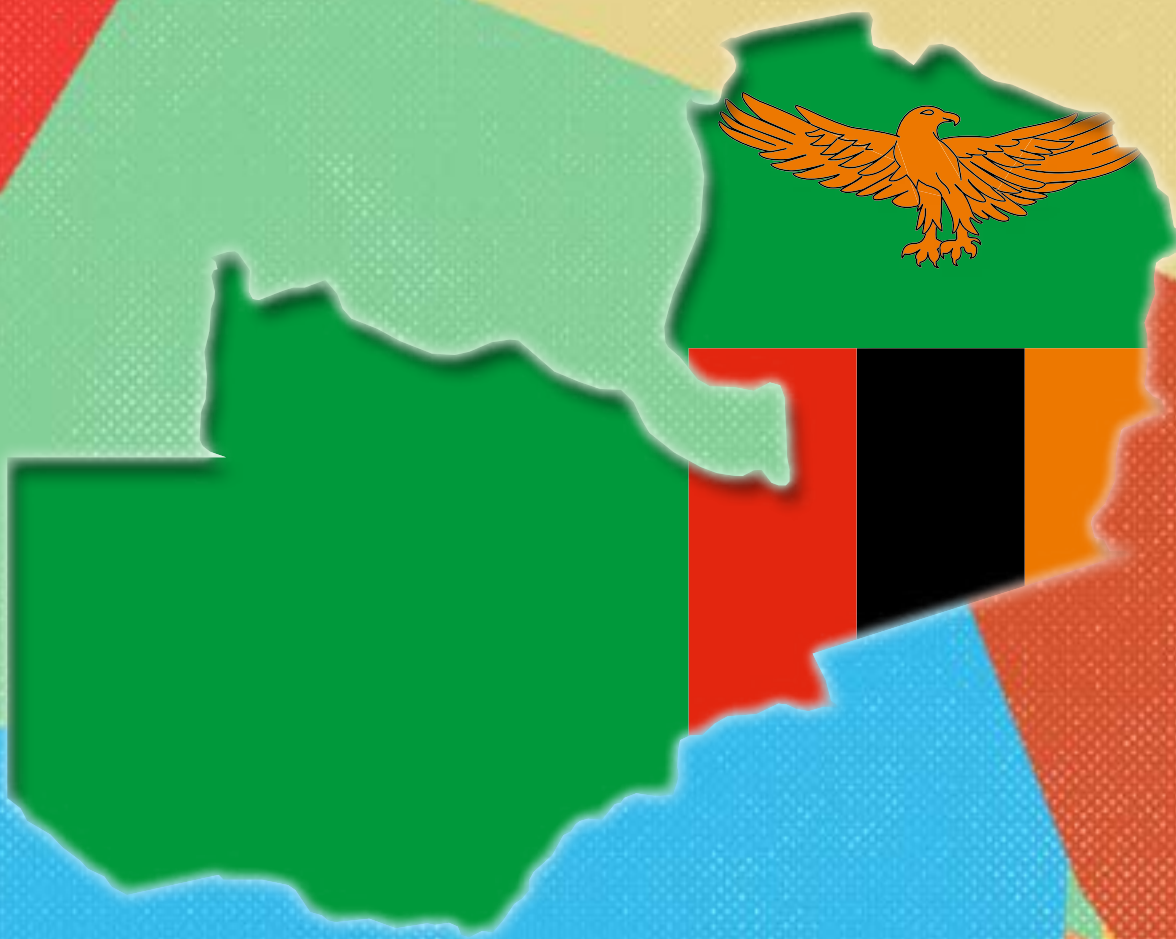


# LONDA 2023

DIGITAL RIGHTS AND INCLUSION IN AFRICA REPORT



## ZAMBIA

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374 Borno Way, Yaba, Lagos, Nigeria

Email: [media@paradigmhq.org](mailto:media@paradigmhq.org)

[www.paradigmhq.org](http://www.paradigmhq.org)

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# CREDITS

**Country Report:**  
Bulanda Nkhowani

**Editorial Team:**  
'Gbenga Sesan  
Dr. Margaret Nyambura Ndung'u  
Nnenna Paul-Ugochukwu  
Thobekile Matimbe

**Translators:**  
Paper Bag Africa

**Copy Editor:**  
Sabine Matsheka

**Design & Layout:**  
Kenneth Oyeniya



# Zambia

## EXECUTIVE SUMMARY

The Londa Zambia report sheds light on internet freedoms in Zambia in 2023, including key developments and trends in the ICT sector. The report covers thematic areas of online freedom of expression, Digital IDs, data protection, and cybersecurity and reviews the implementation of the Universal Access and Service Fund. The report was compiled using data obtained through targeted interviews and desk research. It further provides recommendations on measures to positively enhance Zambia's digital rights. In the 2022 Londa report, Zambia appeared to emerge from a climate of fear, repression and intolerance witnessed in previous governments. However, this has not been the case as arrests of people charged under the Cybersecurity and Cybercrimes Act 2021 heightened. In 2023, Zambia recorded several policy and legal developments, including enacting the long-awaited Access to Information Act 2023 and launching some key strategies like the National ICT Policy and Digital

Transformation Strategy. In addition, the Data Protection Office was established, and the first-ever Data Protection Commissioner was appointed. The revision of the Cybersecurity and Cybercrimes Act commenced, although the process, much like in previous cases, has been criticised by stakeholders. As such, the CSO group that petitioned the piece of legislation in the High Court only withdrew the case once the government agreed to consider the recommendations and improve the stakeholder engagement process. Lastly, the Internet Service Providers' Association of Zambia announced a 17.5% increase in fixed Internet costs. The ICT regulator ZICTA fined Airtel Zambia to compensate all its users after incessant network outages.

# Introduction

Predominantly a mining country, Zambia's population stood at 19.6 million as of 2023, with the female and male population split at 51% and 49% respectively.<sup>1057</sup> With over 60% of the population living in rural areas and over 80% of the population under the age of 30 years, the country maintained a steady GDP increase of 29 billion<sup>1058</sup> despite declining economic conditions and high inflation rates.

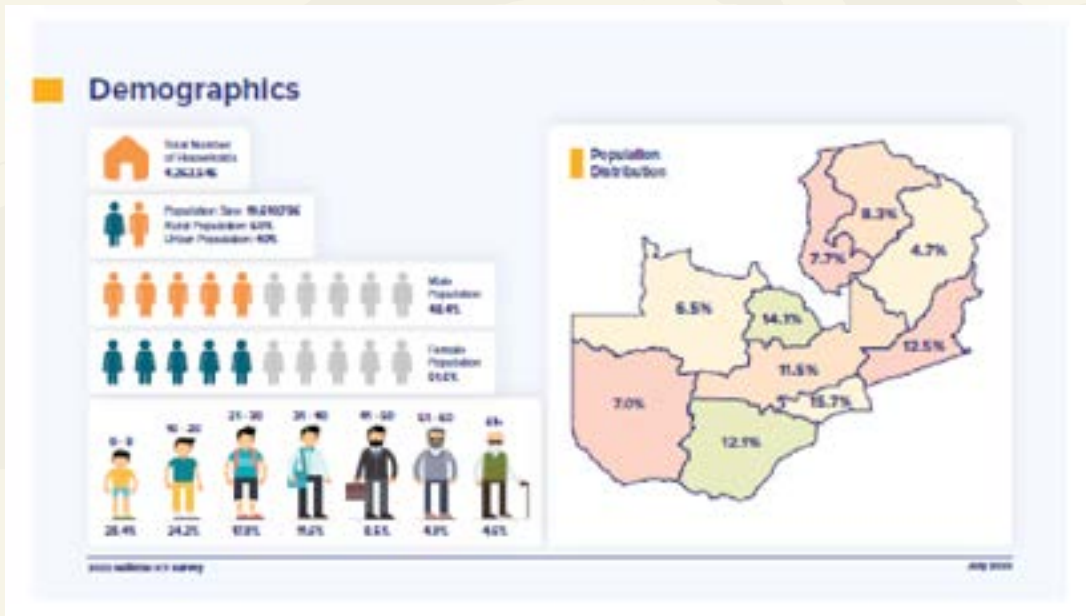


Fig 1: Zambia's population breakdown, Source: ZICTA<sup>1059</sup>

Zambia's political landscape remained relatively stable in the current reporting period; with elections looming in 2026, the battle for the top seat has begun amid declining economic conditions and growing citizen dissatisfaction. The former President Edgar Lungu indicated his intentions to emerge from retirement to contest for the Presidency, causing uproar among some political groups.<sup>1060</sup>

In the period under review, the ICT sector witnessed some key developments. Policy-wise, the Ministry of Technology and Science launched the long-awaited revised National ICT Policy 2023 alongside the National Digital Transformation Strategy 2023 - 2027, the National ICT Policy Implementation Strategy 2022 - 2026 and Strategic Plan 2022- 2026.<sup>1061</sup> <sup>1062</sup> These documents set out a roadmap and comprehensive regulatory framework for an

1057 Zambia Statistics Agency "Census of Population and Housing" (2022) <https://www.zamstats.gov.zm/download/6815/?v=9623> (accessed 11 December 2023).

1058 World Bank "Zambia Data GDP" (2022) <https://data.worldbank.org/indicator/NY.GDP.MKTP.CD?locations=ZM> (accessed 11 December 2023).

1059 Tech Bulletin [https://drive.google.com/file/d/14iqISYvt3F618NUM\\_VuL0UHPeLPLVm-n/view?usp=sharing](https://drive.google.com/file/d/14iqISYvt3F618NUM_VuL0UHPeLPLVm-n/view?usp=sharing) (accessed 11 December 2023).

1060 BBC "Edgar Lungu - ex-Zambian president makes political comeback" (2023) <https://www.bbc.com/news/world-africa-67254347/> (accessed 11 December 2023).

1061 Kalemba, "Mutati launches ICT policy, digital transformation strategic plan" (2023) <https://kalemba.news/business/2023/10/14/mutati-launches-ict-policy-digital-transformation-strategic-plan/> (accessed 11 December 2023).

1062 Ministry of Technology and Science "The Ministry Of Technology And Science Launches The Strategic Plan

## Country Analysis

integrated ICT ecosystem, digital economy and measures for safeguarding the digital rights and cybersecurity of citizens. The policies also aim to contribute to stimulating technological growth for the roll-out of digital services. Additionally, the e-Government division under Smart Zambia launched the National Electronic Government Plan 2023 - 2026 which sets out a foundation for enhanced service delivery, accessibility, transparency, and efficiency between the government and citizens and the private sector.

At the close of 2023, internet penetration stood at 58%, accounting for 11 million users showing a steady increase from the 53% penetration recorded in the previous year.

Internet Usage	2022				2023		YOY Change
Period	Q1	Q2	Q3	Q4	Q1	Q2	
Internet Subscriptions-Fixed	81,775	84,259	85,446	86,446	86,242	82,254	-2,4%
Fixed Internet penetration per 100 inhabitants	0,43	0,45	0,43	0,44	0,44	0,42	0,026%
Internet Users - Mobile	10,0637,76	9,989,947	10,798,027	11,062,212	11,025,912	11,352,595	13,6%
Mobile Internet penetration per 100 inhabitants	53.2	52.8	54.3	56.4	56.2	57.9	5.1
Internet users - Fixed + Mobile	10,145,551	10,074,205	10,883,286	11,148,658	11,112,154	11,112,154	13,5%
Internet Users penetration per 100 inhabitants	53.6	53.2	54.8	56.8	56.7	58.3	5.1

Fig 2: Trends in Internet Usage: June 2022-June2023 Source: ZICTA<sup>1063</sup>

6 Following the introduction of 5G technology in 2022,<sup>1064</sup> Zambia has continued to expand its 5G network coverage across the country and recently adopted 4G as the new standard, subsequently, phasing out 2G and 3G technologies<sup>1065</sup> in a bid to provide internet services to all parts of the country and in recognition of ICTs role as a catalyst to development.

(2022-2026)” (2023) <https://www.mots.gov.zm/?p=2797> (accessed 11 December 2023).

1063 Mid Year Market [https://drive.google.com/file/d/14iqISYvt3F618NUM\\_VuL0UHPELPLVm-n/view?usp=sharing](https://drive.google.com/file/d/14iqISYvt3F618NUM_VuL0UHPELPLVm-n/view?usp=sharing) (accessed 11 December 2023).

1064 MTN “MTN Zambia launches the country’s first 5G network” (2022) <https://www.mtn.com/mtn-zambia-launches-the-country-s-first-5g-network/> (accessed 11 December 2023).

1065 IT Web Africa: Zambia “Zambia adopts 4G as the new standard, phases out 2G and 3G networks” (2023) <https://itweb.africa/content/JN1gPvOAWGaMjL6m/ap6GxRKqYaqb3Wjr> (accessed 11 December 2023).

## Selected Individual Level Findings

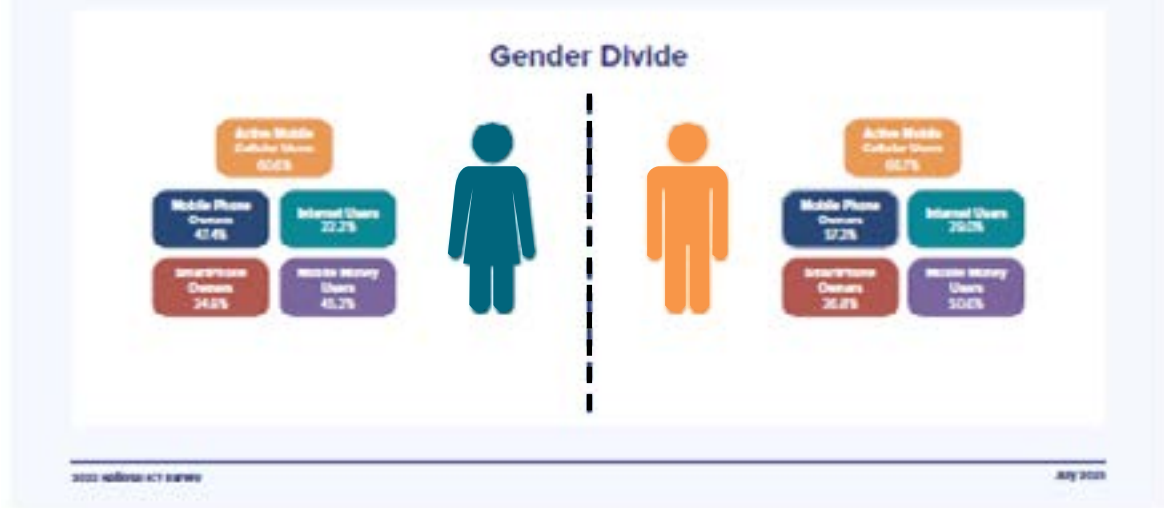


Fig 3: Zambia's Gender Digital Divide Source: ZICTA

Zambia has four mobile network operators (MNOs) and 19 internet service providers (ISPs) although Zedmobile, a newly formed MNO is yet to commence operations after it launched in December 2022.<sup>1066</sup> On the other hand, Zambia became the sixth country in Africa to launch Starlink satellite Internet services in a bid to provide fast, reliable and uncapped internet access.<sup>1067</sup> In October 2022, the Technology and Science Minister called for the ICT regulator to investigate poor network quality following customer complaints.<sup>1068</sup> In December 2023, the ICT regulator Zambia Information and Communications Technology Authority (ZICTA) ordered Airtel Zambia which enjoys a market share of over 50% to compensate all users over constant network outages.<sup>1069</sup> This was not the first time that ZICTA clamped down on poor service provision Previously in 2020, Airtel, MTN, and Zamtel were fined over K5.4 million for providing poor service to subscribers.<sup>1070</sup> In another turn of events, internet costs are set to increase by 17.5% in 2024 following adjustments to excise duty on fixed internet services.<sup>1071</sup>

1066 Zambian Observer "Zambia's Fourth Mobile Network Operator Launched" (2022) <https://zambianobserver.com/zambia-fourth-mobile-network-operator-launched/> (accessed 11 December 2023).

1067 Voice of America: Africa "Zambia Launches SpaceX's Starlink Internet Service" (2023) <https://www.voanews.com/a/zambia-launches-spacex-s-starlink-Internet-service-/7372081.html> (accessed 11 December 2023).

1068 IT Web Africa: Zambia "Zambia's Tech Minister calls for ICT 'reboot'" (2022) <https://itweb.africa/content/j5alrvQAAQGvpYQk> (accessed 11 December 2023).

1069 IT Web Africa: Zambia "Zambia cracks whip on Airtel over network outages" (2023) <https://itweb.africa/content/ILn-147mQWp37J6Aa/ap6GxRKqYaqb3Wjr> (accessed 11 December 2023).

1070 News Diggers "ZICTA fines all 3 mobile networks K5.4m for poor service" (2020) <https://diggers.news/business/2020/09/04/zicta-fines-all-3-mobile-networks-k5-4m-for-poor-service/> (accessed 11 December 2023).

1071 Tech Trends "Fixed Internet Costs in Zambia Set to Rise by 17.5% in 2024" (2023) <https://www.techrends.co.zm/fixed-Internet-costs-in-zambia-set-to-rise-by-17-5-in-2024/> (accessed 15 December 2023).

## Online Freedom of Expression

The National Constitution 2016,<sup>1072</sup> affirms the right to freedom of expression,<sup>1073</sup> assembly and association,<sup>1074</sup> access to information,<sup>1075</sup> and privacy.<sup>1076</sup> Zambia is also a signatory of regional and global human rights instruments that affirm freedom of expression online and offline, including cybersecurity and data protection. These include; the African Charter on Human and Peoples Rights (ACHPR),<sup>1077</sup> the International Convention on Civil and Political Rights (ICCPR),<sup>1078</sup> the Windhoek Declaration,<sup>1079</sup> the African Platform on Access to Information<sup>1080</sup> and the African Union Convention on Cybersecurity and Personal Data Protection (Malabo Convention)<sup>1081</sup> amongst others.

In terms of online freedoms, Zambia is ranked partly free with a score of 59 on the Freedom on the Net 2023 scorecard, indicating a onepoint improvement from the 2022 scores.<sup>1082</sup> Although the country appeared to emerge from a climate of fear, repression and intolerance that was witnessed in previous regimes, this has not been the case on the ground.<sup>1083</sup> Following the abolishment of the defamation of the president clause in December 2022,<sup>1084</sup> which had previously been used to persecute political opponents, activists and citizens for their offline and online activity, Zambians are yet to witness tangible outcomes of this development because criminal defamation still exists within the Penal Code Act.<sup>1085</sup><sup>1086</sup> The current coverage period witnessed an increase in defamation and hate speech arrests for posts and comments made online which are charged under the Cybersecurity and Cybercrimes Act 2021.

In August 2023, Brighton Mwanza aged 25 was arrested for using Twitter (now X) to incite the military to rise against a legitimate government in a tweet where he called on the Zambia army to emulate West African countries that had recently seen coup d'états.<sup>1087</sup> In the same month, opposition Socialist Party Leader Fred M'membe was arrested and questioned over an alleged cybercrime where he critiqued the increasing state surveillance, which he stated was partly enabled by digital technologies which could potentially undermine the digital rights of citizens, weaken civil society

1072 Constitution of Zambia Act 18 of 2016.

1073 Constitution of Zambia Act 18 of 2016 art 20 n13 above.

1074 N 13 above above, art 29.

1075 n 13 art 21.

1076 n 13, art 17.

1077 African Commission on Human and People's Rights (ACHPR) Declaration on Freedom of Expression and Access to Information, <https://www.achpr.org/legalinstruments/detail?id=69> (accessed 12 December 2023).

1078 Universal Declaration of Human Rights (UDHR), <https://www.un.org/en/aboutus/universal-declaration-of-human-rights> (accessed 12 December 2023).

1079 Windhoek Declaration.

1080 African Platform on Access to Information <https://www.africanplatform.org/> (accessed 12 December 2023).

1081 African Union Convention on Cyber Security and Personal Data Protection <https://au.int/en/treaties/african-union-convention-cyber-security-and-personal-data-protection> (accessed 12 December 2023).

1082 Freedom House "Freedom on the Net 2023" (2023) <https://freedomhouse.org/country/zambia/freedom-net/2023> (accessed 12 December 2023).

1083 Paradigm Initiative "Londa Report" (2022) <https://paradigmhq.org/londa-22/> (accessed 12 December 2023).

1084 Lusaka Times "HH Announces the abolition of the death penalty and defamation of the president crime" (2022) <https://www.lusakatimes.com/2022/12/24/hh-announces-the-abolition-of-the-death-penalty-and-defamation-of-the-president-crime/> (accessed 12 December 2023).

1085 News Diggers "Defamation of the President is gone but criminal defamation still exists" (2023) <https://diggers.news/guest-diggers/2023/02/16/defamation-of-the-president-is-gone-but-criminal-defamation-still-exists/> (accessed 12 December 2023).

1086 Zambia Monitor "Kasonde faults arrest of M'membe, says criminal defamation laws abnormal in democratic society" (2023) <https://www.zambiamonitor.com/kasonde-faults-arrest-of-mmembe-says-criminal-defamation-laws-abnormal-in-democratic-society/> (accessed 12 December 2023).

1087 Zambian Observer "Brighton Mwanza Arrested For Inciting Military To Rise Against Legitimate Government" (2023) <https://zambianobserver.com/brighton-mwanza-arrested-for-inciting-military-to-rise-against-legitimate-government/> (accessed 12 December 2023).



and independent voices, and hinder people's meaningful participation in civic matters.<sup>1088</sup>

In September, opposition Patriots for Economic Progress (PeP) party leader Sean Tembo was arrested on two counts of hate speech contrary to section 65 of the Cybersecurity and Cybercrimes Act No. 2 of 2021 for posts he allegedly made on his social media.<sup>1089</sup> In another incident, an opposition party official Stardy Mwale was arrested for Seditious Practices for allegedly circulating an audio recording on various social media platforms instructing millers in the country to stop the production of mealie meal in a bid to entice the millers to revolt against the government.<sup>1090</sup>

Efforts to revise the Cybersecurity and Cybersecurity Act 2021 commenced with stakeholder consultations<sup>1091</sup> and the process much like in previous processes was described by CSOs as closed and rushed. Stakeholders did not feel that their recommendations were adequately covered in the new bill. And as such the CSO group that previously petitioned the piece of legislation in the High Court has refused to withdraw the case until the government agrees to consider their recommendations and improve the stakeholder engagement process.<sup>1092</sup>

Similarly, efforts to enact a media self-regulation framework remain stalled after media organisations and the Media Owners Association disagreed on the presented Zambia Media Council (ZAMEC) Bill, due to inimical clauses that included mandatory registration of individual journalists and sanctions for journalists without licenses.<sup>1093</sup>

In December 2023, President Hakainde Hichilema enacted the historical Access to Information law which was pending for over 20 years, and a source of great controversy.<sup>1094</sup> This was a key milestone for media practitioners and other stakeholders since it would eliminate bottlenecks associated with accessing vital state and public interest information, build trust between government and citizens and in turn promote accountability, transparency and human rights in the country. However, some civil society and human rights organisations have indicated that while the current law meets acceptable international standards, it still needs more work. Particularly on issues of proactive disclosure of information by the government and the placing of responsibility of monitoring compliance with the Act on the government through the Information Ministry instead of an oversight body like the Human Rights Commission as prescribed by the African Union Model Law on Access to Information for Africa.<sup>1095</sup><sup>1096</sup>

1088 Zambia Monitor "Socialist Party leader, M'membe, arrested for alleged cyber crime" (2023) <https://www.zambiamonitor.com/socialist-party-leader-mmembe-arrested-for-alleged-cyber-crime/> (accessed 12 December 2023).

1089 Zambia National Broadcasting Corporation (ZNBC) "Sean Tembo, Stardy Mwale Arrested" (2023) <https://www.znbc.co.zm/news/sean-tembo-stardy-mwale-arrested/> (accessed 13 December 2023).

1090 Ibid

1091 Zambia Law Development Commission (ZLDC) "Zambia Law Development Commission (Zlde) Concludes National Stakeholder Consultative Meetings on the Review Of The Cyber Security And Cyber Crimes Act, No 2 Of 2021" (2023) <http://www.zambialawdevelopment.org/press-release/> (accessed 13 December 2023).

1092 News Diggers "Press Statement dated 1st February 2023 on the proposed amendments to the Cybersecurity and Cybercrimes Act" (2023) <https://diggers.news/guest-diggers/2023/02/02/press-statement-dated-1st-february-2023-on-the-proposed-amendments-to-the-cyber-security-and-cybercrimes-act/> (accessed 13 December 2023).

1093 Money FM "MOAZ rejects final draft ZAMEC Bill" (2021) <https://www.moneyfmzambia.com/2022/06/16/moaz-rejects-final-draft-zamec-bill/> (accessed 13 December 2023).

1094 Lusaka Times "President Hichilema signs Access to Information bill into Law" (2023) <https://www.lusakatimes.com/2023/12/22/president-hichilema-signs-ati-bill-into-law/> (accessed 22 December 2023).

1095 News Diggers "Access to Information A Pandora's Box" (2023) <https://diggers.news/guest-diggers/2023/12/19/access-to-information-bill-a-pandoras-box/> (accessed 13 December 2023).

1096 News Diggers "ATI Bill is fair but needs more work" (2023) <https://diggers.news/guest-diggers/2023/11/22/ati-bill-is-fair-but-needs-more-work/> (accessed 13 December 2023).

## Digital IDs, Data Protection and Cybersecurity

By the end of 2023, over 1 million Zambians had registered for digital identity cards.<sup>1097</sup> This follows the introduction of the Integrated National Registration Information System (INRIS) project in 2022, a digital biometric national identity management system that will replace the traditional paper and manual national registration system.

Following the enactment of the Data Protection Act in 2021, there have been calls for the government to establish a Data Protection Office and appoint a suitable Commissioner, especially in light of the country's current cybersecurity needs and introduction of digital identity systems. In June 2023, the government indicated that the data protection office would soon be introduced and subsequently Mr Likando Lyuwa was appointed as the Commissioner.<sup>1098</sup>

Furthermore, in July 2023, the Data Protection Commission expressed concern over the increase in hacking incidents in financial institutions in the country and the significant risks that this situation posed to national security.<sup>1099</sup> This came after the Bank of Zambia social media and National Pensions Scheme Authority (NAPSA) systems were hacked.<sup>1100</sup> Similarly in 2022, the Central Bank's computer systems were hacked, disrupting some of its operations and banking services.<sup>1101</sup> A 2022 National Cyber Risk Assessment revealed that the biggest cybersecurity threats at the national and sector level were malware and phishing respectively. Furthermore, the assessment revealed that the highest level of sector vulnerabilities appears to be in government, healthcare and water and sanitation institutions. On the other hand, financial and banking institutions have a potential worst-case impact of up to 3% of the country's GDP.<sup>1102</sup>

In October 2023, The Cyber Security Task Force comprising officers from the Zambia Police Service, the Drug Enforcement Commission and ZICTA nabbed over 25 suspected cybercriminals who were involved in a spate of criminal activities including mobile money fraud.<sup>1103</sup> In another incident in June 2023, Emmanuel Mwamba aged 52 and Andy Luchinde aged 29 were arrested on three counts of publication of information contrary to section 54 of the Cybersecurity and Cybercrimes Act No. 2 of 2021 on the Facebook pages known as Patriotic Front-PF and Grindstone Television Zambia. The two published a letter purporting to have been signed by the Republican President and issued an email with the intent to compromise the safety and security of state house staff.<sup>1104</sup>

1097 IT Web Africa: Zambia "Zambia transitions to a digital IDs" (2023) <https://itweb.africa/content/P3gQ2qGAWYN7nRD1/ap-6GxRKqYaqb3Wjr> (accessed 15 December 2023).

1098 Zambia National Broadcasting Corporation (ZNBC) "Office of the data protection Commissioner coming" (2023) <https://www.znbc.co.zm/news/office-of-the-data-protection-commissioner-coming/> (accessed 15 December 2023).

1099 News Diggers "Data Protection Commission expresses interest in increased hacking of financial entities" (2023) <https://diggers.news/local/2023/07/25/data-protection-commission-expresses-interest-in-increased-hacking-of-financial-entities/> (accessed 15 December 2023).

1100 News Diggers "The hacking of NAPSA and BO pose a national security risk" (2023) <https://diggers.news/opinion/2023/07/27/the-hacking-at-napsa-bo-pose-a-national-security-risk/> (accessed 15 December 2023).

1101 IT Web Africa: Zambia "Hackers nail Zambia's Central Bank" (2023) <https://itweb.africa/content/KYbe97XblOwqAWpG> (accessed 15 December 2023).

1102 Zambia Information and Communication Technology Authority (ZICTA) "National Cyber Risk Assessment Report" (2022).

1103 Zambian Observer "ZP, DEC, ZICTA Arrest 25 Suspects For Cyber Crimes" (2023) <https://zambianobserver.com/zp-dec-zicta-arrest-25-suspects-for-cyber-crimes/> (accessed 20 December 2023).

1104 Zambia Police Service "Mwamba, Luchinde Arrested" (2023) <http://www.zambiapolice.gov.zm/index.php/112-news/392-charged-and-arrested> (accessed 17 December 2023).

## Review of Universal Access and Service Fund<sup>1105</sup>

The Zambia Information and Communications Technology Authority (ZICTA) is responsible for administering the country's Universal Access and Service Fund (UASF) which is established under the ICT (Universal Access) Regulations Act 2012.<sup>1106</sup> At the time of drafting the report, the ZICTA annual reports for 2022 and 2023 which contain the total UASF revenue collected within the period were unavailable on the organisation's website and efforts to obtain these figures directly from the institution proved futile. Some of the UASF-funded projects<sup>1107</sup> include;

1. The tower construction program- has facilitated the construction of 253 towers in underserved communities of Zambia since its inception in 2013 with each tower costing an estimated \$ 250,000. Between 2023 and 2024 ZICTA earmarked 31 towers for construction to help meet the national deficit of 990 towers in order to complete the countrywide network coverage. The government targets 100% network coverage by the end of 2024 and recently auctioned spectrum costing over US\$41 million to help supplement the cost of towers.<sup>1108</sup> In addition, following a directive by the Minister of Technology and Science, ZICTA began upgrading some towers with 4G technology, which were previously equipped with 2G technology to enable Internet access in parts of the country.<sup>1109</sup>
2. Connecting learning institutions program- fosters the use of ICTs in learning institutions by providing fully-fledged computer labs. Zambia has over 12 000 primary and secondary schools, and in 2013 ICT was introduced as a mandatory subject yet some schools continued to teach this subject without any computer equipment. So far, the program has connected 525 schools- the package includes 20 computers, one printer, and two MiFi's while the schools are responsible for providing a secure computer room and furniture. In addition, the USAF supports training and capacity building of teachers in ICT skills through subsidised courses. Other institutions connected with ICT facilities include 47 colleges, 17 government security institutions and two community labs.
3. Support for ICTs for Persons with Disabilities (PWDs) program- provides specialised ICT equipment and software for the visually impaired. So far 14 disability institutions have accessed this project and the package includes specialised computer equipment, software and braille printers. ZICTA facilitates this project in partnership with the Zambia Agency for Persons with Disabilities who provide recommendations on the institutions to be supported and equipment specifications. The National ICT Policy 2023- 2028 recognises the need for equitable access and genuine distribution of ICT products and services through the provision of assistive ICT equipment for persons with disabilities.<sup>1110</sup>
4. The last mile optic fibre connectivity project – run in partnership with the Zambia Research and Education Network (ZAMREN) provides affordable internet to higher learning institutions. So far 80 institutions have been supported with last-mile fibre connectivity. The UASF supports the supply of fibre optic cabling and internet subscription for up to one year while ZAMREN provides internet services.
5. Agriculture and e-health projects- are some of the other pilot projects that the UASF is expected

1105 Section based on interview with Zambia Information and Communication Technology Authority (ZICTA) Universal Access and Service Fund Department on 8 December 2023.

1106 1.5 percent of gross annual turnover collected from all licensed mobile network operators.

1107 Zambia Information and Communication Technology Authority (ZICTA) "Projects" (2023) <https://www.zicta.zm/media/projects> (accessed 20 December 2023).

1108 IT Web Africa: Zambia "Zambia targets 100% network coverage by 2024" (2023) <https://itweb.africa/content/KPNG878NGowq4mwD> (accessed 20 December 2023).

1109 IT Web Africa: Zambia "Zambia adopts 4G as the new standard, phases out 2G and 3G networks" (2023) <https://itweb.africa/content/JN1gPvOAWGaMjL6m/ap6GxRKqYaqb3Wjr> (accessed 20 December 2023).

1110 National ICT Policy 2023

to deliver. The agriculture project seeks to provide ICT device support for agriculture sector workers. The project has since given out 500 tablets to government's Agricultural Extension Officers in selected farming blocks across the country. On the other hand, the e-Health project plans to provide ICT equipment and Internet connectivity to hospitals and medical institutions. So far, two health institutions have been connected and the roll-out to other health posts is expected in the coming years.

Overall, Zambia has been consistent in the collection of the UASF and the governance and administration of the Fund have improved over the years through institutional reforms and clear implementation plans. While the Fund alone may not be sufficient to meet the country's ICT deficits, the overall impact can be seen.

Over 100,000 learners are now connected to ICT facilities and the skills gained in post-secondary school are used for entrepreneurial activities such as running internet cafes and helping other community members to access ICT services. The communication towers have facilitated cell phone and internet connectivity in underserved and unserved communities to access ICT services to communicate and manage medical emergencies, e-voucher and farmer input support programs (FISP), and social cash transfers to the most vulnerable individuals. Lastly, the last mile connectivity project has connected over 60,000 individuals and community members with internet access.

# ▶ Conclusion & Recommendations

## Conclusion

The year 2023 presented a stable digital rights environment and saw key reforms within the policy and legal landscapes coupled with progressive ICT developments. If the country continues on this trajectory it will be well-placed for an integrated and accelerated ICT ecosystem that promotes meaningful accessibility, innovation, entrepreneurship, and an inclusive and resilient digital economy.

Considering the gaps and concerns raised in this report, various recommendations are proposed to stakeholders as follows:

## Recommendations

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### Government

- » It is commendable that the government began the process of reviewing the Cybersecurity and Cybercrimes Act 2021. However, they are urged to complete this process in a timely and participatory manner that accommodates the views of the stakeholders involved in the process.
  - » It is commendable that the government ended the 22-year wait for the access to information law, however, the government is urged to fine-tune the current Act to reflect the standards prescribed in the African Union Model Law on Access to Information in Africa.
  - » Amend the Zambia Media Council Bill and enact it through a participatory process spearheaded by media practitioners and journalists.
  - » Raise awareness of data protection among the private sector and citizens in light of the rollout of digital IDs and public security information systems.
  - » Develop a comprehensive policy framework for ethical governance of Artificial Intelligence technologies, robotics and other emerging technologies in compliance with international human rights standards.
  - » Take measures to protect journalists, media practitioners, activities and citizens from arbitrary arrests and detention, and unlawful surveillance.
  - » Increase the annual budget allocation towards the growth of ICTs to meet the aspirations of the National ICT Policy 2023 by connecting the underserved communities and improving digital services countrywide.
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### Civil Society

- » Continue to play an oversight role and provide the necessary checks and balances in the development and enforcement of human rights-based ICT policy and legal frameworks.
- » Collaborate with the government in the revision of the Cybersecurity and Cybercrimes Act 2021.
- » Coordinate and agree on the CSO and media organisations' position on the provisions of the Zambia Media Council Bill.
- » Collaborate with the government in the development of a national AI strategy.
- » Continue to raise awareness of digital rights and digital inclusion in Zambia.

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### Private Sector

- » Implement appropriate measures and awareness of data protection to ensure and enhance compliance with the Data Protection Act 2021.
- » Continue to complement government efforts in improving the ICT sector through increased investments that ensure universal, equitable and meaningful access to ICTs.
- » Produce regular transparency reports disclosing their commitment to upholding human rights in line with the UN Guiding Principles on Business and Human Rights.

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### Academia

- » Conduct more research on digital rights and digital inclusion including studies on the impact and development of Artificial Intelligence and emerging technologies to inform the development of various ICT-related strategies and policies.
  - » Contribute to monitoring and documenting digital rights and inclusion developments in Zambia.
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