

The Right to Know

**FACT FINDING MISSION REPORT ON PRESS
FREEDOM AND ACCESS TO INFORMATION
SITUATION IN TANZANIA**

March 2021



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1.0 INTRODUCTION

The Media Council of Tanzania (MCT) has secured a USAID-funded grant as part of the Data Driven Advocacy (DDA) Project that seeks to improve and sustain Tanzanian rights-focused civil society's ability to advocate for, and influence policy on key national-level human rights issues using better data and information to drive results.

As part of the project implementation, MCT conducted a fact-finding mission on press freedom and access to information in six regions in Tanzania namely Arusha, Dar es Salaam, Dodoma, Kilimanjaro and Mwanza. The aim of the fact-finding mission was to get lessons and challenges from the ground on the situation in Tanzania.

2.0 METHODOLOGY

The fact finding mission conducted from 14 to 18 March 2021 covered six regions namely Arusha, Dar es Salaam, Dodoma, Kilimanjaro and Mwanza. Researchers used questionnaires as minimum instrument to guide data collection from 73 print, electronic and online media journalists (48 males and 25 females) with experience from two to 25 years that included reporters, editors, program managers and bureau chiefs (the research had aimed at interviewing a minimum of 60 journalists). Data collection methods included one-to-one discussion, focus group discussions and observation with questions framed around Press Freedom, Access to Information, Elections and COVID-19.

The interviewed journalists represented national, regional and community media outlets. A total of 56 media outlets were represented. Because a substantial number of participating media practitioners asked that their names and media outlets not be mentioned, the identities of all media outlets have been protected. A number of freelance journalists were also interviewed.

3.0 FINDINGS AND ANALYSIS

3.1 PRESS FREEDOM

Over half (58 percent) of all respondents have experienced press freedom violations while on duty between 2019 and 2021. Violations included threats, confiscation of equipment, intimidation, denial of

access to information and to a lesser extent arrests by police.

Most of the respondents said stories that they found difficult to report included political and economic stories that are critical of the government, COVID-19, stories giving visibility to the Opposition, human rights issues and conflicts. Noteworthy, in Mtwara (southern Tanzania) journalists said they had challenges covering news related to gas and cashewnuts. One respondent said he wrote a story about farmers who had not been paid after the government purchased cashewnuts from them. "When I called the Mtwara Regional Commissioner to get the government side of the story, he wanted to know from which region I operated. After telling him I operated from Mtwara he instructed me not to publish the story if I wanted to continue working in the region."

The easiest stories to publish, according to most of the respondents were those praising the government, and that included launch of various projects, official statements and social and human interest stories.

Responses on the relationship between media and sources varied from region to region, with all respondents in Kilimanjaro saying it was excellent in Kilimanjaro, very good in Dodoma (75%) to very poor in Arusha at 28.5%. The relationship, according to respondents, changed from time to time depending on the type of content and kind of media coverage the sources receive. The relationship would improve when sources receive favourable coverage and vice versa. In Mwanza 75% of respondents described the relationship as "hypocritical."

In cases where the relationship between sources and media was poor, 80% attributed the situation to fear on the part of information holders that they might lose their jobs, and therefore choosing not to release information particularly when the issues involved were sensitive or negative. About 15% of respondents attributed poor relationship to ignorance on the Access to Information law on the part of sources, and credibility issues for journalists due to professional and ethical deficiencies. There was also a concern that sources were biased

against local media outlets (district and community media) favouring big national media.

While ordinary wananchi still see the media as a bridge or conduit which they can use to draw the attention of authorities on various issues, 80% of respondents said information holders particularly government sources perceived the media as a “necessary evil” that is undesirable but must be accepted and used.

One of the questions was whether the respondents were aware if their respective outlets had been reprimanded or threatened in relation to any content published. Responses varied depending on the level of seniority of the respondents. Unless the media outlet involved had been fined or suspended, 71% of the reporters interviewed said they were not aware whether their respective media outlets had received warnings or threats from authorities or regulators. Most of such warnings/threats ended at senior editorial levels.

3.2 ACCESS TO INFORMATION SITUATION

Two thirds (67%) of the respondents said that they were aware of the existence of Access to Information Act, 2016 (ATI). However, a very small number (20%) appeared to know some of the ATI regulations, while some said they understood ATI to be part of the Media Services Act (MSA). Most of the respondents (85%) said they still contact sources through traditional means - visiting their offices, telephone calls, emailing or sending them short or WhatsApp messages and are not aware that there is a specific request form according to regulations. Others said most of the information they get is through their personal relationship with sources or information officers.

Among those who know some of the ATI regulations, 15 said they were not comfortable with the regulation that gives an information holder up to 30-days within which to respond to requests, saying the information received after that long period may most likely not be newsworthy, unless it is for preparing features or other special programs.

One of the respondents described the process that one has to undergo in order to get information from the District Council: "We are told to write a letter to the District Executive Director (DED) and submit questions before the DED can give permission to a journalist to interview ward executive officers, information officers or other officials in the district. And the responses are never given in writing."

Another respondent mentioned incidents where after receiving questions, instead of responding to the respective journalist seeking information, a news source organises a press conference or issues a press release on the same issue.

On what the respondents liked, about the ATI, one mentioned the fact that it provided for availability of information free of charge. However, three complained that information officers were biased as to which news outlets they gave preference when providing information, and in most cases it was the big news organisations that were favoured.

There was a major concern about penalties for those who act in contravention of the Act for instance that for wrongly publishing information, saying is severe (three to five years) imprisonment. While this needs to be reconsidered, the respondents also called for penalties to information holders who "wrongly" withhold information.

Most of the respondents (82%) said they were queried by information holders as to why they needed the information, a practice that is against the Access to Information law. Respondents mentioned various institutions that are notorious for not providing information. While courts, police, education authorities, TRA and banks were also cited by respondents, local government authorities (city, municipal, district councils) appeared at the top. They said while city, municipal and district councils are major sources of information regarding the common mwananchi's everyday life, they are very bureaucratic and do not have proper communication arrangements.

Respondents suggested that information holders including RCs, DCs,

DEDs should be sensitized on the ATI law and the role of information officers so that they could give them authority to respond to information requests from journalists. There was a general feeling among media practitioners interviewed that information officers were not doing their job properly mainly because their institutions do not allow them to.

3.3 ACCESS TO INFORMATION AND PRESS FREEDOM DURING 2020 GENERAL ELECTIONS

Responses over access to information during elections varied depending on where and when one was sourcing information. However, most respondents (65%) said that access to information during 2020 General Election was good during parties' internal nomination processes and commended the National Electoral Commission (NEC) for setting a good system, that included centres for journalists to get regular updates on the election processes. However, they said, things changed towards the final stages of campaigns, during voting, counting and announcement of election results. Most (85%) of the respondents also mentioned internet shutdown during the period which affected mostly social media on which many outlets depended in getting and sharing information.

The other concern raised by respondents was that NEC election reporting guidelines for the media were too restrictive. Media was only allowed to report what was being provided by NEC officials. All other information was not allowed. They also complained that only a few journalists were allowed to do election coverage unlike past elections. NEC had instructed all media houses to send names of journalists who would cover the 2020 elections so the Commission could provide them with IDs. But only some of those whose names sent were given IDs, prompting suggestions that the exercise was designed to deny critical journalists the opportunity to cover elections.

Some respondents criticized some political parties, notably the ruling CCM and main opposition Chadema for being selective on journalists who could cover their election activities. They said CCM had a list of

journalists with whom they would work and did not accept anyone else apart from those on their list. Chadema openly showed a mistrust for journalists from government-owned newspapers, Daily News and Habari Leo, and national television and radio, TBC. Even when these outlets wanted to send journalists to accompany Chadema candidates, on their own costs, the party refused. In some incidents, Chadema did not even invite journalists from these news organisations during press conferences.

Respondents said that it was not easy for their outlets to do analysis of the election process because ruling party officials and candidates declined media invitations for programmes on elections, most likely out of fear. Similarly it became “risky” to invite some candidates, including leading Opposition candidates for media interviews and analysis because they had become notorious for using offensive language during campaigns. In addition, other respondents said there was fear in their organisations that giving significant space or airtime to Opposition candidates would be considered by authorities as siding with or campaigning for the Opposition, and this could cost them.

Respondents also mentioned some incidents amounting to press freedom violation during elections. For instance, two editors at Daily News said they received threats from sources during the election campaigns but they were not harmed in any way.

During the announcement of election results for Member of Parliament candidates in Tandahimba, Nanyumbu and Mtwara Urban constituencies only a few reporters were allowed to cover the event. In Arusha there were reports of police confiscating cameras from three journalists and erasing all their photos, while one journalist was arrested on orders of the Regional Police Commander. Sunrise FM Radio in Arusha also suffered during elections when it was ordered to suspend broadcast when reporting election results.

There was also an incident in Mwanza whereby police forced journalists who had taken photos of a woman accused of carrying fake ballot

papers, to delete all the photos.

Most of the respondents (91.4%) said that, wherever they were denied information they did not think it was because of their gender. A respondent in Arusha said the one time she was ever denied information because of her gender was when she was preparing a report on some Maasai traditions and the Maasai elders told her that they could not share that information with her because she was a woman. In Mwanza, one of the respondents, an editor, said on polling day, he did not assign female reporters for security reasons, over fear that the exercise could proceed until late hours.

3.4 ACCESS TO INFORMATION AND PRESS FREEDOM IN RELATION TO COVID-19 PANDEMIC

Most of the respondents said that availability of information on COVID-19 was good when the disease's first case was diagnosed in the country in early March, 2020. The government was giving regular updates until end of April 2020 when it stopped. When commenting on the effectiveness of the media in reporting on COVID-19, most of the respondents (88%) said the media could not play its role as expected because journalists could not get reliable information from competent sources within the country, making it difficult for them to report extensively on the disease, which is new to them. Respondents think that it would have been good to inform the public on the number of those affected in their regions so they could take the necessary precautions or avoid unnecessary panic.

The media was not allowed to conduct investigation, to inquire more. They were only required to publish/report what was given by designated officials. The respondents mentioned some of the effects of poor media reporting of COVID-19 as misinformation and conflicting information to the public, ignorance, public denial and subsequent increase in infections and deaths.

On the question on the effects of centralizing COVID-19 information, giving only three people authority to release information (Prime Minister,

Minister for Health and Government Spokesperson), all the respondents said the arrangement slowed access to information - until these three people could speak, no information would be available and this had an impact on public awareness.

On the impact of COVID-19 to media outlets, 80% respondents agreed that the media industry as a whole has taken a big hit from the pandemic forcing staff salary reductions and layoffs in some media outlets.

A number of measures were introduced by the Government, but also individuals and other organizations as precautions against the spread of the virus. All public events including sports were suspended from March 2020. Respondents said this had an impact on the availability of news apart from reports related to the pandemic and therefore affecting sales.

Respondents further pointed out that many offices closed due to COVID-19 particularly private companies, hotels, foreign embassies, international organizations and NGOs which are the main sources of news and advertising revenue. People's movements were restricted due to fear of contracting the virus. This has had a direct impact especially on newspaper sales forcing companies to cut down on staff or reduce salaries. Some new projects by media companies had to be postponed to minimize infection but also to cut down costs since businesses were affected. Working modality for some companies, like Mwananchi Communications Ltd, changed to Working from Home (WFH), though many other media companies could not afford the infrastructure to facilitate WFH.

4.0 RECOMMENDATIONS

Respondents recommended the following:

- i. MCT designs various interventions including training, and advocacy for review of the sections of the ATI and other legislations that affect press freedom;
- ii. MCT organises training to journalists from lessons learnt during

- COVID-19 and how they could prepare better in covering future pandemics/epidemics;
- iii. MCT engages the government on issues of access to information and press freedom, and the need for more cordial relations between the two sides;
 - iv. MCT ensures all journalists and media outlets (stress on community media) understand their role and what kind of assistance the Council can provide to them when they face challenges particularly press freedom violations;
 - v. MCT engages media owners on the need for providing training opportunities for their journalists and proper working tools like recorders, cameras and microphones. In some cases journalists are denied information because they do not have proper working tools, and they use mobile phones which some sources do not approve of;
 - vi. Information holders including RCs, DCs, DEDs should be sensitized on the ATI law and the role of information officers so they could give them authority to respond to information requests from journalists.
 - vii. MCT organises a stakeholders' forum on press freedom and access to information.

5.0 CONCLUSION

The fact-finding mission achieved its aim of getting lessons and challenges on press freedom and access to information from the ground. The plan was to interview at least 60 respondents and researchers managed to get responses from 73 journalists. One of the key observations of the exercise is that journalists around the country have very high expectations on MCT to help them with training, improving their working environment and to assist them when they face challenges particularly those related to press freedom violations and access to information.

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**Published by Media Council of Tanzania (MCT)
P.O.Box 10160, Dar es Salaam, Tanzania
Mob: +255 767 494 826 na +255 719 494 640
E-mail: media@mct.or.tz Website: www.mct.or.tz**

