GLOBAL INFORMATION SOCIETY WATCH 2009

Focus on access to online information and knowledge – advancing human rights and democracy

Global Information Society Watch 2009

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2009

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Dedicated to A.K. Mahan - an activist who valued intellectual rigour and concrete outcomes.

ZAMBIA

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Introduction

In 2002 a Freedom of Information (FOI) Bill to liberate the flow of public information was presented to parliament for enactment. This was after the government was pressured by media activists and civil society to submit the Bill to parliament. However, parliament, dominated by members of the ruling Movement for Multi-Party Democracy (MMD), rejected the Bill on frivolous grounds of state security, citing acts of terrorism taking place around the world, with specific reference to the 11 September 2001 terrorist attack in the United States (US). At the time, parliament argued that the FOI Bill would be inimical to state security as it would abet terrorists with easy access to sensitive information held in public offices.

Up to the time of writing this report (mid-2009), Zambia has yet to enact a law that will pave the way for easy retrieval of information held in public offices. Currently, information seekers, including the media, have to deal with bureaucrats in government: they have to send written press queries to permanent secretaries and wait for as long as a month to get a response. This has negatively affected access to information of public interest, including online. The public's fundamental right to access information to help people make informed opinions and decisions on issues affecting their livelihoods has been relegated.

Additionally, there is no specific legislation that backs media freedom as is the case in some countries in the region (e.g., Namibia and Mozambique). Media freedom, including that of new media (online), is merely implied through the general constitutional provision on freedom of expression. This impedes the media's performance in serving the public interest. However, media activists are pushing for the inclusion of a media freedom clause in the constitution, which is currently being reviewed.

Policy environment

Although no law exists enshrining the right to access public information, the 2007 National Information and Communications Technology (ICT) Policy addresses issues related to access to online information. The policy appears to be the guiding document under which all relevant legal and regulatory structures are designed. It addresses thirteen focus areas, among them human resources, education, content/access and culture, e-governance, e-commerce, health, agriculture, the legal and regulatory framework, and security. It envisages universal access through ICT roll-out to rural areas – including increasing the number of access points, affordable rates and toll-free services targeting poor and marginalised groups. The policy recognises that "access to information forms the basis for creating an information society – and therefore, availability of public access points, ICT tools, content and services are as important as the information itself in the deployment and exploitation of ICTs to support rural development, community-based initiatives and projects in Zambia's developmental effort."[1] The goal for ICT access focuses on enhancing "widespread public access to information through appropriate traditional and new technology solutions based on relevant local content while promoting cultural heritage."[2] The policy also outlines guidelines on the promotion of government and commercial information (e-government and e-commerce) to benefit the public through increased availability of public and private information.

Legal and regulatory framework

The ICT sector is regulated by the Communications Authority of Zambia (CAZ)[3] under the 1994 Telecommunications Act. This Act primarily focuses on the regulation of the telecommunications industry and its infrastructure, and does not specifically address issues of access to information. Under this Act, the minister of communications appoints the regulator's board which oversees the communications industry with regard to licensing, consumer protection, technical services, research, competition, compliance and enforcement. However, the legal and regulatory framework is inadequate to address present changes in technology and related markets. There is a need for a review and reformulation of the framework so that the legal and regulatory structures sufficiently respond to new developments, including convergence in the ICT industry.

This fact has been acknowledged by the current ICT policy itself, which suggests that the legal and regulatory framework should be constantly reviewed in relation to the emerging changes in the communications sector – there is a need to "implement a flexible and dynamic technology neutral legal/regulatory and licensing framework that restricts regulation to the barest minimum; takes into account and reflects issues relating to convergence within the sector; reinforces innovation, competition and fair play in the industry as well as ensure that the basic rights, choices and preference of consumers are protected; and that the principle of equitable universal access and service [is] reinforced".[4] However these "basic rights and choices" do not yet include access to information.

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1   Ministry of Communications and Transport (2007) *National Information and Communication Technology Policy*, Lusaka: Ministry of Communications and Transport, p. 29. www.mct.gov.zm/pdf/ict.pdf

2   Ibid., p. 29.

3   www.caz.org.zm

4   Ministry of Communications and Transport (2007), op. cit., p. 49.

Pending legislation

An ICT Bill, which is in draft form and is expected to repeal the 1994 Telecommunications Act when enacted, addresses issues on technology convergence, innovation, competition and fair play and consumer rights. In addition, an Electronic Communications Bill that seeks to deal with issues concerning the protection of information, security, access to online information, computer and cyber crimes has also been drafted.[5] This bill, which also addresses e-banking and other online commercial transactions, does not relate to the kind of access that is expected from a FOI Act that will make public information easily accessible. Both Bills are yet to be enacted into law by parliament (this is expected to happen before the end of 2009). In the meantime, a national cyber security working group, under the auspices of CAZ, has been formed to strategise on issues of cyber security and crime.

It can therefore be asserted that the ICT legal and regulatory framework, especially as relates to online access, cyber security and crime, censorship, and privacy and intellectual property rights, is still in its development stage.

Online education

This report focuses on access to online educational materials (including access to libraries for educational purposes). This topic is central and cuts across the development of all the focus areas that are part of the country's ICT policy: knowledge through education is critical for the success of all the sectors.

The National ICT Policy acknowledges that education using modern technologies, especially computers, is critical to the development of a knowledge economy and society. The policy notes that the Zambian education system has low levels of ICT penetration, especially in public schools. While some ICTs have been rolled out to public schools, from primary to secondary and tertiary levels, only a few schools have incorporated ICTs into their teaching curriculum.

In 1998, the Ministry of Education embarked on a programme to introduce computer studies in selected public secondary schools. But while the outcome of this initiative is not documented, it is quite obvious that the bulk of the schools and the pupils themselves have not benefited, owing to the scanty resources that have been invested in the project. Conversely, private schools appear to have performed better in promoting ICT literacy among their pupils.

ICT literacy has also been enhanced in well-to-do households that have access to computers, especially in urban areas. In urban areas the infrastructure is readily available to support ICT roll-out, affording opportunities to many people, including school pupils, to access educational materials online. This is, however, not the case in rural communities, where income levels are extremely low and people cannot afford computers. In addition, the infrastructural support to enable the use of ICTs in rural communities is almost non-existent: a lack of electricity and poor roads, among other requisites, makes it difficult to roll out ICTs to these underserved communities.[6]

In order to integrate ICTs into teaching and learning, as well as education management, the ICT Steering Committee of the Ministry of Education was formed[7] to develop an ICT policy for education. The policy will adapt and drive the educational provisions contained in the National ICT Policy and other government strategies on ICTs and education. The committee collaborated with the International Institute for Communication and Development (IICD), the Commonwealth of Learning (COL) and various other stakeholders to develop a draft policy which outlines guidelines on the development and implementation of ICTs for education, including teacher training, content development, distance education, financing, and administrative and support services.[8]

Online educational materials

While it can be stated that the country has an inadequate number of online sites that are actively engaged in servicing educational needs, especially educational materials for schools from primary to tertiary levels, some credible efforts have been made by different institutions in collaboration with the Ministry of Education. One key project, called ischool, is run by Africonnect, an internet service provider (ISP) and leading supplier of high-speed wireless broadband internet services in Zambia. Other projects are those run by IICD in conjunction with the Ministry of Education: Enhancing Educational Content (ENEDCO), Educational Support Network (ESNet) and the Global Teenager Project (GTP).

The ischool project

The ischool project was developed and implemented in 2007 and aims at empowering Zambian schoolchildren and communities at large so that they have access to information and educational content from across the world. The focus of the project is "to provide schools with sustainable internet connectivity, computers and learning materials and improve the quality of education delivery."[9]

The project has several components: acquisition of computers and necessary infrastructure; high-speed broadband internet connectivity; capacity building in the use of the internet; technical trouble-shooting skills; content development to generate education material based on the Zambian school curriculum; online courseware for self-directed study; and websites so that schools can promote themselves to a global audience.

The implementation period is divided into three phases, the first phase being a pilot stage which involved sixteen schools (2007-2008). Phase two involves 100 schools (the current stage of project), while the last phase will be a countrywide roll-out.

5   Chulu, K. (2009) Government endorses global cyber-security protocol, *Times of Zambia World Telecommunication Day Supplement*, 17 May, p. 9.

6   Jere, C. (2008) Zambia, in Finlay, A. (ed.), *Global Information Society Watch 2008*, APC, Hivos and ITeM. www.giswatch.org/gisw2008

7   Subsequent to the 1998 programme.

8   www.ebrain.org.zm

9   www.ischool.zm

Enhancing Educational Content

This project aims at enhancing educational content through the use of illustrations, animations and video that visually explain and demonstrate certain learning processes. This method has been used in capturing demonstrations in science laboratories on video for the purpose of explaining how certain science laboratory experiments can be done. IICD has been supporting Mpelembe Secondary School in the city of Kitwe to produce this kind of material for educational use at the school. The materials produced are packaged and made available online, and are also produced on multimedia devices like DVDs and CD-ROMs. The visual emphasis of the project has benefited other schools with no science laboratories and schools that are unable to afford expensive chemicals for use in science experiments.[10]

Education Support Network

The ESNet project, which is funded by IICD and managed by One World Africa (OWA), involves eight schools across the country. The goal of this initiative is to build ICT capacity among teaching staff for them to package locally developed handwritten materials, including teaching notes, into digital formats (i.e., website, DVDs and CD-ROMs). These will then be shared with other interested groups, especially other teachers and school pupils.

Global Teenager Project

This project, which is managed by Trio Consult and also funded by IICD, is active in fifteen schools in the capital Lusaka and in Kitwe. This is a worldwide project that brings together about 600 schools from 32 countries around the globe to engage in online discussions on various issues and topics. The main focus of the project is to encourage intercultural consciousness and understanding, and catalyse structured interactions – especially online discussions – among schools and teachers through the use of ICTs. This system of learning is adopted from US educator Margaret Riel's "learning circle" concept. The initiative also aims at identifying and promoting new techniques of learning and teaching that open new windows of opportunities for the youth.

Online libraries

Internet library facilities are in their formative stages, especially among colleges, universities and research institutions. However, the University of Zambia, the oldest and largest public university in the country, is making efforts to improve its online library. Currently, the library provides links to a variety of international journals covering a range of subjects and topics in various fields. The university plans to upgrade its e-library services by making more electronic materials including student theses and other studies available. This service has not yet been launched.

New trends

The penetration of ICTs in the education sector remains low. However, it is worth noting the efforts being made by the Ministry of Education in collaboration with local and international non-governmental organisations (NGOs). The formulation of the ICT draft policy on education is a welcome move that will guide and drive the implementation of ICTs in education.

It is also encouraging to note that some private colleges and universities that have recently emerged have plans to scale up distance learning programmes and make educational materials available online to their students. The Zambia Open University is among them.

The hosting of an annual e-learning conference since 2007 by the Ministry of Education is a commendable attempt to bring all ICT actors in Zambia together to share experiences, take stock of Zambia's progress in relation to international trends, and chart the way towards sustainable education through the use of ICTs, especially online connectivity. Parallel to this annual event, Zambia will host the 5th International Conference on ICT for Development, Education and Training (e-Learning Africa) in May 2010. The forum will attract delegates from various countries across the continent and will be an avenue for sharing developments and best practices among African countries in the development of ICTs for education.

Action steps

The following measures should be put in place to address challenges that constrain widespread access to ICTs in schools:

- Roll out high-speed broadband connectivity to schools in underserved communities, especially in rural areas. Currently, the fibre-optic backbone being installed in some parts of the country ends up feeding the city and town centres, and does not reach the grassroots.

- Intensify the rural electrification programme as part of ICT infrastructure development.

- Waive/reduce the tax regime on imported computer hardware and software for schools and research institutes.

- Integrate ICT literacy into the school curriculum (from primary to tertiary level).

- Enhance the ICT skills of teachers in schools through capacity-building programmes.

- Tighten online security for schoolchildren who may become vulnerable and exposed to online intruders.

For the above milestones to be attained, collaborative efforts among all ICT actors and stakeholders (the state, policy makers, schools, communities, donors, ISPs, NGOs, etc.) are a must. ∎

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10 www.ebrain.org.zm

GLOBAL INFORMATION SOCIETY WATCH (GISWatch) 2009 is the third in a series of yearly reports critically covering the state of the information society *from the perspectives of civil society organisations across the world.*

GISWatch has three interrelated goals:

- **Surveying** the state of the field of information and communications technology (ICT) policy at the local and global levels
- **Encouraging** critical debate
- **Strengthening** networking and advocacy for a just, inclusive information society.

Each year the report focuses on a particular theme. **GISWatch 2009** focuses on *access to online information and knowledge – advancing human rights and democracy.* It includes several thematic reports dealing with key issues in the field, as well as an institutional overview and a reflection on indicators that track access to information and knowledge. There is also an innovative section on visual mapping of global rights and political crises.

In addition, 48 country reports analyse the status of access to online information and knowledge in countries as diverse as the Democratic Republic of Congo, Mexico, Switzerland and Kazakhstan, while six regional overviews offer a bird's eye perspective on regional trends.

GISWatch is a joint initiative of the Association for Progressive Communications (APC) and the Humanist Institute for Cooperation with Developing Countries (Hivos).