



Press Freedom Violations Report 2020



PRESS FREEDOM VIOLATIONS REPORT 2020

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CONTENTS

PREFACE	1
1. INTRODUCTION	2
2. TRENDS OF PRESS FREEDOM VIOLATIONS OBSERVED.....	3
3. ARRESTS.....	4
4. ASSAULT	13
5. FINES	14
6. DENIAL OF ACCESS TO INFORMATION	18
7. SELF CENSORSHIP.....	18
8. BANNING BY AUTHORITIES	20
9. SUSPENSION	23
10. THREATS	25
11. ASYLUM	27
12. PROGRAM CUT SHORT OR SUSPENSION	27
13. CONCLUSION.....	29

PREFACE

This report covers incidences of press freedom violations which were reported directly to the Council or in the media and recorded in the Press freedom Register in 2020.

In early 2012 the Media Council of Tanzania (MCT) established an authoritative national register to record press freedom violations. Expectations of the database were to capture input from press freedom violations monitors and generate useful statistic information for analyzing and compilation of press freedom violations reports which will help to promote, safeguard and defend freedom of the media and allied forms of public communication in the United Republic of Tanzania.

Since the establishment of the register MCT has faced some challenges. First and foremost to get reports of violations from journalists or their media houses is difficult. One of the reasons is that reporters have not been forthcoming in reporting violations as they think that those problems are just part of the challenges of the profession. However, with sensitization, more cases are being directly reported at the Council and also reported on social media.

The Council wishes to thank all the people who have made this report a reality – the focal points, journalists, Human Rights Defenders (HRDs) who reported the violations to the Council, MCT Staff Paul Mallimbo who has worked tirelessly to make this report and MCT Programmes Manager, Mr.David Mbulumi who edited the report and ensure all the necessary information is included in the report. We hope it provides valuable insights on the working environment of the media in Tanzania and the many challenges they face while doing their duties.

1. INTRODUCTION

One of the core activities of the Media Council of Tanzania (MCT) is monitoring press freedom violations that are likely to restrict the supply of information and diminish freedom of expression in Tanzania. This is an important activity with the objective of revealing and reviewing violation trends and challenges encountered by journalists. One of the objectives provided by clause 3 (e) of the Council's constitution is to register and to investigate events that restrict dissemination of information of public interest and publicise the outcome of the investigation.

In 2012, MCT established the Press Freedom Violations Register as an authoritative national register to record press freedom violations. In 2012 MCT recorded the first incident of a murder of a journalist, Daudi Mwangosi, while at work.

The Council also put in place interventions including investigating serious breaches of press freedom and making the findings public. For example, the Council put together a team to investigate the circumstances behind the murder of Mwangosi and published the report.

Other issues that the Council investigated were the death of Issa Ngumbi, a reporter with Radio Kwizera, and the closure of Kyela FM Radio Station, stoppage of Bunge Live Coverage, invasion by the former Dar es Salaam Regional Commissioner, Paul Makonda to Clouds Media Group, among others. The Council has also successfully followed-up a number of reported violations and shared information with stakeholders.

This is the eighth report of press freedom violations written by the Council since the establishment of the press freedom violations register in early 2012. It aims at providing a comprehensive review of press freedom violations as recorded in the register and a synopsis of the various reports of regional and national investigations conducted. It is envisaged that having hard data on press freedom violations would go a long way to assist in lobbying and advocating for laws and policies which will support press freedom and freedom of expression in the country.

The report shows that a total of 41 cases of press freedom violations have been recorded in the database of the Council in 2020. Although incidents of violations are thought to be higher, this report features only those incidents that were either reported directly to the Council or through the reportage of incidents in the media.

2. TRENDS OF PRESS FREEDOM VIOLATIONS OBSERVED

According to the data from the Press Freedom Violations Register (PFVR) the number of press freedom violations in Tanzania in 2020 reached a total of 41 violations ranging from threats, assaults, denial access to information, intimidation, murder and banning of media outlets.

Fig No. 1: Nature of violations committed on the freedom of press

In the year 2020 arrest were 13, assault 2, fines 9, denial of access to information 3, self censorship 2, ban 4, suspension 2, threats 3, asylum 1, program cut short or suspended 2.

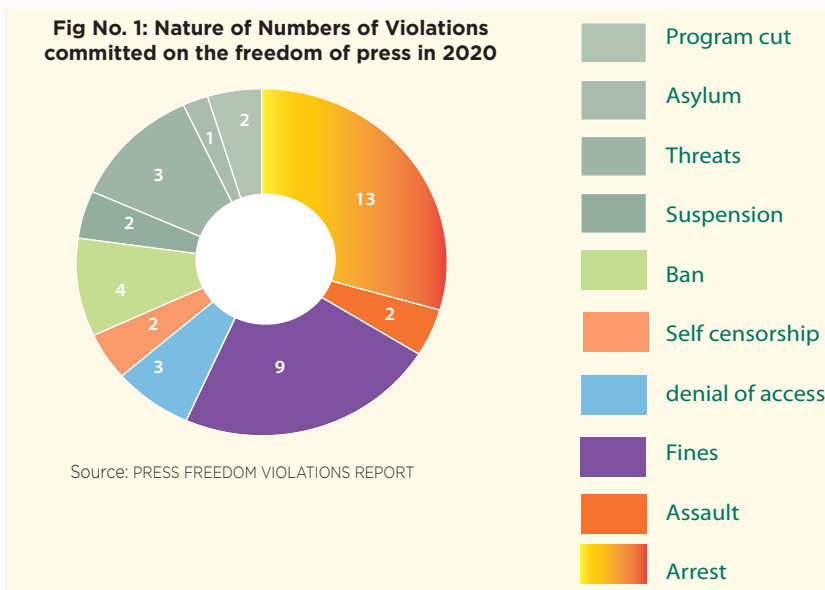


Fig No 2: Where it happened

Dar 15, Mwanza 3, Njombe 1, Kilimanjaro 2, Iringa 1, Arusha 4, Zanzibar 3, Lindi 1

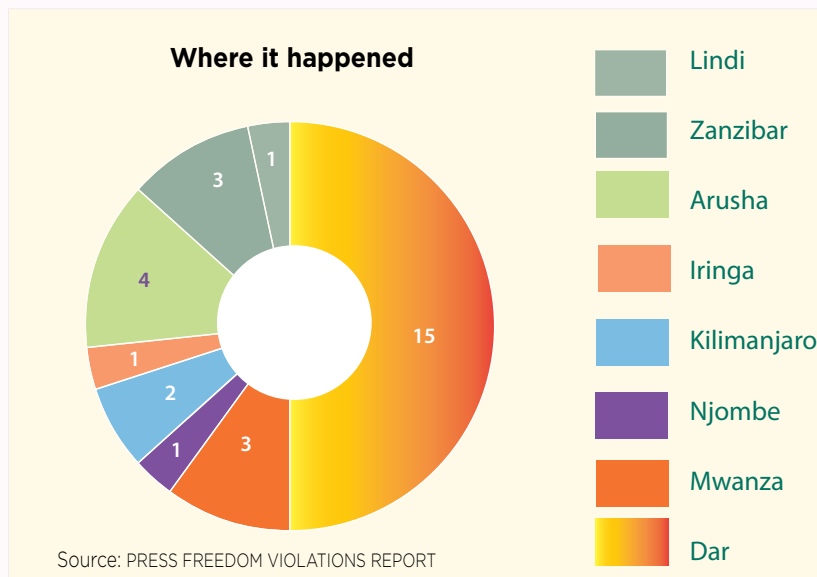


Figure No. 2 indicates that Dar es Salaam is the leading region. Fifteen violations happened in Dar es Salaam during the period examined. Other violations are as follows Mwanza three, Njombe one, Kilimanjaro two, Iringa one, Arusha four, Zanzibar three, Lindi one

Although, Figure No. 2 shows Dar es Salaam is leading, and the more likely reason is because there is a bigger concentration of media outlets. It should be noted however that many more violations go unreported because many journalists are scared of reporting violations because of the fear of unknown.

3. ARRESTS***Police arrests Mwanza journalist for taking photos at NIDA***

MWANZA: On January 15, 2020, a Mwananchi newspaper journalist based in Mwanza, Jessy Mikofu, was arrested by police for taking

photographs at the National Identity Authority (NIDA) offices.

The journalist and other people were arrested because they were photographing a large crowd of people who had gathered to demand their national IDs at the NIDA offices which are within the District Commissioner's building.

Before the journalist was taken to Mwanza Regional Police Station, the the Mwanza Press Club Chairman Edwin Soko tried to intervene by engaging the Nyamagana District Commissioner Philis Nyimbi but he was not successful.

The journalist was later released following interventions by the Media Council of Tanzania (MCT), Tanzania Human Rights Defenders Coalition (THRDC), Mwanza Press Club and MCL online.

TCRA arrests unregistered online TV journalists

NJOMBE: In the morning of February 29, 2020, police arrested three online journalists based in Njombe region, on Tanzanian Southern Highlands, for operating online TV platforms illegally in breach of the Electronic and Postal Communications (Online Content) Regulations of 2018.

The three journalists are Prosper Daud Mfugale, who was arrested for running an unregistered You tube Channel, the Njombe TV and Ibrahim Godfrey Mlele who owns Mlele Online TV. Mlele also reports for TV E.

The third journalist is Dickson Kanyika, a Star TV reporter. Kanyika, who also owns Habari Digital, arrested in Morogoro and sent back to Njombe Police Station for questioning.

The three journalists were arrested together with the owner of Njombe Yetu TV, Benedict Kisawa. According to the Njombe Press Club Chairperson, Hamis Kasapa, the suspects were not given bail and were remanded in custody from February 29, 2020 to March 4, 2020.

Efforts were made by the Media Council of Tanzania (MCT) in collaboration with Tanzania Human Rights Defenders Coalition (THRDC) to ensure all the journalists were released on bail.

ITV/Radio One journalists arrested in Nanyumbu

LINDI: On February 5, 2020 it was reported that Lucy Ogutu a journalist with ITV & Radio One was arrested by police in Nanyumbu District, Lindi.

Uhuru journalist arrested

MARA: February 19, 2020 journalist working with Uhuru Media Group, Dinna Maningu was arrested following an order from Tarime District Commissioner, Mtemi Msafiri. The journalist was writing a story on female genital mutilation and she wanted to balance her story from the District Commissioner (DC).

The DC was not happy with the story subsequently ordered the police to arrest her. The journalist was released after two hours.

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(THRDC) to ensure all the journalists were released on bail.

On March 4, 2020 the three reporters together with the owner of Njombe TV were arraigned before the Resident Magistrate court of Njombe.

The reporters were charged with the offence of providing online content without license which is against Section 103 (1) of Electronic and Postal Communication (Online Content) Regulation 2018 as well as Regulation 14(1) and (18) of the same.

The Regulations are being challenged by MCT, LHRC and THRDC at the Court of Appeal.

On March 4th, 2020 the three reporters together with the owner of Njombe TV were arraigned before the Resident Magistrate court of Njombe.

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Republic withdraws case against online TV journo

IRINGA: On March 5, 2020 the Republic withdrew a court case that was filed at the Mufindi District Court, in Iringa Region, against journalist Sebastian Atilio. The case was scheduled for hearing on March 5, 2020 but a state attorney told the court that the state does not intend to proceed with the case in accordance with section 91 (1) of the Criminal Code of Conduct Chapter 20 [2002].

Journalist Sebastian Atilio was arrested on February 29, 2020 at the Mafinga bus stand when he was purchasing a ticket so that he could travel to Dodoma to cover Parliament.

After his arrest he was taken to the Mufindi District Police Station in Mafinga for questioning on alleged false information he uploaded to

his Facebook account and on WhatsApp where he allegedly wrote that “investors have gone to Ifupila village to explore land”. He was also interrogated for practicing journalism without accreditation from the Journalists Accreditation Board.

The correspondent was held at the police station from February 29, 2020, to March 4, 2020, when he was arraigned before the Mufindi District Court and two charges read against him.

He was charged with reporting false information contrary to section 16 of the Cybercrimes Act, 2015; and doing journalistic work without accreditation from the Journalists Accreditation Board, which is against section 50 (2) (b) of the Media Services Act, 2016. The Accreditation Board is yet to be established.

The journalist’s case was mentioned nine times before the Mufindi District Court without a hearing, and on March 5, 2020 the attorney told the court that they had no intention of proceeding with the case.

Azam TV reporter arrested by police, released

ARUSHA: Azam TV journalist Ramadhani Mvungi was released after he was arrested by police in Arusha on suspicion that he had wanted to enter a quarantined hotel on March 23, 2020 afternoon. Entry to Them Valley Hotel had been blocked by the government after the first person confirmed to have Coronavirus disease in Tanzania spent some days at the hotel.

The Arusha based journalist who was more than 50 metres from the hotel building was getting ready to start the Adhuhuri Live programme which is aired at 1 pm.

After arresting the journalist, police officers who were guarding the hotel contacted their colleagues and within a few minutes two police vehicles arrived and took the suspect to the Arusha Regional Police Commander’s (Jonathan Shana) Office.

The RPC told the journalist that he had reports that the journalist had wanted to enter the hotel which had been placed under quarantine.

However, the journalist said his aim was to show the public that the

hotel was a no go area as no one is allowed to enter or leave.

He explained that he had been standing far from the hotel building and had no intention of going inside. The police then released the journalist, returned his phone, which they were holding and allowed him to return and continue with the recording. However, the reporter decided not to go back to the hotel premises.

It is not known how many people were inside the hotel. This is the hotel which the first person confirmed to have Coronavirus disease in Tanzania stayed before she went for tests after feeling unwell. All the people who were present on the night before the suspect was confirmed to have the virus were quarantined.

There was a yellow ribbon around the hotel, which is situated on Court Street indicating the area was out of bounds for any unauthorized person.

APC Chairperson threatened by the police

ARUSHA: On April 30, 2020, the Arusha Press Club Chairperson Claud Gwandu, was arrested by the police in connection with a press conference that a prominent advocate, Albert Msando addressed in Arusha.

Gwandu was required to write a statement at the police station but refused saying he would not do so in the absence of his lawyer. However, when he reported back to the station accompanied by a lawyer, the police told him that he was free to leave without recording any statement.

Gwandu was among journalists who participated in a press conference where Advocate Albert Msando also donated COVID-19 protective equipment to journalists.

It is alleged that during the press conference, Msando claimed that the Coronavirus infection situation in Arusha was very bad and challenged journalists “to tell the truth” so that the government and the public know that the country was in a critical state and every individual should take action.

Authorities in Arusha were not happy with the statement and they arrested Advocate Msando and Claud Gwandu.

Two held over misleading information

DAR ES SALAAM: On May 1, 2020, the police arrested two Mwananchi newspaper staff, Haidary Hakam and Alona Tarimo for allegedly sharing misleading information on WhatsApp groups.

The two were accused of spreading misleading information that two people had died from COVID-19 in Kinondoni District, Dar es Salaam.

Prominent journalist, political analyst arrested

DAR ES SALAAM: On 24 April 2020 police arrested Prince Bagenda, a seasoned journalist and political analyst, for allegedly writing a book that criticizes Tanzania's President John Magufuli.

Sources say that Bagenda was arrested at his home in Kisutu, Dar es Salaam. His computers and phones were confiscated and he was detained at the Oysterbay Police Station for interrogation.

His lawyers said Bagenda was expected to appear in court on Monday 27 April 2020 to answer charges yet to be disclosed. Colleagues and human rights defenders are still working to bail him out.

Journalists arrested over economic sabotage

DAR ES SALAAM: On May 11, 2020 a Jamhuri newspaper reporter, Angellah Kiwia (41) was arraigned at the Kisutu Resident Magistrate's Court in Dar es Salaam charged with four counts of economic crimes, including one of money laundering and kidnapping.

The journalist alongside a driver, Mohammed Bushaka, was also accused of organised crime and threatening to kill for the purpose of obtaining money.

The two are likely to spend months or even years behind bars to wait for the conclusion of the case as money laundering charges are not bailable under the Tanzanian criminal laws.

Police arrests Kenyan journalists

ARUSHA: On 16 May 2020 two Kenyan reporters were arrested in Longido, Northern Tanzania on allegations of entering and conducting business in the country illegally. It was claimed that the foreign two journalists were conducting interviews regarding the state of COVID 19 in Tanzania.

The arrested media practitioners were Clinton Isimbu, a cameraman for Elimu TV and Kaleria Shadrack, reporter for Elimu TV. The Arusha Regional Police Commander, Jonathan Shana, said the Kenyan journalists were arrested after entering the country illegally and operating without proper permits.

They were later arraigned in court in Arusha, where reports say they pleaded guilty, paid fine and released. The two journalists were then handed to the Immigration Department and sent to the border so they could return to their home country.

Journalist held for 13 days, released on bail

DAR ES SALAAM: On June 1, 2020, a journalist working with Raia Mwema newspaper, Mary Victor was released on bail after being held by police in Dar es Salaam for 13 days.

She was arrested at Kinyerezi in Dar es Salaam on 19 May 2020 for allegedly publishing false information on office WhatsApp group contrary to the Cybercrimes Act, 2015. The content was a video clip allegedly showing COVID-19 patients escaping from an isolation centre at Amana Hospital in Dar es Salaam.

The police interrogated the journalist for publishing information said to be false and from unverified sources.

Further information indicates that two other journalists from the same newspaper were questioned by police for sharing information on the same platform but were released without conditions. Mary is reporting to the Central Police Station on a daily basis.

Kilimanjaro journos in trouble over blogs

KILIMANJARO: On Monday, April 6, 2020 police arrested two online journalists based in Kilimanjaro Region for operating blogs contrary to provisions of the Electronic and Postal Communication (Online Content) Regulations of 2018.

The two journalists are Jabir Johnson and Tumsifu Kombe, who also works for Kilimanjaro FM Radio and Moshi FM respectively. They were arrested for operating an unregistered You Tube Channel called News 8 TV. Jabir was also arrested for running Jaiz Malelo Blog. They are out on bail.

Media Council of Tanzania (MCT), Tanzania Human Rights Defenders Coalition (THRDC) and Press Club of Kilimanjaro, have joined hands to make sure the journalists are given their rights, by getting a lawyer to work on the case.

Journalist charged for using unlicensed online channel

On April 23, 2020, a reporter with GSENGO TV, Albert George Sengo, appeared before before the Mwanza Resident Magistrates' Court for provision of online content services without having a valid license contrary to Electronic and Postal Communications (Online Content) Regulations of 2018.

It was alleged that Sengo, on 24th day of March 2020, in Mwanza Region, unlawfully provided online content services through online television called GSENGO TV without having a valid license issued by the Tanzania Communications Regulatory Authority (TCRA).

The Media Council of Tanzania (MCT) in collaboration with Tanzania Human Rights Defenders Coalition provided legal support to Sengo and he was released on bail.

On 31st March 2020, Sengo received a call from police for him to report to Mwanza Central Police Station. He reported on April 1, 2020 and was immediately arrested, detained and interrogated in the absence of a lawyer and told to report at Mwanza Central Police Station on several dates.

His case comes after the arrest of two journalists and owner of a YouTube account in Moshi, Kilimanjaro on 5th April 2020 for operating blogs and YouTube account without a license from the TCRA.

4. ASSAULT

Police accused of assaulting journalists in Hai

KILIMANJARO: On February 29, 2020, police assaulted Janeth Joseph, of Mwananchi newspaper and Elia Peter of Global TV, while they were covering a public meeting addressed by opposition CHADEMA party Chairman at Nkoromu grounds, Hai District in Kilimanjaro Region.

According to the newspaper, although the journalists had earlier identified themselves, police still attacked them.

The incident occurred during a commotion as police were forcing the CHADEMA Chairperson and Hai MP, Mr. Freeman Mbowe, to enter his car so they can escort him to the police station, accusing him of seditious statement during his address. The journalists were taking photos and recording when they were beaten and Janet's mobile phone confiscated.

Commenting on the incident, Janeth said that before the event she introduced herself to the police as a journalist and asked for their cooperation. However, she was surprised to see police officers surrounding her during the commotion with Mbowe, grabbing her phone and hitting her with a gun butt.

She said when she asked the officers why they had taken her mobile phone while they knew she was a journalist, one officer took his gun and used the butt to hit her on the chest.

The journalist said she went to the Bomang'ombe Police Post to get Police Form No. 3 so she could be accepted for check up and treatment in a hospital as procedure requires.

After treatment, Janet says, she went back to the same Police Post to file a case, but the officer on duty refused to record her statement.

However, the Regional Police Commander intervened, directing the officer to make sure the journalist files her case for investigation. This incident was reported by Mwananchi newspaper and on social media.

TAMWA training stopped by Lindi government authorities

MTWARA: On March 25, 2020 Tanzania Media Women Association (TAMWA) organised a two-day training workshop for journalists from Mtwara and Lindi regions who were to be trained on reporting the COVID-19 pandemic. The training was to take place in Lindi town, but regional authorities ordered the training to be cancelled.

The training drew 20 journalists, 10 from Lindi and 10 from Mtwara regions.

Authorities said the training could not take place because of COVID-19 restrictions as it involved many people coming together.

The organisers were not permitted to conduct that training, though they had made all the necessary arrangements including a hall that could accommodate 200 people and the required distance between participants could have been observed. The hall also had sanitizers, face masks, water and soap.

5. FINES

Court slaps TZS 5m fine to broadcaster and IT specialist

DAR ES SALAAM: On March 18, 2020, the Kisutu Resident Magistrate's Court in Dar es Salaam slapped a TZS 5 million fine or a jail term of one year to sports journalist Shafii Dauda and his colleague Benedict Kadege, who is an Information Technology specialist.

Apart from the fine, the laptop that was used to upload information on social media was also confiscated.

State Attorney Nguka Faraji read the defendants' preliminary details before the Resident Magistrate, Godfrey Issaya on March 18, 2020 and handed over the computer, a Macbook Air, used to commit the said

offenses as evidence to the court before the decision was read.

The defendants were accused of publishing online content without having a license from the regulator, TCRA, a crime committed between June 14 and September 2018 through online TV known as Shafii Dauda TV.

This case was reported by Habari Leo and Nipashe newspapers of March 18, 2020.

Journalist suspended from practising for six months

ZANZIBAR: On Monday, April 20, 2020 the Director of Information Department of Zanzibar Dr. Juma Mohammed Salum issued a press release suspending journalist Talib Ussi Hamad of Tanzania Daima newspaper from doing any journalistic work for a period of six months.

The Director through his letter stated two reasons behind this suspension: Violating journalism ethics and publishing information of a person suffering from Coronavirus (COVID - 19) without seeking her consent contrary to the law, rules and medical procedures.

The Director of Information used sections 41, 42(2) (a) and (b) of the Registration of News Agents, Newspapers and Books Act No 5 of 1998. This is the law that governs, among other things, operations of print news media on the Isles.

TCRA fines three media companies

DAR ES SALAAM: On April 2, 2020, three local media companies were ordered to make a public apology as well as pay a fine of TZS 5 million each within 30 days by the Tanzania Communications Regulatory Authority (TCRA), for breaching broadcasting rules.

TCRA accused the media outlets namely Star Media Tanzania Limited, Multichoice Tanzania Limited and Azam Digital Broadcast Limited for broadcasting content deemed to be “false and misleading information about Tanzania’s stance on COVID-19.”

In a statement issued by TCRA Director General on April 2, 2020, Star Media and Azam Digital were ordered to appear before the regulator

on 27 March, Multichoice Tanzania on 30 March, and justify why regulatory measures should not be taken against them for their being in breach of the law.

“In response, the companies complied and acknowledged to have committed the breach,” reads part of the statement from TCRA.

This incident was reported by The Citizen newspaper of April 2, 2020.

TCRA fines six media outlets

DAR ES SALAAM: On July 1, 2020, the Tanzania Communications Regulatory Authority (TCRA) Content Committee imposed a TZS 30 million fine to six electronic media outlets for allegedly violating broadcasting rules and regulations as stipulated in the Electronic Communications and Postal Code of 2018.

The radio and TV stations that faced the wrath include Clouds FM Radio, Duma TV, East Africa Radio, Global TV, Sibuka TV and Star TV.

TCRA’s content committee chairman, Joseph Mapunda told reporters that “the stations have violated Regulation 5 and 12 of the Electronic Communications and Postal Code.”

On the side of Clouds FM Radio, Mapunda said the station aired content materials that promote sexual activities and the use of ‘octopus soup’ for enhancing sexual acts. He said the programme was aired at a time when a large audience could be children.

He said after listening to their defence, they are being fined TZS 7 million and given a severe warning after being convicted of the offense.

According to Mapunda, Duma Online TV has been fined TZS 7 million for allegedly uploading content with abusive language on Instagram and other social media networks. TCRA suspended Duma TV operations for one month.

Moreover, the committee chairman added that East African Radio was punished (TZS 3 million fine) for airing content that allegedly insulted

the government basing on the Controller and Auditor General (CAG) reports.

Global Online TV was slapped a TZS 7 million fine for posting content “that contained abusive language through You Tube channel “ while Sibuka TV has been fined Shs3 million “for airing a programme which is contrary to the regulations.”

Furthermore, Star TV was fined TZS 3 million for airing a programme, which contained materials “that insulted the Kisarawe District Commissioner, Jokate Mwegelo and Minister of State RALGs , Selemani Jafo.”

The station was ordered to apologize to the two leaders within three days. According to Mapunda, each station were fined and served with a warning letter.

“They can appeal if they are not satisfied with the decision reached by the Content Committee, the appeal must be filed within 21 days from today,” said Mapunda.

Two radio stations punished

DAR ES SALAAM: on August 27, 2020 Tanzania’s communications regulator on Friday penalized two radio stations and warned four others over what it described as professional misconduct.

The Tanzania Communications Regulatory Authority (TCRA) banned Clouds FM Radio from airing its program called Jahazi with immediate effect after it had aired obscene information.

Joseph Mapunda, vice-chairman of TCRA’s Ethics committee, said in Dar es Salaam that Clouds FM Radio contravened regulations of the Electronic and Postal Communications Act and didn’t take into account the interests of the public, particularly children and youth.

6. DENIAL OF ACCESS TO INFORMATION

Mbowe's press conference cancelled

DODOMA: On April 22, 2020 Police stopped the opposition CHADEMA Chairperson Freeman Aikael Mboye from holding a press conference at CHADEMA office in Dodoma citing COVID-19 restrictions as the reason. However, on the same day there was a national pray gathering organized by the government.

Equipment confiscated

TANGA: Mwananchi newspaper correspondent, Rajabu Athuman, had his equipment confiscated, including a mobile phone after interviewing people who are said to had eaten poisonous mushrooms in Kilindi District, Tanga Region.

Commenting on the tragedy, Rajab Athuman said he was attacked by a group of people who claimed to have come from the district's disaster unit, while he was interviewing three families of 11 people who had eaten the mushrooms.

7. SELF CENSORSHIP

MCL terminates editor's contract

DAR ES SALAAM: Mwananchi Communications Limited (MCL) on March 23, 2020 terminated the contract of award winning Mwananchi newspaper Editor, Neville Meena citing his social media engagement which the company claimed contradicted MCL's editorial policy.

Meena, who was the overall winner of the Excellence in Journalism Awards Tanzania (EJAT) for 2011, later tweeted: "MCL has today terminated my contract on grounds cited as 'my social media engagement' which jeopardizes the company's editorial policy. But I have a different story."

Meena added: "So I am leaving the company from today March 23, 2020. It was a very short but great time to work with you again. Let

me take this opportunity to thank you all for your support... ”

Talking to MCT, Meena said it was not true that he had posted anything on social media that in any way jeopardized the company’s operations or its existence.

He said MCL management must have received directives “from above” that they should remove him because he had earlier been an editor with Tanzania Daima, a newspaper owned by the leader of a leading opposition party. Tanzania will hold the general election- this year (2020).

Meena said he suspected that he was being targeted by some people in government who do not want him in that post. “I have never been in any confrontation with the government. There are people up there who want this position to be given to a person who can be manipulated or be told what to do. They know I cannot accept that,” he said.

Meena said he knew what it takes for one to be an editor of Mwananchi newspaper under current circumstances, so he was very cautious about what he published and with whom he discussed issues, adding that he has never had issues with any of the published stories or any social media posts.

He said on March 23, 2020, at around 2:00 pm he was called by the company’s Human Resources Manager to be informed about his termination, but he asked some questions regarding his termination, but no answers were provided.

Journalist fired for criticising the President

DAR ESC SALAAM: The Citizen newspaper journalist Khalifa Said has found himself in a tough situation after criticizing President John Magufuli on his twitter account.

In his post in March 2020, the journalist wrote, “As a president, the people expect him to show some leadership and not his deeply held superstitious beliefs: Tanzanian elected a president, not a pastor or a sorcerer. Show some leadership”.

The journalist’s twitter follows President Magufuli’s speech where

he announced that his government would not shut down places of worship over the highly contagious coronavirus that had by that time claimed 14,746 lives worldwide.

According to Magufuli, these were the only places where true healing can be found.

“These Holy places are where God is. My fellow Tanzanians, let us not be afraid of going to praise Him,” he said.

The journalist twitter said, “in the event that a Tanzanian loses his/her life due to COVID-19 he should be the first to be blamed”.

Magufuli told a congregation where he had attended a church service that the Covid-19 virus is Satanic and cannot survive while in the “body of Christ”.

“Corona cannot survive in the body of Christ, it will burn. That is exactly why I did not panic while taking the Holy Communion,” he said while the congregation cheered.

8. BANNING BY AUTHORITIES

Journalists barred from covering court case

ARUSHA: Five journalists from various media outlets in Arusha were on March 23, 2020 barred from entering the courtroom at the Arumeru District Court to cover a murder case. The journalists include Godfrey Thomas (Millard Ayo TV), Lucas Myovela (Muungwana Blog), Grace Macha (Tanzania Daima) and Abadi Mohammed (Clouds TV).

On the day of the incident, a resident of Mianzini in Arusha, Mkami Shirima (30), was brought to court, on allegations that she had killed her house help Salome Zacharia to death.

Salome was only 17 years old and working in the household. Her employer, Mkami, accused her of stealing TZS 50,000, which is about 20 U.S. dollars, and beat her with a stick until she forcing her to tell where she had hidden the money.

To save herself from more beating, the girl confessed to have sent the money to her mother who was in need, her employer locked her up in a room without food for two days, before a concerned neighbour convinced the employer to take the girl to a hospital because of her deteriorating condition.

Salome died in the hospital a few days later. When law enforcement officers and the media investigated the incident, they found that it was the daughter of the household who had actually stolen the money and gave it to Salome.

Police did not want any journalist to take photographs of the suspect, as she was being brought to court. Police blocked courtroom entrance to prevent journalists and members of the public. One journalist, Veronica Mheta, who writes for Habari Leo newspaper managed to enter the courtroom, thanks to assistance from magistrate and court clerks.

The suspect was brought to court in a private vehicle instead of police or prison vehicles. It is alleged that the suspect was being protected by police because she is the wife to one of the Arumeru district police officers.

This incident was reported by the Habari Leo and Nipashe newspapers of March 14, 2020.

TCRA Suspends Mwananchi's online license for half a year

DAR ES SALAAM: On April 17, 2020, the Tanzania Communication Regulatory Authority (TCRA), through its content monitoring committee suspended the Mwananchi Communications Limited (MCL) online content delivery license for six months, and in addition, ordered the company to pay a fine of TZS 5 million.

According to TCRA, MCL violated the Electronic and Postal Communications (Online Content) Regulations of 2018.

TCRA said the decision was reached after it became clear that on April 13, 2020, through the MCL's social networking pages published misleading information that caused confusion in the community.

The statement said, after listening to and reflecting on the defence provided by the leadership of the MCL, the content committee was satisfied that MCL through its social networking pages had violated Electronic and Postal Communication Regulations.

As a result the Committee suspended the online content delivery platform for six months and was also ordered to pay a fine of TZ Sh 5 million to TCRA.

MCL was punished because of a video clip showing President John Magufuli in a crowded fish market at his home town of Chato. TCRA said it was an old clip. Media observers believe MCL was penalised for publishing the clip because it could easily be interpreted that the President was breaching global social distancing guidelines due to COVID-19.

Government revokes Tanzania Daima licence

DAR ES SALAAM: On June 23, 2020, the government revoked the license of the Tanzania Daima newspaper, alleging that it has been violating journalistic ethics and laws including spreading false information.

An official at the Department of Information said the newspaper had received 10 warnings, but he did not elaborate on the alleged breaches. He said the paper had 30 days to appeal or could apply for a new license.

The paper's editor, Martin Malera, said he had been questioned for publishing a story in which a bishop urged opposition parties to demand for a free electoral body, called for independent candidates to be allowed to stand and urged the public to wear white as a sign of political protest.

The statement accused the publication of breaching the law and professional ethics but did not cite specific content from the newspaper that was allegedly illegal, nor did it specify which laws the paper was accused of breaking.

"Efforts to warn, direct and remind the newspaper's editors to comply

with licensing terms for more than a year have failed to bear fruit due to stubbornness, and contempt for the country's authorities and at times an obvious evil intent," said a statement by the Director of Information in the Ministry of Information, Culture, Arts and Sports Patrick Kipangula.

The statement said the newspaper will not be allowed to publish or distribute locally or abroad following the suspension. It said the Director of Information has revoked the newspaper under the authority conferred under section 9(b) of the Media Services Act No 12 of 2016.

The section states that "The Director of Information Services Department or such other person on his behalf shall have powers to suspend or cancel the license in the event of failure of a licensee to comply with the prescribed conditions of a license."

In a joint statement issued on June 24, the Media Council of Tanzania and the Tanzania Editors' Forum, expressed concern at the use of the Media Services law, which "allows the government to be complainant, prosecutor and judge of its own case."

9. SUSPENSION

Kwanza Online TV suspended for 11 months

DAR ES SALAAM: On July 6, 2020, the Content Committee of the Tanzania Communication Regulatory Authority (TCRA) suspended Kwanza Online TV for 11 months for allegedly posting unbalanced, biased, misleading and disruptive story on the state of COVID-19 pandemic in Tanzania.

On July 1, 2020 Kwanza TV on their Instagram page posted an alert issued by the US embassy in Tanzania cautioning its nationals against COVID-19 status in Dar es Salaam which, the TCRA Content Committee claimed to be "false, misinforming and malicious, intended to cause panic and affect the country's economic activities including tourism." The government had objected to COVID-19 health alerts

from the U.S. embassy, including a May 2020 alert claiming that many hospitals in Dar es Salaam, were overwhelmed amid the pandemic.

According to the Committee Vice-Chairperson, Joseph Mapunda, the online media outlet acted contrary to EPOCA (Online Content) Regulations of 2018.

Kwanza Online TV said in a statement that it was not given enough time to respond to the summons.

“Our right to be heard was not adhered to as we were given less than 24 hours to respond to the initial summons which we did hastily only in writing. We would like to emphasize that Kwanza TV is not guilty of any offence. Republishing an already published public notice cannot in and of itself be an offence.

The regulator previously suspended Kwanza Online TV in September 2019 for six months, also for allegedly publishing misleading information. That suspension ended in March 2020. In its statement, Kwanza Online TV said that it was still appealing the grounds of the earlier suspension in court.

TCRA Suspends Mwananchi's online license for half a year

DAR ES SALAAM: On April 17, 2020, the Tanzania Communication Regulatory Authority (TCRA), through its content monitoring committee suspended the Mwananchi Communications Limited (MCL) online content delivery license for six months, and in addition, ordered the company to pay a fine of TZS 5 million.

According to TCRA, MCL violated the Electronic and Postal Communications (Online Content) Regulations of 2018.

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10. THREATS

Gov't threatens Zanzibar journalist over Corona coverage

ZANZIBAR: On March 26, 2020, a journalist reporting for DW from Zanzibar, Ms. Salma Said, was threatened with punitive action for releasing information about the spread of the Coronavirus on the Isles.

Salma had written that two foreigners suspected to have Coronavirus were taken to Global Hospital in Zanzibar for check up. However, she reported, it was not confirmed whether they tested positive for the virus.

She reported that as a precautionary measure, other patients were temporarily removed from the hospital. However, the government said the story was not true, explaining that there were no Coronavirus patients at Global Hospital and that people should ignore the story.

The government said in the statement that indeed two patients, both of them foreigners, had been taken to the hospital but “they were suffering from fever, flu and cough”.

Salma published another story in which she quoted the Zanzibar Minister for Health Hamad Rashid Mohammed saying Zanzibar borders would be closed and urging Zanzibaris outside the country to come back within three days before the closure.

This story also angered the authorities who gave a statement on March

25, 2020 that what the government had said was that “following the spread of Coronavirus in different countries, after three days visitors from foreign countries including Zanzibaris currently in different countries would not be able to enter Zanzibar”. The statement insisted that Zanzibar “was not closing its boundaries”!

However, MCT can confirm that Salma Said quoted the minister word for word.

On 26 March, 2020 Salma was subsequently served with a letter accusing her of unprofessional and unethical reporting and giving her the last the warning.

Salma told MCT that officials from the Ministry of Health told the journalist orally “to stop her habit of following up on news stories that were not approved by the government”.

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11. ASYLUM

Tanzania journalist gets refugee status in Sweden

DAR ES SALAAM: A prominent Tanzanian analytical journalist and critic of the Magufuli administration, Ansbert Ngurumo, who fled the country in March 2018 fearing for his life, has been granted refugee status by Sweden. Ngurumo secured the refugee certificate on March 4, 2020.

Ngurumo wrote for a number of newspapers including Tanzania Daima and MwanaHalisi, before he fled the country to Finland and then Sweden.

12. PROGRAM CUT SHORT OR SUSPENSION

Star TV cuts short live programme allegedly on orders from above

MWANZA: On June 16, 2020, a live programme on Star TV was cut short following “orders from above”, after a participant in the programme challenged the wisdom of an order to the Speaker of the National Assembly Job Ndugai to deal with troublesome opposition members of Parliament on the floor while the President will deal with them outside the House.

Another contentious issue raised during the programme hosted by Mtozi Aloyce Nyanda was the purchase of aircraft by the government without Parliament approval.

Forty minutes before the end of the of the programme, John Pambalu, chairperson of Bavicha, the Youth wing of the opposition party Chadema, claimed to have heard a voice through a loud speaker urging the host to conclude the programme.

After a brief spell, Pumbalu claimed a woman entered the studio, followed by a young man while signalling the host to end the programme. “They later asked the host to read a message on his cell

phone,” he said.

The programme was about the performance of the sessions of the 11th Parliament. Two other participants of the programme, including a representative of the ruling party CCM were to make their contributions from the country’s capital, Dodoma.

However, it appeared that something was not going well because every time the programme host asked those in Dodoma to speak, they did not respond.

On his part, Pumbalu criticized the 11th Parliament for being “dwarfed by the Executive.”

The Chairperson of Mwanza Press Club, Edwin Soko, speaking on the issue said he had learnt from impeccable sources that going forward senior managers of the TV outlet would be the one’s choosing people who would feature in live programmes and not the host.

The host is known for his penchant to make his programme lively by picking participants who in other peoples’ eyes might seem controversial.

The owner of Star TV is Anthony Diallo is the chairperson of CCM in Mwanza Region.

MCT programme cancelled

DAR ES SALAAM: On February 13, 2020 the Media Council of Tanzania (MCT) was going to have a programme at Radio One on World Radio Day. This program was cancelled in what appeared to be the host’s and management fear on what the panellists would speak during the programme. The guests were informed that their programme, which was free, was cancelled replaced by another of which airtime had been paid for.

Access to social media denied

DAR ES SALAAM: On October 26, 2020: Internet users across Tanzania had no access to social media platforms mostly WhatsApp, Facebook and Twitter for a number of days prior to and after voting

during the country's general elections in October and November 2020. Evidence gathered by the Open Observatory of Network Interference (OONI) suggests that Twitter, WhatsApp, Facebook messenger, and Telegram had been blocked since October 27, 2020.

This follows an earlier directive restricting access to bulk short messaging services (SMS) and bulk voice services, starting October 24 until November 11, 2020, and legislation outlawing international press from covering developments in the country without local media partnerships.

Twitter warned that it was "seeing some blocking and throttling" of its services in Tanzania ahead of Wednesday's polls, and appealed for the respect of "basic human rights."

13. CONCLUSION

MCT believes that one of the reasons there is press freedom violations in the country is impunity. Violations against media outlets and practitioners do not only come through bans and fines, but also disappearances, harassment and unlawful detention of individual journalists. In a situation where people in authority will realize that they will have to account for their actions in courts of law, this in itself will reduce the impunity and consequently the violations.

In March 2019 MCT and partners succeeded in their challenge of the Media Services Act, 2016. This was a major litigation victory for the Council and its partners. The East African Court of Justice (EACJ) ruled that provisions under 16 sections of the Act violate the Treaty for the Establishment of the East African Community (EAC). The Government was directed to take steps to bring the law to compliance with the Treaty.

The government was dissatisfied with the ruling and filed a notice of appeal in April, 2019. Until late 2019, the Government could not submit its appeal thus the Council and its partners requested the Court to strike out the application. On June 9, 2020 the EACJ struck

out the notice of appeal filed by Attorney General with costs. But yet the government has ignored the EACJ ruling to amend the law and bring it in conformity with the EA Community Treaty and continues to apply the impugned sections of the law despite the ruling.

The establishment of the Press Freedom Register is an effort by the Council to provide tangible evidence on the level of freedom under which the media operate in Tanzania but also be able to understand trends and also to investigate serious violations. The Press Freedom Register is also a vital advocacy tool for lobbying and advocacy for law reforms.



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