



# REPORT OF PRESS FREEDOM VIOLATIONS

OCTOBER 2017 - SEPTEMBER 2018

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## PREFACE

**T**his report covers press freedom violation incidents which were reported directly by journalists and/or stakeholders to the Media Council of Tanzania (MCT) or in the media and recorded in the Press Freedom Violations Register from October 2017 to October 2018.

Generally speaking, there has been steady deterioration of press freedom and freedom of expression in Tanzania during the past three years. With strict new laws being passed, such as the Media Services Act, 2016, Cyber Crimes Act, Statistics Act enacted in 2015, Electronic and Postal Communications Act (EPOCA) Online Regulations, 2018 and the recent Statistics Act amendment, the freedom of expression and press freedom situation is precarious because all these laws have an adverse effect on the media as well as citizens' ability to express alternative viewpoints and opinions that contradict the official narrative. In the past three years, repression of dissent has been steadily stepped up through the arbitrary detention of opposition politicians, closing down of media outlets and arrest of journalists while on duty and ordinary people for posting on social media views that are deemed critical of the establishment.

There is also growing self-censorship among journalists across the country. In a workshop organized by the Council in May 2018 for editors and senior reporters on press freedom violations, participants were unanimous that editorial functions have become inordinately difficult because of guessing as to what stories can be safely published without repercussions from the government. During the same period under review, several newspapers and media houses were fined and/or suspended if not banned altogether. The editors and senior reporters spoke of intimidation by the authorities and lamented about a general climate of fear in the media sector. They said the lack of unity among media practitioners and, to some extent, media owners was a major

challenge in standing up against repressive acts perpetrated against them.

We have witnessed the unprecedented banning of newspapers, whereby between 2016 and 2018 five newspapers were banned for between three months and three years. Radio and TV stations have also been closed down and some handed heavy fines ranging from 3 to 15 million shillings.

## Introduction

With the enactment of the Media Service Act, 2016, Cyber Crimes Act, 2015 and their respective Regulations, the Electronic and Postal Communications (Online Content Regulations), 2018 and amendment of the Statistics Act, press freedom has been diminishing by the day. These laws, which the Government claims are aimed at propping up the media, are in fact having a devastating effect on the media industry in Tanzania.

Although these laws are purportedly meant to help media practitioners to do their work properly, a number of journalists and their respective media houses have been warned, fined, or otherwise threatened for just doing their work.

It has been five years since the Media Council of Tanzania established the Press Freedom Violations Register that aims at ensuring that all press violations against individual journalists and media outlets are documented with a view to enabling them to operate safely and without any hindrances in Tanzania. Through capacity building and structured training, Focal Persons have been provided with relevant knowledge about the Register, how it works and what type of violations a journalist can encounter. This was designed to safeguard and protect journalists against any violations while performing their duties.

On May 30 and 31, 2018, the Council entered into an agreement with the Union of Press Clubs in Tanzania to conduct training for Press Clubs Coordinators, who were eventually contracted as “Focal Persons” to record and report all acts of Press Freedom Violations against media outlets and journalists in their regions. Focal persons have since been reporting violations whenever they occur in their areas either after being informed or they themselves being the victims. This report covers incidents that occurred from October 2017 to September 2018. It includes incidents that have been confirmed and/or verified, and thus published in the PFVR

and mentions some which are still under the verification process. During the reporting period, more than thirty-five (35) violation incidents were reported. The Council works closely with the Focal Persons to end impunity and allow media workers, journalists and other victims of press violation to work comfortably and report all incidents when they occur.

This report contains a total of 29 violation incidents that have been verified and published in the Press Freedom Violations Register (PFVR) from October 2017 to September 2018. The incidents include but are not limited to banning of newspapers, denial of information, editorial interference, self-censorship, harassment, assault, closure of media outlets, damage of journalists' equipment, violent or forceful eviction from news scenes, fines, kidnapping, threats and cyber attacks that have occurred either once or repeatedly.

## OCTOBER – DECEMBER 2017

### A. DISAPPEARANCE OF JOURNALISTS

- i. A Kibondo-based freelance reporter who writes for Mwananchi newspaper and Clouds Media, Mr. Mwemezi Muhingo, was reported missing on September 26, 2017 when he told some of his colleagues that he had been summoned by the Kibondo District Commissioner’s office to present evidence regarding one of the stories he had written.

The Council had on October 18, 2017 communicated with a Press Freedom Violations Register focal person in Kigoma, who said that the evidence that Mr. Muhingo was asked to present was in relation to a story about the residents of Kagezi Ward in Kibondo who boycotted a meeting called by the government. The residents had demanded to know the whereabouts of their Ward Councillor, Mr. Simon Kanguye, who is also the chairman of the Kibondo District Council. Mr. Kanguye has been missing since July 2017.

The focal person said Mr Muhingo continued covering this story about the disappearance of Mr Kanguye even after his fellow journalists in Kibondo had stopped due to threats. His coverage of the meeting called by the Government and boycotted by Kagezi residents on account of the unexplained disappearance of their leader is believed to be connected with to his own disappearance.

According to the focal person, on several occasions, Mr. Muhingo told his colleagues that he was receiving threats and that he feared for his life. It was on September 25, 2017 when Mr. Muhingo told his fellow journalists that he had been summoned to present evidence before the Kibondo District Commissioner that Kagezi residents had boycotted the meeting. His colleagues advised him to ensure that he

was in the company of other journalists and that he should not go alone. He has not been seen since. Other sources say that Mr. Muhingo has gone into hiding, fearing for his life.

- ii. Mr. Azory Gwanda: The Mwananchi Communications Limited (MCL) correspondent reporting from Kibiti District, Coast Region, went missing on November 21, 2017. He was last seen by his wife, Ms. Anna Pinoni, in the company of people whom she could not identify, and said he was leaving briefly for an “urgent” undertaking. He also asked her to hand over the keys to their house. Ms. Pinoni said unidentified people arrived at the family home in Kibiti in a white Toyota Land Cruiser and took her husband away to an unknown location. Before he went missing, Mr Gwanda had been working on a journalistic investigation for Mwananchi Communications Limited that dwelt on a series of murders of local officials, including members of the government and the Police Force.



*Picture: Journalist Azory Gwanda, who has been missing since November 2017*



Ms. Pinoni was at first not concerned about her husband's sudden departure until he failed to return home after two days. She went to the local authorities to report his disappearance after she was unable to reach him on his mobile number. Even Mwananchi Communications Limited said it did not know where Mr. Gwanda had been taken to and why. His disappearance sparked fear and panic among media practitioners in the country. Media and human rights stakeholders, including MCT, have released statements condemning the disappearance and calling for his immediate and unconditional release. Prior to his disappearance, he had written several articles on the killing of local administrative officials and police officers by unidentified attackers who fled on motorcycles. He was at the time of his abduction investigating the mysterious disappearance of children in the area.

- iii. Sengerema Radio Station: Mr. Magesa Boniface Mafuru, the Sengerema District Executive Director, stormed Sengerema radio station under the instructions of the District Commissioner, Mr. Emmanuel Kipole. Mr. Mafuru was accompanied by police officers, the district national security officer, PCCB officers and journalists. At the time of invasion, the station's manager, Mr. Felician Ncheye, was admitted to Muhimbili National Hospital, where he died on March 27, 2017. The acting manager, Mr. Lismas Julius, was asked to hand over all property belonging to the radio station. The district authorities listed the station's property, locked all the doors and left with the keys. Mr. Mafuru told workers at the station that he had come to take over the radio station and that from that time it was under the control of the Sengerema District Council. The Council handed over the management of the radio station to Mr. Sostenes Kangalo.

## B. ASSAULT AND HARASSMENT

- i. On November 21, 2017, four journalists, Ms. Editha Edward (Habari Leo), Ms. Rehema Matowo (Mwananchi), Ms. Ester Sumira (Azam TV) and Mr. Emmanuel Ibrahim (Clouds TV), were assaulted, harassed and threatened by the police and teachers in Geita Region. The incident occurred when a Form Four student at Geita Secondary School was beaten up by his fellow students for unknown reasons. The student reported the matter to the headmaster and named four students who allegedly beat him. The four students were arrested by the police on the following day, angering the rest of the students, who staged a riot. The police intervened and that is when the journalists came in.

When the news broke that some journalists who were covering the disturbance at Geita Secondary School were manhandled by the police and some of the teachers, the Council, alarmed by worsening acts of press freedom violation, dispatched a team comprising mainly of old hands in journalism to investigate and establish exactly what had happened.

It transpired that during the riot, students went on the rampage, destroying school property, which prompted the school committee to suspend all A-level students, pending an investigation into the incident. The suspended students were asked to go and collect letters of suspension and ordered to leave the school premises. It is alleged that during the exercise, students were beaten and frog-marched by the police and teachers. This is what the authorities wanted to prevent journalists from reporting.

## JANUARY - OCTOBER 2018

From January 2018, several incidents were reported in relation to access to information. In many of these incidents, journalists were denied information and thus failed to gather the necessary information for them to report to the public. For instance, in regions such as Dar es Salaam, Simiyu, Mtwara, Shinyanga, Kigoma, Singida and Mara, a number of journalists failed to get information from sources that include the Regional Police Commander, Court, police officers as well as several regulatory authorities. This particularly seems to be a very serious problem in Shinyanga where sources have always been reluctant to give information (2018).

### A. DENIAL OF INFORMATION

- i. On June 18, 2018, a journalist with Majira newspaper and TV Iman, Mr. Suleiman Abeid, was chased away by Shinyanga Regional Police Commander Simon Haule. The journalist went to the Regional Police Commander's office to ask for information regarding the operation to disconnect clean water supply conducted by the Shinyanga Urban Water and sanitation (SHUWASA) in Shinyanga Municipality. The operation was conducted by SHUWASA employees who were accompanied by police officers.

Following a public outcry, the journalists opted to visit the Regional Police Commander to get his views regarding the exercise. It is at this point that Mr. Abeid was denied information and later unceremoniously kicked out of the regional police headquarters.

- ii. On June 4, 2018, a journalist with Mtanzania newspaper, Mr. Derick Milton, was chased away from the Meatu District Court where he had gone to make a follow-up on a case involving a secondary teacher who was accused of raping one of his students. This has happened in Singida

Region where the regional spokesperson was reported to have strained relations with journalists. He was accused of being selective in providing information to journalists. Worse still, the spokesperson demanded money from journalists to give them stories, and those who were not ready to dig deep into their pockets were denied information which they were supposed to be provided free of charge (2018).

- iii. On October 2, 2018, three journalists were arrested by police officers in Umba Village in Kalambo District, Rukwa Region. Mr. Mussa Mwangoka of Mwananchi newspaper, Mr. Gulan Adolf of Nipashe newspaper and Mr. Sammy Kisika of Azam TV were arrested as they were covering a story about a land dispute between residents of the village and the Tanzania Forest Services (TFS). The dispute had been raging for a while with no solution in sight. This, understandably, attracted journalists' attention. As the three journalists were covering the story, police officers showed up and arrested them. They were not only threatened, but also denied information.

## **B. THREAT**

- i. On August 8, 2018, a journalist with Tanzania Daima, Mr. Sitta Tuma, was harassed and brutally beaten by the police in Turwa Ward, Tarime District, in Mara Region. According to the victim, he was arrested by police while covering a campaign rally in the Ward despite having a Press Card with him. He was then taken to a police cell where he stayed until the following day when he was released on police bond following the intervention of a lawyer.
- ii. On June 7, 2018, Mr. Emmanuel Michael of Star TV/RFA, Mr. Leonard Manga of TBC, Mr. Emmanuel Amasi of

TBC and Mr. Cales Katemana of Standard Radio were at Mtavira Village in Ikungi District, Singida Region, seeking further details after a pastoralist was fined 30,000,000 Tanzanian shillings for allowing his cattle to enter a Forest Reserve Area. The journalists conducted an interview with the Ward Executive Officer before taking pictures of the cattle. Surprisingly, the Tanzania Wildlife Division's anti-poaching unit (KDU) threatened the journalists with firearms in a bid to stop them from taking pictures.

- iii. On the morning of January 2, 2018, the Deputy Secretary of the Central Press Club, Mr. Ramadhani Hassan, witnessed a scene on Uhindini Street in Dodoma involving two traffic police officers who were questioning two people, who were apparently employees of the Dodoma Water and Sanitation Authority (DUWASA). They were riding on a motorcycle, and one of them had no helmet. Mr. Hassan, who reports for Mtanzania newspaper, took pictures of the incident with his mobile phone. The traffic police officers were not happy. They arrested him and took him to the Central Police Station for questioning. He was detained for three hours before he was released. However, all the pictures he took of the incident were deleted by the police. This is a clear case of preventing a journalist from performing his duties.
- iv. On January 16, 2018, a journalist with Mtanzania newspaper, Pendo Fundisha, was working on a story at the Post Office Internet Café in Mbeya City. As she continued with her work, she was approached by a police officer who demanded to see what she was writing before she was forced to leave the computer. After the police officer went through the story, he ordered the journalist not to send the article without saying why.

- v. On January 17, 2018, some 15 journalists organized a dinner meeting at Mbeya City Pub to host visiting information officers from the US Embassy Benjamin H. Ellis and Japhet Sanga. While having their dinner, they were suddenly surrounded by a contingent of police officers who came in two Land Rovers led by the Mbeya District Investigation Officer and the Mbeya District Commissioner, Mr. Paul Ntinika. Before the police officers ambushed the journalists' gathering, they mistakenly ambushed another group of people attending a dinner hosted by Water Reed, who were at the same venue thinking that they were journalists. The Water Reed officials were having dinner with officials from the US embassy and Water Reed representatives from Kenya, Malawi and Rwanda.

According to the police, they had received intelligence reports that the journalists having dinner were actually having a press conference. It is believed that the incident involving Pendo Fundisha was also instigated by intelligence reports that she was designing flyers for the opposition party Chadema. When asked to clarify on the issue, the Mbeya Regional Police Commander said he was not aware of the incident, and promised to make a follow-up. He is reported to have said that police are professionals, and that he was not sure what kind of intelligence they had received that prompted them to act the way they did.

- vi. On October 2, 2018, three journalists were arrested by police officers in Umba Village in Kalambo District, Rukwa Region. Mr. Mussa Mwangoka of Mwananchi newspaper, Mr. Gulan Adolf of Nipashe newspaper and Mr. Sammy Kisika of Azam TV were arrested as they were covering a story about a land dispute between residents of the village and the Tanzania Forest Services (TFS). The

dispute had been raging for a while with no solution in sight. This, understandably, attracted journalists' attention. As the three journalists were covering the story, police officers showed up and arrested them. They were not only threatened, but also denied information.

- vii. On August 2018, a correspondent with Mwananchi newspaper reporting from Kibondo District in Kigoma Region, Mr. Muhingo Mwemezi, was assigned to cover the Buyungu by-election by the Nyanza Bureau Chief, Mr. Peter Saramba. In collecting the relevant information, he interviewed various people, but when he approached Mr. Lusubilo Mwakabibi, the Returning Officer for Buyungu Constituency, who is also the Kakonko District Executive Director, the official refused to comment on the election. It is believed that the reporter had in the past written a story about Mr. Lusubilo's arrest and subsequent, which prompted the government official to refuse to provide information about the election.
- viii. On August 6, 2018, Mr. Juma Pipi, a reporter with Azam TV, was prohibited from broadcasting news he obtained and prepared regarding the Tanzania Forest Services (TFS), whereby local residents had complained about being brutally beaten by TFS wardens. It was claimed that the residents were illegally selling charcoal. Mr. Pipi was warned against publishing any information about the operation.
- ix. On September 30, 2018, Mr. Ernest Magashi of Mwananchi newspaper reported about the shortage of toilets for teachers at Kazibizyo Primary School in Bukombe District, Geita Region. He was later summoned by Mr. Said Nkumba, the Bukombe District Commissioner, to prove the report's authenticity. When Mr. Magashi arrived at the

District Commissioner's Office, he found the entire District Security Committee waiting to question him. Luckily for him, also present was the head teacher of the said school, who played a vital role in substantiating his report. The District Commissioner nevertheless warned Mr. Magashi against writing articles that "tarnish" Bukombe's image.

- x. In October 2018, Mr. Francis Godwin was threatened by the Regional Commissioner's office over a story that exposed a conflict between the Regional Commissioner and the Tanesco Regional Manager. The Tanesco manager arrived late for a meeting called by the Regional Commissioner, which prompted the RC to order that the manager be arrested and locked up for two hours. After the story was published, the Regional Commissioner's Office ordered Mr. Godwin to write a "positive" article that would have that skipped the conflict between the two men.
- xi. On August 10, 2018, a reporter with Clouds TV in Mtwara, Mr. Juma Mohamed, visited the police gender desk at the Mtwara regional police headquarters with the intention of gathering information regarding gender-based violence in the region. While at the police station, he was directed by a police officer on duty to write a letter to the Regional Police Commander requesting for the information. Despite complying with the directive, Mr. Mohamed was neither provided with information and nor did he get a response to his letter despite several visits and phone calls.

## C. CYBER ATTACK

- i. Following the wide circulation of a letter purported to have originated from the Prime Minister's Office (PMO), Ms. Sharon Sauwa of Mwananchi newspaper contacted the PMO through its spokesperson to establish the



authenticity of the later. The letter said Ministers and Permanent Secretaries had been prohibited from leaving Dodoma without the Prime Minister's permission. Two days later, Ms. Suwa received a call from the Government Spokesperson, who is also the Director of Tanzania Information Services, Dr. Hassan Abbasi, who said that he was working on the matter and would get back to her. Surprisingly, on February 22, 2018, she was summoned to Mkoani Police Station and questioned by police about the letter. She was told that she may have committed a cyber crime. Ms. Sauwa was later informed that the investigation was complete and that she could travel to Dar es Salaam to collect her mobile phone, which was earlier seized by the police.

## D. KIDNAPPING

- i. On May 28, 2018, a journalist was abducted in Kigoma Region by unidentified people. He was earlier called by a person who identified himself as an employee of Halotel, a mobile phone company. The unidentified person told the journalist that he had won a prize and asked him to go and collect the same. When he arrived at the place he was directed to go, he met two people who drove him away in a car. He was found dumped in Dar es Salaam a month later. Apparently traumatized, he has been unwilling to narrate his ordeal.

## E. ARRESTS

- i. On October 9, 2018, two journalists – Mr. Friday Simbaya from The Guardian and Mohab Fulwe from an online news site – were arrested by Tanzania Telecommunications

Regulatory Authority (TCRA) officers in Iringa and taken to Dar es Salaam, where they were charged with providing online content without a licence from TCRA in their respective areas of operation. Prosecutors said Mr. Fulwe operated an online station known as Mohab TV. In September, six prominent media figures, including the host of the popular TV programme Shilawadu Sudi Brown and sports reporter Shaffy Dauda, both from Clouds Media Group, were arraigned in court on charges of using a domain not registered in Tanzania and providing online content illegally. They were later released on bail.

- ii. On August 3, 2018, Ms. Hadija Omary, a reporter with Mwanza newspaper based in Lindi Region, was arrested and detained by police officers at Lindi Police Station. This happened during the Nane Nane commemoration when the journalist took pictures of the NMB Bank pavilion at the Nane Nane grounds. Ms Omary was taken to the police station where she was detained until a group of journalists gathered outside the police station and protested, forcing the officer in charge to order her release.

## **F. VIOLENT OR FORCEFUL EVICTION FROM THE SCENE**

- i. On August 8, 2018, Mr Silas Mbise, a sports reporter with the independent Wapo FM radio station, was beaten by riot police as he lay on the ground, shirtless and with his hands in the air. The Media Council of Tanzania (MCT) and Tanzania Sports Writers Association (TASWA) issued a statement on August 11, saying the journalist had been singled out for a beating as he sought to interview two football coaches. "This incident is not only harassment (of the) journalism profession but sabotage against the whole media industry,"

they said.

MCT together with LHRC and THRDC agreed to support the journalist if charged and/or help him seek his rights. However, the victim decided not to pursue the matter further.



*Picture: Silas Mbise lies on the ground without his shirt after being severely beaten by riot police at the National Stadium where he had been covering a football match between Simba Sports Club and Asante Kotoko of Ghana.*

## G. CONFISCATION OF EQUIPMENT

- i. On many occasions, state agents have confiscated journalists' work tools, which include cameras, memory cards, writing pads, etc. In June 2018, this happened to Ms. Florence Sanawa of Mtanzania newspaper when she went to cover an Uhuru Torch Race ceremony in Mtwara Region. Her notebook was confiscated by security officers.

- ii. On September 5, 2018, Ms. Nasra Hashim, a journalist with Maarifa FM in Tanga Region, was attacked by unidentified assailants while on her way back home and severely beaten. The attackers took all her work tools before disappearing from the scene. According to the victim, she was returning home after working on a radio programme about the extent of depression in the country. Ms. Hashim was left with serious injuries and was admitted to Bombo Regional Hospital for more than two weeks. Those who assaulted her have yet to be identified and their motive is still unknown.



Picture: Nasra Hashim of Maarifa FM, who was assaulted by unidentified people as she was returning home from work on September 5, 2018 and her work tools stolen.

## **H. HARASSMENT AND ASSAULT**

- i. On August 8, 2018, a journalist with Wapo Radio, Mr. Silas Mbisse, was severely beaten by the police at the National Stadium in Dar es Salaam. Despite identifying

himself as a journalist with a press card, police officers continued to beat him before arresting him. Following the incident, the Media Council of Tanzania (MCT) and the Tanzania Sports Writers Association (TASWA) issued a joint conference condemning police brutality against the defenceless sports reporter.

The statement further said that such acts were aimed at undermining the industry by curtailing the freedom of collecting and disseminating news to society, which is a significant pillar in a democratic setting.

- ii. In another incident, a reporter with Tanzania Daima newspaper, Mr. Sitta Tuma, was arrested and beaten by the police while taking news photographs at a political rally held at Turwa Ward in Tarime District, Mara Region, after he was accused of taking part in an illegal meeting. According to the victim, he was arrested by police while on duty covering a campaign rally in the Ward despite having introduced himself and showing a Press Card to the police officers. What the police did was contrary to the provisions of the Media Services Act, 2016. He was locked up in a police cell, where he stayed until the following day when was released on police bond following the intervention of a lawyer. Mr. Tuma was ordered to report to the police station whenever required.

## **I. FINES: Five television stations fined TZS 60 million for airing “seditious” content**

The Tanzania Communications Regulatory Authority (TCRA) on January 2, 2018 announced that its Content Committee had fined five television stations for airing what it said was “seditious” content. The Content Committee Chairman, Mr. Joseph Mapunda, named the five stations as Star TV, which

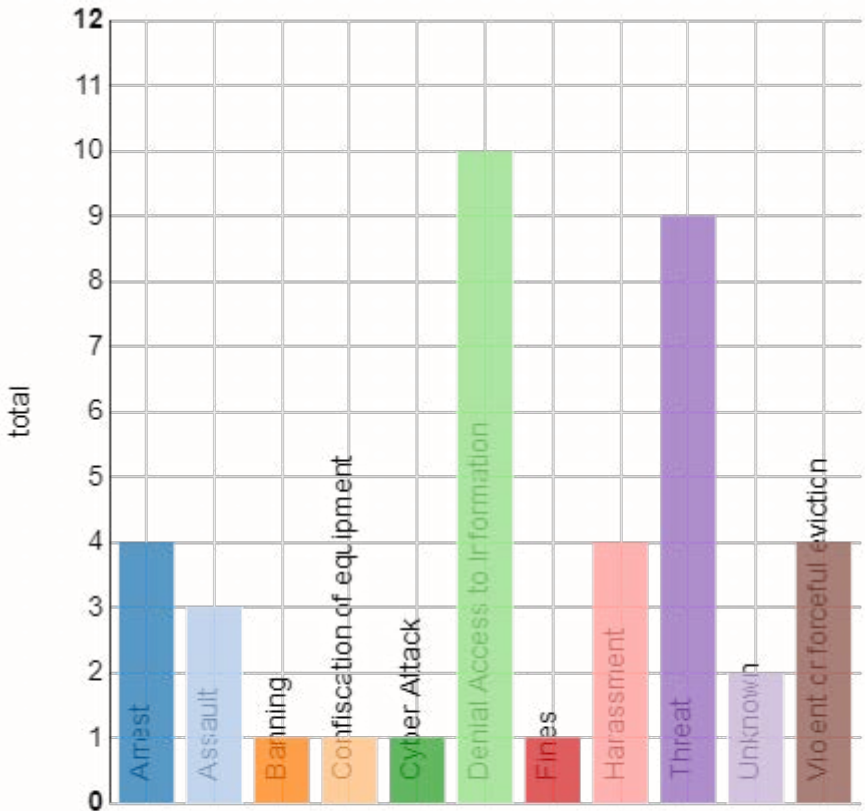
was fined Tsh7.5 million (\$3,375); Azam Two (Tsh7.5 million, \$3,375); East Africa TV (Tsh15 million, \$6,750), Channel 10 (Tsh15 million, \$6,750) and ITV (Tsh15 million, \$6,750).

According to Mr. Mapunda, the stations aired the evaluation of civic by-elections conducted by the Legal and Human Right Centre of November 26, 2017, which, according to TCRA, was “unethical, offensive, unlawful and contravened the provisions of sections 2 and 5 of the Broadcasting Act, 2005”.



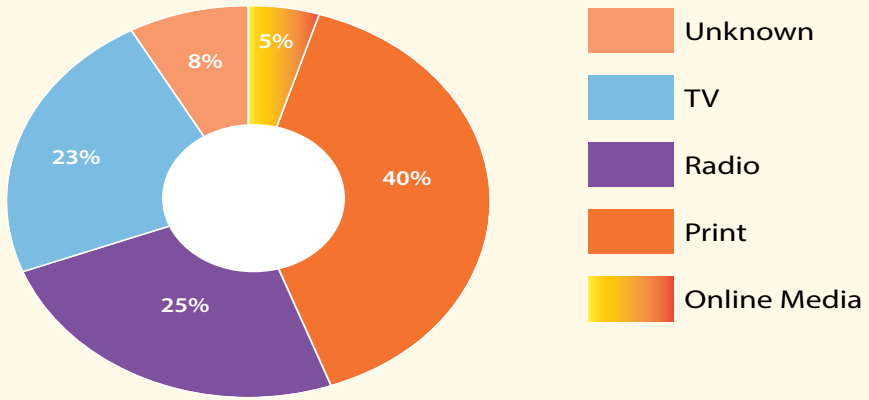
*Picture: TCRA Content Committee chairman Joseph Mapunda delivering a verdict which prescribed fines for a number of media houses.*

### Incidents per Category



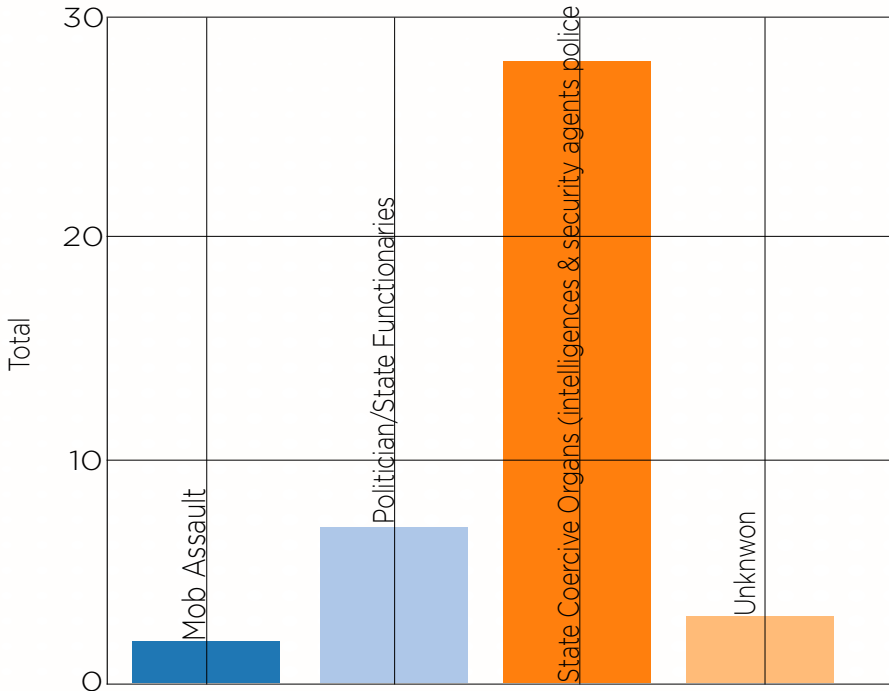


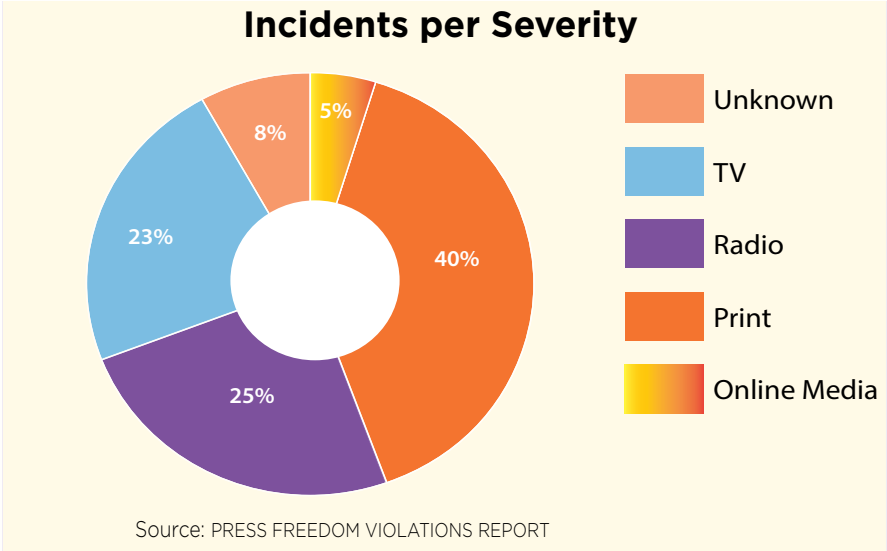
### Incidents per Media Type



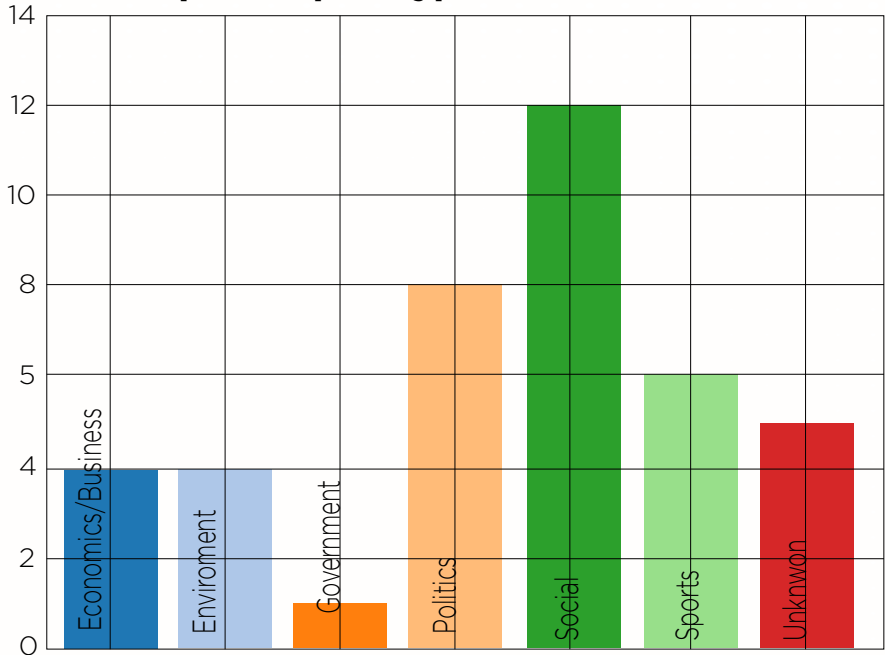
Source: PRESS FREEDOM VIOLATIONS REPORT

### Incidents per Culprit Type





### Incidents per Culprit Type





**MEDIA COUNCIL OF TANZANIA (MCT)**