

# **Draconian comms bill a threat to rights**

New Bill encroaches even further on the rights of Zimbabweans to communicate freely.

Harare - Zimbabwe's media watchdog organisation, MISA-Zimbabwe, says that the revised Interception of Communications Bill (ICB), now under public scrutiny, still falls far short of meeting the democratic benchmarks expected in a free and democratic society.

The organisation says the House of Assembly should take into serious and objective consideration the concerns raised by citizens and the telecommunications industry during the public hearings conducted by the Parliamentary Portfolio Committee on Transport and Communications on the impact of the ICB on constitutionally and universally enshrined fundamental rights and freedoms and the civil liberties of ordinary citizens. These include the right to free communication and privacy.

## **Glaring gaps**

In terms of the revised Bill, the Minister, who is an arm of the Executive, will have wide powers to authorise the interception of communications. In addition, security chiefs, all appointed by the Executive, have to liaise with the Minister (also appointed by the Executive) in deciding on what individuals and/or organisations to target using this proposed law. Apart from MISA-Zimbabwe's objections to the unclear intentions of this law, the organisation says there are glaring gaps as far as checks and balances are concerned in its application and administration.

The organisation says security agents already have the ways and means in place to track, arrest and seek the prosecution of criminal elements without making every citizen a suspect subject to privacy invasion through Ministerial certificates.

## **Extra costs doom further development**

The organisation also says the law has implications for the development of the telecommunications industry, which would be required to carry the cost of installing monitoring equipment and systems. It says the industry is already struggling, as evidenced by the serious challenges facing mobile and fixed telephone service providers, and an underdeveloped internet industry among other mediums of communication, would be further damaged and any prospects for growth doomed. In addition, public confidence in this industry will be undermined and the enjoyment of freedom of expression rights further repressed.

However, given the existing litany of punitive measures enshrined under restrictive legislation such as the Access to Information and Protection of Privacy Act (AIPPA), Public Order and Security Act (POSA) and Broadcasting Services Act (BSA) among others, it is unlikely that the lawmakers will pay much heed, if any, to the legitimate concerns of critics of the Bill.

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