elected in January 2015.

The ability for Zambians to communicate anonymously through digital media is compromised by SIM card registration requirements instituted in September 2012.⁶⁰ Registration requires an original and valid identity card such as a national registration card presented in person to a registration agent at a mobile service provider.⁶¹ While the government stated that the registration requirements were for the purposes of combatting crime,⁶² *Zambian Watchdog* reported a story in November 2012 based on inside sources alleging that subscriber details were passed directly to the secret service for the creation of a mobile phone user database.⁶³ An official from ZICTA also publicly stated in November 2012 that registration would "enable law enforcement agencies [to] create a database to help identify the mobile SIM card owners," according to a news report in *Lusaka Times*.⁶⁴

Registration for the .zm country code top-level domain (ccTLD) is managed by ZICTA as provided for under the 2009 Electronic Communications and Transaction Act, which may compromise the anonymity of .zm website owners given the murky independence of the regulatory authority.⁶⁵ The act also provides a government minister the authority to create statutory agreements that determine further requirements for domain name registration, in addition to "the circumstances and manner in which registrations may be assigned, registered, renewed, refused, or revoked."⁶⁶ Such direct oversight of local web domains may allow the government to access user data belonging to local content creators and hosts.

Intimidation and Violence

In the past few years, journalists have noted an increased climate of intimidation for media workers who regularly face harassment and physical attacks for their independent reporting. While there were no reports of attacks on individuals for their online activities during the coverage period, online journalists were frequently targeted for harassment and intimidation in 2013 and early 2014. Between June and September 2013, the government targeted individuals suspected of writing anonymously for the critical online news outlets, *Zambian Watchdog* and *Zambia Reports*, including

57 "Sata signs order for OP to tap phones, emails," *Zambian Watchdog*, February 18, 2013, accessed March 9, 2015, <http://bit.ly/1NKggQL>.

58 "Sata signs order for OP to tap phones, emails," *Zambian Watchdog*, February 18, 2013, accessed March 9, 2015, <http://bit.ly/1NKggQL>; Gershom Ndhlovu, "Zambia: Chinese Experts to Monitor Internet?," *Global Voices Advocacy*, February 23, 2013, <http://bit.ly/1LcEXSS>.

59 *Zambian Watchdog*, Facebook Post, September 2, 2013, <http://on.fb.me/1PkfUjQ>.

60 "Zambia switches off 2.4 million unregistered SIMs," *Lusaka Voice*, February 6, 2014, <http://bit.ly/1k8g15g>.

61 MTN Zambia, "SIM Registration," accessed September 25, 2014, <http://bit.ly/1NKgCXx>.

62 Gershom Ndhlovu, "Zambia: SIM Registration is For Security Reasons," *Global Voices Advocacy*, November 30, 2012, <http://bit.ly/1ZGFOC9>.

63 "OP compiling Database from simcard registration exercise," *Zambian Watchdog*, November 13, 2012, <http://bit.ly/1VUY9GZ>.

64 "SIM card registration is not a political issue-ZICTA," *Lusaka Times*, November 25, 2012, <http://bit.ly/1LcFfZ8>.

65 Electronic Communications and Transaction Act No. 21 of 2009, Part IX, Domain Name Regulation.

66 Electronic Communications and Transaction Act No. 21 of 2009, Part IX, Domain Name Regulation, art. 52.

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Thomas Zyambo, Clayson Hamasaka, and Wilson Pondamali who were all harassed and subsequently arrested. Zyambo was reportedly threatened and physically assaulted by President Sata's son for unknown reasons in March 2014.⁶⁷ Pondamali was attacked in April 2014 at a public event, allegedly by government "thugs" who took off with his digital equipment.⁶⁸

Technical Attacks

Government-sponsored technical attacks against opposition activists, ordinary users, or online journalists are not common in Zambia and were not reported during the coverage period. The last reported technical attack occurred in April 2014 when the website of the Media Institute for Southern Africa (MISA) was hacked alongside a number of government websites by hackers from the Middle East.⁶⁹ *Zambian Watchdog* was last attacked with a DDoS attack in May 2012 that brought the site down for about eight hours.⁷⁰

67 Gershom Ndhlovu, "Zambia: President's Son Warns Journalist, 'We Will Kill You'," *Global Voices Advocacy*, March 12, 2014, <http://bit.ly/1GgGBTH>.

68 "PF thugs beat up Journalist Wilson Pondamali," *Zambian Watchdog*, April 11, 2014, <http://bit.ly/1NKh8oB>.

69 Limbikani Makani, "100+ Zambian websites hacked & defaced: Spar, Postdotnet, SEC, Home Affairs, Ministry of Finance," *Tech Trends*, April 15, 2014, <http://bit.ly/1MFmY9c>.

70 Gershom Ndhlovu, "Zambia: Citizen News Website Hacked," *Global Voices*, May 13, 2012, <http://bit.ly/1VUYw45>.