

STATE OF
THE MEDIA
IN TANZANIA
2017-2018



**STATE OF THE MEDIA IN
TANZANIA
2017 – 2018**

MEDIA COUNCIL OF TANZANIA



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CONTENTS

EXECUTIVE SUMMARY	1
1.0 Introduction	1
1.1 Objective of the Report	1
1.2 Organisation of the Report.....	1
2.0 Methodology	1
3.0 Key Findings for Tanzania Mainland.....	2
4.0 Key Findings for Tanzania Zanzibar	4
5.0 Conclusion.....	5
6.0 Recommendations.....	6
ABOUT AUTHORS.....	6
PART I	9
TANZANIA	
STATE OF THE MEDIA TANZANIA MAINLAND 2017-2018	9
CHAPTER ONE.....	13
Developments in Legal/ Regulatory Framework.....	13
1.0 Introduction	13
1.1 Legal and Regulatory Framework: Key Issues in 2017 and 2018	13
1.1.1 Media Service Act, 2016 Regulations, 2017	13
1.1.2 Access to Information Act Regulations, 2017	15
1.1.3 Electronic and Postal Communications (Online Content) Regulations, 2018	18
1.1.4 Electronic and Postal Communications (Radio and Television Broadcasting) Regulations, 2018.....	19
1.2 Amendments of the Statistics Act, 2015 (Cap 351, 2018)	20
1.3 Political developments and their Implications to press freedom	21
1.4 Development as the Agenda of the Media	22
1.5 Press Freedom Violations	24
1.6 Concluding Remarks.....	25
1.7 Recommendations.....	25
CHAPTER TWO.....	27
Current Trends in the Print Media	27
2.0 Introduction	27
2.2 Current Status of Print Media in Tanzania.....	27
2.3 Newspapers Ordered to Re-register, No Licence, No Permission to Operate.....	27
2.4 Just Few Proprietors Still Dominate Newspaper Landscape.....	29
2.5 Newspapers Sustainability Issues.....	31
2.5.1 Newspapers in Progress to Re-conquer the Market, Regain Position	31
2.5.2 Restrictive Laws an Obstacle to Newspapers Sustainability	31
2.6 Journalists Abused, Clamp Down on Outlets...the List is Long.....	32



2.6.1	Incidents of Abuses against Print Journalists.....	32
2.7	Incidents of Newspaper Suspensions and Banning	35
2.8	Status of Self-censorship and Chill in Coverage of Some Stories.....	36
2.8.1	Restrictive Laws Trigger Fear, Journalists Opt for Self-censorship.....	36
2.8.2	Tough Laws Fuelled Self -Censorship, Ethical Violations	38
2.9	Introduction of Fees for Online Newspapers.....	41
2.9.1	High Fees Forced Existing Online Outlets Close Down	41
2.10	Complaints Against Newspapers in 2017/18	42
2.11	Concluding Remarks.....	43
2.12	Recommendations.....	43

CHAPTER THREE 47

Current Trends in the Radio and TV Broadcasting 47

3.0	Introduction	47
3.1	Current Situation of Radio Broadcasting in Tanzania	47
3.1.1	Number of Licensed Radio Stations in Tanzania	47
3.1.2	Radio Plurality and Ownership	49
3.1.3	Radio Proliferation	49
3.1.4	Radio Development Trend: Community Radios as an Area to Watch.....	49
3.2	Situation of TV in Tanzania	50
3.2.1	Number of Licensed TV Stations in Tanzania.....	50
3.2.2	Television Plurality, Ownership and Diversity.....	51
3.3	Radio/TV Sustainability Issues	51
3.3.1	Financial Constraints.....	52
3.3.2	Manpower Challenges.....	52
3.3.3	Technical Equipment	53
3.3.4	Security Challenges	53
3.3.5	Legal Challenges	53
3.4	Status of Closure or Hefty Fines in Tanzania Mainland media	53
3.5	Highlights of Incidents of Violence, Threats and Intimidation to Broadcasting Journalists.....	56
3.6	Digital Broadcasting in Tanzania	57
3.6.1	Current Situation of Digital Broadcasting in Tanzania	58
3.7	Online TV and Radio Stations in Tanzania	59
3.8	Ethical Issues in the Broadcasting Industry.....	61
3.9	Concluding Remarks.....	61
3.10	Recommendations.....	62

CHAPTER FOUR..... 65

Current Trends in the New Media 65

4.0	Introduction	65
4.1	With Tense Political Atmosphere Online Media Strive to Survive.....	65
4.2	Government Uses Restrictive as Mechanisms to Control Online Space.....	66
4.3	Online Content Regulations; a Heavy Nail on the Coffin	68



4.3.1	Stakeholders' Response to Online Regulations Online regulations send bloggers packing	69
4.4	The Notorious 2015 Cybercrimes Act Continued to Play Significant Role.	72
4.5	Incidents of People Punished Under Online Laws.....	73
4.6	Shrinking Public Space Alarms Local, International Rights Groups.....	74
4.7	With the Tense Political Situation, What is the Future of Online Media?	76
4.8	Strategies to Promote Good Use of Online Media	77
4.9	Concluding Remarks.....	78
4.10	Recommendations.....	79

CHAPTER FIVE 81

Media Support in Tanzania Mainland..... 81

5.0	Introduction	81
5.1	Organisations Supporting Media in Tanzania	81
5.2	Internews	81
5.3	Tanzania Media Women's Association.....	83
5.6	FES TANZANIA.....	85
5.7	Misa-Tan.....	86
5.8	Tanzania Human Rights Defenders Coalition (THRDC).....	88
5.9	Journalists Environmental Association of Tanzania (JET)	91
5.10	Tanzania Media Foundation (TMF)	92
5.11	UNESCO and Other Supporters	94
5.12	Media Council of Tanzania (MCT).....	94
5.13	Media Stakeholders Perception	98
5.14	Concluding Remarks.....	99
5.15	Recommendations.....	99

PART II..... 101

ZANZIBAR

The State of Media Report in Zanzibar in 2017/18..... 101

CHAPTER ONE..... 103

Political Context/Legal and Regulatory Framework..... 103

1.0	Introduction	103
1.1	Key Political Events in 2017/18 and Their Implications to Press Freedom and Journalism	103
1.4	Conclusion.....	109
1.5	Recommendations.....	110

CHAPTER TWO..... 111

Current Trends in the Print Media in Zanzibar 111

2.0	Introduction	111
2.1	Registration of Newspapers.....	111



2.2	Sustainability Issues.....	112
2.2.1	Financial Muscles of Newspapers.....	112
2.2.2	Production.....	113
2.2.3	Distribution.....	113
2.2.4	Newspaper's Contents.....	113
2.2.5	Maintenance of Labour Force.....	114
2.3	Mushrooming of Online Newspapers.....	114
2.4	Conclusion.....	114
2.5	Recommendations.....	114
CHAPTER THREE		117
Current Trend in Radio and TV Broadcasting in Zanzibar.....		117
3.0	Introduction.....	117
3.1	Registration of New Radio and TV Stations.....	117
3.1.2	Introduction of Decoders and its Implications on Radio and TV.....	118
3.2	Threats and Intimidation to Journalists.....	118
3.3	Sustainability Issues.....	119
3.4	Current Status in Digital Broadcasting.....	120
3.5	Conclusion.....	120
3.6	Recommendations.....	120
CHAPTER FOUR.....		121
Current Trends in the New Media		121
4.0	Introduction.....	121
4.1	Registration of New Media.....	121
4.2	Current Status of New Media and its Implication on Journalism Practices.....	122
4.3	New Media and its Impact on Traditional Media in Zanzibar.....	122
4.4	Comparison of Ownership, Press Freedom Violations and Advertising Aspects.....	123
4.5	Conclusion.....	124
4.6	Recommendations.....	124
CHAPTER FIVE		125
Media Development Support.....		125
5.0	Introduction.....	125
5.1	Grants/Fellowships and Scholarships.....	125
5.2	Promotion and Protection of Journalists Rights and Welfare.....	126
5.3	Promotion of Specialised Training in Journalism.....	127
5.4	Provisions of Institutional Support to Media Institutions.....	127
5.5	Availability of Research Fund.....	128
5.6	Other Development Support.....	128
5.7	Conclusion.....	128
5.8	Recommendations.....	129



CHAPTER SIX	131
Professionalism in the Media and Trends in Journalism Training Institutions	131
6.0 Introduction	131
6.1 Key Ethical Events in 2017/18.....	131
6.2 Media Current Ethical Debates.....	132
6.2.1 The Right to Reply	132
6.2.2 Balance of Information	132
6.3 The trend in Journalism Training Institution	132
6.4 Tertiary Institutions and Quality of Education/Curriculum	133
6.5 Research Status/Consultancies and Community Services	133
6.6 Sustainability of Journalism Training Institutions	133
6.7 Conclusion.....	134
6.8 Recommendations.....	134





EXECUTIVE SUMMARY

1.0 Introduction

The 'State of the Media Report' is a flagship of the Media Council of Tanzania (MCT) published annually since 2001. Issues highlighted in these reports have helped shed light on critical aspects of the industry which need intervention.

1.1 Objective of the Report

The objective of this report is to track, highlight and document trends, notable developments, challenges as well as emerging issues related to laws, policies and media environment, which prevailed between 2017/18. The goal is to shed light on positive developments which need to be sustained. It also aims at getting an understanding on critical issues which need intervention and give recommendations on how to move forward.

1.2 Organisation of the Report

This year's report combines events and issues that prevailed in the media sector for the period of 2017/18 and is divided into two parts. The first part highlights the media situation in Mainland Tanzania, while the second part focuses on Zanzibar. The report covers the following areas:

- * Legal and regulatory framework;
- * Trends in the print media;
- * Trends in the radio and TV broadcasting
- * Trends in the new media and media support in Tanzania.

Furthermore, the Zanzibar Report has a chapter on 'Professionalism in the Media and Trends in Journalism Training Institutions'.

2.0 Methodology

In preparing this report, the consultancy team employed a mixed-methods approach to collect data, both primary and secondary. Secondary data was collected from various reports relating to media, laws and regulations, policies as well as newspaper articles. In collecting primary data to complement the desk-work review, interviews were conducted with selected respondents. Respondents



were picked from media practitioners, professional associations, media and communication analysts, civil society organisations, legal practitioners and individuals from higher learning institutions. Respondents were purposively selected based on their wealth of knowledge on the subject.

3.0 Key Findings for Tanzania Mainland

Legal and regulatory framework

One of the major developments in legal framework was the passing of regulations to complete legislation processes of the recently enacted laws. The exercise scuttled stakeholders' expectations, since such changes did not address many contentious issues in the laws.

Aspects such as accreditation of journalists, licensing of newspapers, leaving the power to suspend or even cancel newspaper licenses in the hands of the Director of Information Services Department, are some of the areas which, in stakeholders' view, continue to threaten the freedom of individual journalists, media outlets and the industry as a whole. Amendments of the Statistics Act, 2015, made the law more draconian and a big hurdle in collection and dissemination of statistical information.

The period also witnessed a new trend of politicization of development agenda, where journalists and others who raised voices against wrongdoings by Government authorities were considered enemies and persons who were against national development.

Current Trends in the Print Media

Print media comes out as a struggling industry which throughout 2017/18 suffered massive setbacks including operating under a tense political environment dominated by repressive laws. Declining readership and advertising continued to haunt the industry, hence derailing its development and sustainability.

The landscape also continued to be dominated by a few proprietors, something which contradicts the whole concept of media pluralism and its benefits to democratic processes. Government's directive to re-register all newspapers and magazines shocked proprietors, leaving them with only one choice: to either re-register or close



down business.

The trend of suspending or banning newspapers accused of not complying with the law, plus intimidation, prosecution and harassment of journalists, were other critical aspects witnessed. Violations were many, but the worst of all was the disappearance of a Mwananchi Communication Limited (MCL) journalist, Azory Gwanda, whose whereabouts is unknown to this day.

The unfavourable environment in which the media operate, contributed to the drop of Tanzania's position in the World Freedom Index (which is? & compared to previous nr).

Current Trends in Radio and TV Broadcasting

Radio and television stations continued to operate under a legal framework which was neither friendly nor supportive to their development. Certain laws and regulations guiding broadcasting industry were used by authorities for personal purposes and punishing journalists who are viewed as Government's critics.

Punitive measures like closure of stations and fines were taken against some media establishments on a number of occasions under circumstances which legal observers considered unjust. Incidents of violence and threats to broadcasting journalists were on the rise and the worst incident was the invasion of Clouds TV by Dar-es-Salaam Regional Commissioner (RC), Paul Makonda. The RC stormed the station with armed police, reportedly to pressure the staff to air a video undermining a popular local pastor that is critical of the Commissioner.

A slight increase in the number of radio and TV stations, official opening of doors for online radio and television and a little progress on digital broadcasting, were noteworthy developments in the industry.

Current Trends in the New Media

Online media continued to survive under a hostile environment with a tense political atmosphere, resulting in violation of freedom of expression and shrinking civic space. Enforcement of the notorious Cybercrimes Act and other restrictive laws and regulations continued to play a significant role in suppressing voices considered critical to the current Government and its policies.

The 'Online Content Regulations, 2017' was a major blow to online



communication in Tanzania. Areas of great concern included the prohibitive fees that operators are required to pay, threats to anonymity and severe penalties for those contravening these terms. Despite these setbacks, online media continues to progress with the number of citizens accessing the Internet and other digital devices increasing. The Government continues to put in place mechanisms to control misuse of social media including posting of indecent content on these platforms.

Media Support in Tanzania Mainland

A number of organisations have been supporting the media in Tanzania in the past decade. Areas mostly supported include training, continuous learning, mentorship and fellowships.

Other areas are: advocacy on issues related to protection of media freedom and freedom of expression, improving working environment of journalists, challenging draconian laws, monitoring and reporting on human rights abuses against journalists and research on press freedom violations in the country for the purpose of compiling reports to be used in advocacy work.

Provision of legal aid to journalists who have been attacked or prosecuted in the course of their work, protection of media workers as well as providing short time relocation to some journalists receiving threats from unknown people, were among activities that received support.

4.0 Key Findings for Tanzania Zanzibar

The 'State of Media in Zanzibar' report depicts a mixture of positive and negative developments. The assessment in this publication shows that some events were legal and policy-related while others touched directly on the media sector. The 'State of Media in Zanzibar' covers the following chapters:

Political/Legal and Regulatory Framework

Some media laws including sections of the new Elections Act of 2018 remain a challenge to media operations serving the masses.

Current Trends in the Print Media in Zanzibar

The print media in Zanzibar is still limping. Foreign and local investors have put less attention in this industry. Lack of experience



in running newspaper business in the modern world is another problem.

Current Trend in Radio and TV Broadcasting in Zanzibar

There is a positive development in the electronic media. Online television stations have started to sprout, which is an important element in dissemination of information to the public.

Trends in the New Media

Ownership, press freedom violations and advertising have affected the performance of the media. News judgment for public consumption is usually premised on the interests of media owners.

Media Development Support

Journalists are not sure of their survival and welfare. Matters of protection, promotion of journalists' rights and research activities did not attract much attention.

Professionalism in the Media and Trends in Journalism Training Institutions

The gap of professionalism and violation of media ethics is still an issue for consideration. However, there is hope for journalism training institutions, especially those owned by the Government, to continue to survive.

5.0 Conclusion

The situation of the media in Tanzania in 2017/18, particularly in the Mainland, was not promising. The media, be it print, broadcasting or online, suffered massive setbacks including operating under a tense political environment dominated by repressive laws. Punitive measures such as suspension or banning of newspapers, closure of broadcasting stations under circumstances considered unjust, plus violence, intimidation, prosecution and harassment of journalists, were some of the violations witnessed in the two years. The unfavourable environment in which the media operated was one of the factors that explain why Tanzania's position in Press Freedom Index dropped. As one media guru puts it: "The doors may be shut, but they are not locked. Look for alternative styles and ways of sending the same message without angering rulers who have not been tolerant. Take advantage of opportunities created



by social media. While they may not be a panacea to shrinking civic space, they are, indeed, a breathing space as far as freedom of expression is concerned,”

6.0 Recommendations

- * Media, civil society and human rights supporters must continue to campaign to ensure draconian and media unfriendly law and regulations are reformed;
- * Challenge the enforcement of laws and regulations that violate online rights;
- * Prepare ethical guidelines for online communication and
- * Push for media training programmes which make journalists and media institutions more independent and sustainable.

About Authors

Dr Joyce Bazira

Dr Bazira is a media trainer, researcher and mentor. She holds a Doctor of Philosophy (PhD) degree in Mass Communication from St. Augustine University of Tanzania and a Master’s degree in the same area and from the same university. She has taught in various universities in Tanzania at both undergraduate and graduate levels.

As a researcher, Dr Bazira has participated in a number of communications research projects undertaken in and outside Tanzania while her experience as a mentor has seen her undertake training assignments with organisations such as World Association of Newspapers and News Publishers (WAN-IFRA) for Women in News Programme; Tanzania Media Foundation (TMF), Media Council of Tanzania (MCT) and UN Women, Tanzania.

Before shifting into the academia, she worked as a senior editor for the Guardian Limited, a privately owned media company.



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Henry Muhanika is a veteran journalist with a background in librarianship. He was the Chief Editor with the Tanzania News Agency in the 1980s. On leaving Government service, Muhanika became the first Tanzania Bureau Chief of 'The EastAfrican', a Nairobi-based regional newspaper. He later on launched the PR Communications Ltd, a public relations and media consultancy company.

For the last eight years Muhanika has been serving as Executive Secretary of Media Owners Association of Tanzania (MOAT), combining his duties with part time lecturing at Muslim University of Morogoro (Mass Communication Dept). He has also been a columnist for some local English newspapers and has authored a number of books including 'Utenzi wa Vita vya Kagera', 'Njia Panda' and 'Killer Drink'.

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PART I

TANZANIA

STATE OF THE MEDIA TANZANIA MAINLAND 2017-2018

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ABBREVIATIONS

ACHPR	African Charter on Human and Peoples' Rights
AFEX	African Freedom of Expression Exchange
AMB	Africa Media Barometer
CoRI	Committee as well as the Coalition on the Right to Information Committee
EATV	East Africa Television
ECOPA	Electronic and Postal Communication Act
FTA	Free-to-Air
FES	Friedrich Ebert Stiftung
FOE	Freedom of Expression
FGM	Female Genital Mutilation
GBV	Gender-Based Violence
ICT	Information and Communication Technology
ICCPR	International Covenant on Civil and Political Rights
IJ	Investigative Journalism
ISD	Information Services Department
ITU	International Telecommunications Union
ITV	Independent Television
JET	Journalists Environmental Association of Tanzania
LHRC	Legal and Human Rights Centre
Maelezo	Tanzania Information Services
MCT	Media Council of Tanzania
MISA	Media Institute of Southern Africa
MISA-TAN	Media Institute of Southern Africa-Tanzania Chapter
MOAT	Media Owners Association of Tanzania
MS	Media Services
NSS	National Statistical System
RFA	Radio Free Africa



SIDA	Swedish International Development Agency
TAMWA	Tanzania Association of Media Women
TASWA	Tanzania Sports Association
TBC	Tanzania Broadcasting Corporation
TCRA	Tanzania Communication Regulation Authority
TEF	Tanzania Editors Forum
THRDC	Tanzania Human Rights Defenders Coalition
TMF	Tanzania Media Foundation
TSN	Tanzania Standard Newspapers
UNESCO	United Nations Educational, Scientific and Cultural Organisation
URT	United Republic of Tanzania
UTPC	Union of Tanzania Press Clubs
UDHR	Universal Declaration of Human Rights
RFA	Radio Free Africa





Chapter One

Developments in Legal/ Regulatory Framework

1.0 Introduction

The chapter looks at major political, legal and regulatory developments, which took place in 2017 and 2018, paying special attention to their impact on press freedom, journalism practices and the media industry. The chapter also explores political events and issues that transpired in the past two years and their implications. It ends with concluding remarks and recommendations.

1.1 Legal and Regulatory Framework: Key Issues in 2017 and 2018

Passing of regulations for recently enacted laws

The passing of regulations for the recently enacted Laws and Act amendments were the major developments in the legal and regulatory framework in Tanzania for the 2017 and 2018 period. These included Media Services Act, 2016, Access to Information Act, 2016, and Electronic and Postal Communications (Online Content) Regulations, 2018, and the Statistics Act, 2015, Cap 315, 2018, which was amended. The laws, whose impact to media activities and freedom of expression remain significant, were enacted during the 2015/16 period.

1.1.1 Media Service Act, 2016 Regulations, 2017

Media Services Act, 2016 regulations were published in the Government Gazette in the first week of February 2017. While addressing a press conference on this development, the then Minister for Information, Culture, Arts and Sports, Nape Nnauye, pointed out that the move marked the end of enacting controversial laws.

Media stakeholders had all along expressed reservations about the law on the grounds that it contradicted Article 18 of the United Republic of Tanzania Constitution, 1977, which provides freedom



of expression as a fundamental civil right. Under this Constitution, every person has the right to seek, receive and impart information and ideas through any media regardless of frontiers (URT, 1977). Media stakeholders had looked forward to seeing matters somehow improved through the regulations. When the curtain was raised, new complications surfaced.

Under the new regulations, there are still a number of issues which are considered contentious. These include accreditation of journalists, media ownership, newspaper licensing fees, handling of Government advertisements and the clout of the Information Services Department director.

On accreditation of journalists, the regulations specify a diploma in media studies as a minimum requirement for a journalist to be accredited in Tanzania. A grace period of five years, with effect from 1st January, 2017, is given to journalists without this basic qualification to pursue it. It, however, leaves the questions whether or not editors should be university graduates, and says media owners should decide (URT 2017).

Another notable aspect of the regulations is on the power it grants to the Director of the Information Services Department (ISD), who is responsible for registration of print media publications in the country. Under the law, he can reject an application which does not comply with the prescribed requirements for licensing, and suspend or cancel a licence where a licensee fails to comply with the prescribed conditions of a licence (URT 2017).

The regulations further stipulate that the ISD director will be the Government Advertising Agent. This requires Government ministries, departments, agencies, Local Government Authorities as well as projects with over 50 per cent Government funding to channel their advertisements through the Director of Information Services Department for synchronisation before being published (URT 2017).

Under the regulations, the initial licensing fee of a newspaper is set at h. Sh1 million, renewable annually for the same amount, and it gives the ISD director powers to impose a Sh100 million bond to any private individual seeking to establish a printing house in the country (URT 2017).



Implications of the Media Services Act, 2016 Regulations

There a number of implications of these regulations to journalists, journalism practice and media investors.

Media stakeholders interviewed were of the opinion that the regulations have not helped to minimise the negative impact of the Media Services Act, 2016, as far as media freedom is concerned. They, for example, noted that the powers of the ISD director to suspend or even cancel a newspaper licence without referring a dispute to the court of law, is an obvious threat to media freedom. It is for this reason that some stakeholders decided to challenge both the Media Services Act, 2016 and its regulations in court, when some clauses were used to suspend and ban some newspapers in 2017 (MCT, 2017).

This report's findings also show that media investors are not comfortable with the idea of designating the IDS director to serve as Government advertising agent, contending that the practice may be used as a weapon to punish media houses perceived not to toe the line of power-that-be with regard to coverage of political issues. Respondents also noted that the practice of state owned media getting first priority in securing Government advertisements has always been a contentious issue, adding that the private media is likely to be at a disadvantage, as the malpractice is now effectively legalised under the new regulations.

Regarding accreditation, journalists interviewed noted that this minimum qualification had eased the tension which existed when the idea of having a university degree as the basic qualification featured in the draft regulations. However, they feel that this aspect remains a barrier in journalism practice, and the possibility that many "unqualified" journalists might not meet the deadline still haunt many, especially those who happen to be in the field without even a basic certificate in journalism.

1.1.2 Access to Information Act Regulations, 2017

Regulations to enforce Access to Information Act were made under Section 20 of the Access to Information Act, were published in the Government Gazette No. 507 of 2017 on 29th December 2017. (MCT, 2018).



Legal analysts said these regulations have addressed some of the gaps in the Access to Information Act, thus making an attempt to increase access to and free flow of information. How they tend to play this positive role is highlighted in their perceived implications below.

Journalists and legal analysts interviewed said the regulations have improved on some provisions of the law by expanding the scope of the information to be accessed and the obligations of information holders and other aspects as follows:

Areas that have been improved include a regulation which prohibits an information holder or officer from demanding the person requesting access to information to give reasons for such a request. This has been taken care of by Regulation 6 and is considered a big improvement on the parent law which did not address the issue.

Another area of interest to journalists is the one that requires an information holder who is a public authority to organise a press conference on a monthly basis and disclose information of public interest. Stakeholders thought that through this procedure, outlined in Regulation 10, the public will have an opportunity to be updated on vital information on a monthly basis.

Implications of Access to Information Act Regulations, 2017

Much as some lawyers and media stakeholders interviewed commend the regulations for promoting access to information, they still criticized the same for being silent on fees which the information holder may charge an information seeker to cover operational costs, an issue which may be a setback to accessing information, especially if the charges are on the high side.

Another issue raised by some lawyers is that since the regulations are inferior to the parent law, some clauses of the latter may still be used to defeat the good intentions of the former.

In order to investigate how the ATI law and its regulations are applicable in practice, in October, 2017, the MCT decided to test the efficacy of the law by lining up a team of information seekers and sending it in the field to get information from some public offices in Dar es Salaam as well as upcountry. An MCT document reviewed show that each information seeker in the team was given



a question to ask but was free to design his/her letter to be submitted to the relevant municipal office for forwarding to the targeted public office. The information seekers were given a maximum of 30 days to wait for response. At the end of the exercise, it was discovered that out of 35 questions given to Dar es Salaam information seekers, 13 were not submitted, implying that only 22 public offices were asked for information. And out of 22 questions submitted, only 2 got a response. As for upcountry municipal/district offices, only 4 out of 10 questions submitted were responded to.

The conclusion of the exercise was that public offices are still hesitant to release information to the public. Some public information holders were quoted as saying that information is supposed to be given to institutions and not individuals.

The media ownership monitoring case study

Another incident showing access to information is still a problem occurred in 2018 and involved media owners who denied or delayed issuing information to a team of researchers who were involved in the Media Ownership Monitor (MOM) project in Tanzania. MOM was jointly implemented by MCT and Reporters Without Borders (RSF), and funded by the German Federal Ministry of Economic Development and Cooperation (BMZ)

While undertaking media ownership research in Tanzania, researchers approached targeted media houses, gave them a questionnaire to fill and provide information on media ownership. However, only three companies out of the 21 that were approached responded to the questionnaire in time, while the rest responded after constant follow-ups by phone and knocking on their doors.

One of the researchers, Dr Samwilu Mwaffisi, told stakeholders who gathered to brainstorm on the findings that some of the companies which reluctantly responded to the questionnaire did not answer all the questions while others left unnecessary gaps, showing that their seriousness about the whole exercise left much to be desired. Media stakeholders interviewed about the incident categorically stated that the culture of secrecy is still entrenched in the mindset of many Tanzanians and has to be fought for the Access to Information initiative to work.



1.1.3 Electronic and Postal Communications (Online Content) Regulations, 2018.

These regulations published by the Government in March, 2018, mainly focus on regulating activities undertaken by bloggers, online forums, online video and audio producers, as well as social media. The regulations have attracted public debate, given that they are as controversial as the law itself and perceived to be a threat to freedom of expression. The regulations outline a number of requirements which online service providers must fulfill.

The regulations prohibit online content service providers from publishing abusive words calculated to offend an individual or group or false content which is likely to mislead the public. They are also required to use moderation tools to filter prohibited content and are supposed to have in place mechanisms to identify sources of content and ensure prohibited content is removed 12 hours upon being notified (UTR,2018).

Internet cafés or business centres are required to put mechanisms in place to prevent access to prohibited content and to install surveillance cameras to record and archive activities inside the cafes. They are also directed to have a user register and ensure every person using the Internet service is registered upon showing a recognised identity card. Images recorded by surveillance cameras and registers of users are supposed to be kept for period of twelve months (URT 2018).

Implications of Electronic and Postal Communications (Online Content) Regulations, 2018

Regarding misleading information, stakeholders interviewed were of the view that the regulation does not take into account the intention of the content, which is whether one intended to mislead or not and may end up prohibiting legitimate criticism and debate. On prohibition of unsuitable content, they contended that not all service providers can afford to buy these protective equipment, and many will most likely abandon the business.

High fees for blogs, websites and other online service providers were also a source of concern for many stakeholders. Under the regulations, the application fees for online services provision is Sh100,000 and the initial licence fee is Sh1 million. Stakeholders thought that since blog and website owners were required to



register (and pay the prescribed fees), this would have a big negative impact on online debate as most of the blogs which wouldn't afford this financial burden would be forced to close shop.

The aspect of offences and penalties was considered a noose on the licence holders' necks. It is stipulated in the regulations that a person who contravenes the provisions of the regulations commits an offence and shall, upon conviction, be liable to a fine of not less than Sh5 million or imprisonment for a term of not less than 12 months or both (URT 2018). Lawyers said these penalties are unlimited and excessive, adding that at least a maximum fine and imprisonment term should be provided. Coupled with the lack of clarity in key terms and the lack of protections for unintentional breaches, these regulations give authorities huge powers to close down online space for freedom of expression (MCT 2018).

1.1.4 Electronic and Postal Communications (Radio and Television Broadcasting) Regulations, 2018

The regulations are essentially about how radio and television broadcasters should operate, and they go to the extent of addressing broadcasting professional ethics. Besides specifying obligations of public, commercial and community broadcasters, the regulations also focus on the requirements of content provisions and guidelines on issues like protection of children, services to disabled, coverage of court proceedings, parliamentary sessions, elections and incidents of violence are provided.

Under the regulations, there are also guidelines on how to handle advertisements and programmes. Punishment for breach of the aspects of the regulations is spelt out (URT 2018).

Implications of Electronic and Postal Communications (Radio and Television Broadcasting) Regulations, 2018

Some broadcasters who were interviewed pointed out that some aspects of the regulations can help to promote professional ethics, but they had reservations on the breach clause which categorically states that a licensee who contravenes any provision of the regulations commit an offence and shall, upon conviction, pay a fine not exceeding Sh5 million.

A veteran broadcaster commented that lack of legal self-defence and



appeal mechanism for the accused is a serious shortcoming which can lead to victimisation and curtailment of media freedom.

Regarding the concepts of public broadcaster and community broadcaster being given the same definitions as stipulated in the regulations, analysts noted this confusion create a situation where a broadcaster funded by the State can compete with tax-paying private operators for Government and other advertisements. Some respondents said this is not only unfair, but is a blow to private operators and does not encourage growth of free media.

One broadcaster said the regulations have not caused much public excitement because they are an improvement on the Broadcasting Services Regulations (2005) which have been operational all along, adding that the new ones are more or less old wine in a new bottle.

1.2 Amendments of the Statistics Act, 2015 (Cap 351, 2018)

Amendment of the Statistics Act, 2015, was another development in the legal and regulatory framework.

In 2018, the Government initiated amendments to the Statistics Act, 2015 which respondents felt have made the law more draconian and a big hurdle in collection and dissemination of statistical information. In the amendments “official statistics” are defined as statistics produced, validated, compiled or disseminated by or under the authority of the Tanzania Bureau of Statistics (TBS). It is stipulated that the Chief Government Statistician shall have the power to commence, vary or discontinue the collection of official statistics conducted through surveys or census, and a person, Government institution or agency shall not authorise the commencement of the collection of official statistics through surveys or censuses except with the approval of the Chief Government Statistician (URT 2018).

Under Section 37 of the amended law, any person who publishes or cause to be published or communicates any official statistics or statistical information contrary to the provisions this Act commits an offence and is liable, on conviction, to a fine of not less than Sh10 million or to not less than three-year imprisonment or both. In fact, even a person authorised by the Bureau to process any official



statistics is not allowed to publish or communicate such information to the public without authorisation from this agency. It is also an offence to disseminate or communicate to the public any statistical information which is intended to invalidate, distort or discredit official statistics (URT, 2018).

Implications of the Statistics Act, 2015 (Cap 351, 2018) Amendments
Under the regulations, use of statistics in media reports has become risky as outsourcing them wrongly or making mistakes in figures is now criminal. Also it is no longer possible to generate stories from in-house or any other surveys and opinion polls except those sanctioned by the Chief Government Statistician

Journalists working on investigative reports will have a difficult time in accessing statistical data as any of the same obtained in the field has to be verified by the Chief Government Statistician. Also, interpretation of Government generated statistics has been made risky, which is a curtailment of media freedom and freedom of expression.

It was noted that the negative impact of the law is already being felt. On November 15, 2018, MCT and Reporters Without Borders announced findings of their joint research on Media Ownership Monitor in Tanzania, in Dar- es-Salaam, but gave a caution to media stakeholders who attended the event. The caution was nothing other than telling the journalists and whoever wanted to share the information with others that any statistical figures in the report should not be disseminated because they were not yet declared official by the National Bureau of Statistics (NBS). Hence, journalists had to report the story in generalities by avoiding statistics completely.

The implication of this, according to journalists interviewed, is that the public will probably get detailed information about the media ownership monitor project after several months. Simeon Ileta, one of the respondents said this amounts to getting “outdated news” and is unfair to professionals and members of the public.

1.3 Political developments and their Implications to press freedom

The 5th Phase Government came to power after the 2015 General



Election and right from the beginning, President John Magufuli pronounced an agenda on taking fast measures to bring changes in various political, economic, social and cultural areas. Since then, many significant political developments have taken place in the country. Some of these developments had significant impact on media freedom, rights and journalism practices. The following are the most outstanding ones which occurred in 2017/18

1.4 Development as the Agenda of the Media

In some of the major pronouncements made by President Magufuli during his first year in office and after, was his stand that in a poor country like Tanzania, development activities should be given first priority. It is for this reason that debate on development, attracted public attention since 2016 and is still in the air to date.

While the media promoting development agenda was and still is something positive, some people interviewed claimed that the enforcement of that vision had turned into a nightmare. In their opinion, the Government, instead of coming up with best strategies to collaborate with the media so that they can promote such important agenda, it uses force, threats, intimidation and other tactics to instill fear within the media.

They said development agenda had been politicised to the extent that whoever raises a voice against wrongdoing by the Government including the President himself, is considered an enemy of the people who is against the wellbeing of the nation. Some of more critical members of the opposition parties and some media outlets which give them a platform to air their views are grouped in that category.

Victor Joseph, a communication analyst, who claimed to have been following closely Tanzanian politics said there are various incidents showing how Government interfere with media editorial autonomy in the name of development. He said the incident which occurred in March 2017, when the President publicly lamented that the story of World Bank President Yong Kim's visit in Tanzania had been overshadowed by wide reportage on the sacked Minister of Information, Culture, Arts and Sports, Nape Nnauye, contending that this demonstrated lack of media focus on development issues, was among such incidents.



Another incident occurred during the occasion of swearing in the new Information Minister, a few days after sacking the previous one, where the President publicly warned journalists and media owners that they would face dire consequences if they continued to report seditious information.

Experienced journalists interviewed pointed out that the comments by the President were more or less instructions to the Ministry of Information officials to keep a close watch on the media and use the media unfriendly laws in place, like the Media Services Act, 2016 to discipline media platforms in the country.

Politicisation of Laws, Regulations and Policies

Politicisation of laws, regulations and policies was another major issue that was witnessed in the past two years. Views from people interviewed – who preferred to remain anonymous – indicated that enforcement of some laws especially those enacted recently, had been politicised for certain quarters’ political gain.

They elaborate that laws such as the Cybercrime Act, Media Service Act and the Electronic and Postal Communications (Online Content) Regulations, all have provisions which are vague and prone to manipulation and that authorities strategically manipulate some clauses to harass, threaten even prosecute people criticising the Government and its policies.

They cited Cybercrime Act saying since it came into operations, had been used as a tool to crack down on people trying to expose wrong doings of Government authorities and targeted members of opposition parties, human rights activists and journalists who question Government conduct and policies.

In their view, frequent arrest of opposition leaders, critical journalists and human rights activists, banning of political rallies, unwarranted closure of media outlets, judicial persecution and harassment of independent journalists and restrictions on peaceful protests are some of the consequences of politicisations to these laws and regulations. They said the same political game is used under the Media Service Act 2016 and some of its consequences had been abuses against journalists and their media outlets.

Some provisions in the Electronic and Postal Communications (Online Content) Regulations, a new legislation which requires



all bloggers and persons operating online radio and television streaming services to secure a licence, are also said to be used as a mechanism to hinder critical debate and pin down those using these platforms to air their views.

It should be noted that in recent years, social media assumed greater importance in the creation and dissemination of news and information and their popularity increased due to their power of sharing information rapidly with a large numbers of people.

Social media platforms' reach and power to influence are said to have worried authorities and in order to silence them, leaders of popular platforms had always been threatened and prosecuted under the Cybercrime Act. However, analysts had always argued that such threats and accusations had no legal foundation and that they were fuelled by political interests.

Independent media analyst Betty Masanja said some political events had negative impacts to individual journalists, media houses as well as to the industry. She said due to such incidents, violations of human rights and press freedom have increased, making lives difficult for citizens and journalists.

Tanzania Human Rights Report, 2018, indicated that in 2017 (LHRC, 2017), the situation of human rights in Tanzania deteriorated compared to the year 2016 situation, and that civil and political rights in particular suffered most, with violations or restrictions of right to life, freedom of expression, freedom of assembly and right to liberty and personal security increasing.

1.5 Press Freedom Violations

The MCT, which monitors press freedom violations has a Press Freedom Violations Register where reported incidents are received, verified and recorded. In 2017, 83 cases were recorded. This was a bad year as far as press freedom violations and freedom of expression is concerned. Major violations were on denial of access to information (18 cases) arrest and detention of journalists by police (21 cases), harassment of journalists (15) and assault of journalists (9).

By June 2018, MCT had received 30 cases of press freedom violations, some of which have been verified and recorded, while



others were still under verification. They also include denial of access to information, kidnappings, threats to journalists, confiscation of equipment and arrests.

Cases of press freedom violation in broadcasting media are reviewed and commented on in the chapter on broadcasting issues while those related to print media are also addressed in the relevant chapter.

1.6 Concluding Remarks

The chapter revisited major developments in the legal framework and political area in Tanzania Mainland, during the 2017-2018 period, focusing on their impact to media freedom and freedom of expression. The chapter looked at how regulations passed to complete the process of legislations enacted in 2015 and 2016, as well as amendments in the Statistics Act, 2015, curtailed freedom of expression.

1.7 Recommendations

This chapter makes the following recommendation:

Journalists and Editors should:

- Use the media to raise public awareness about press freedom issues publicise incidents which infringe press freedom and
- Educate themselves on media related laws for the purpose of being aware of their rights and responsibilities

Civil society should:

- Network on press freedom advocacy;
- Lobby Parliament and Government to amend laws which curtail press freedom and
- Challenge some of the bad media laws in court.

Media owners should:

- Facilitate in-house training on media related laws;
- Challenge some of laws and press freedom violation incidents in court and
- Take measures to protect journalists in the course of their work.

The Government Should:

- Open doors to receive complaints about controversial



media laws and make amendments where necessary and.

- Take measures to restrain police and other security officers who, in some cases, harass journalists and human rights defenders.

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Chapter Two

Current Trends in the Print Media

2.0 Introduction

This chapter looked at the trend of print media industry in Tanzania Mainland in 2017/18. Print media includes newspapers, journals, magazines, newsletters and any other related publications intended for mass consumption. However, the chapter focused only on newspapers and magazines. It specifically looked at key issues which transpired in the industry in 2017 and 2018 such as deregistration of newspapers, their penetration, ownership as well as issues that raised sustainability concerns in the industry. The chapter also looked at the legal framework guiding the industry before highlighting incidents of violence, threats and intimidation to print media journalists and newspaper outlets. The chapter ends with a conclusion and recommendations.

2.2 Current Status of Print Media in Tanzania

In the past two years, the print media in Tanzania Mainland progressed in certain areas, but lost ground in others. There were notable developments in the sector that are worth noting. The sector which was reported to have been shaken up in the previous years, continued to rebuild itself in an effort to regain its position as the comprehensive and most trusted communication channel. While striving to rejuvenate, the industry faced a lot of challenges including operating under a very tense political atmosphere with restrictive laws.

2.3 Newspapers Ordered to Re-register, No Licence, No Permission to Operate

Government directive to re-register all newspapers and magazines operating in the country was one of the exercises startled proprietors. They were left with only two choices: to either fulfill Government re-registrations requirements or close down business. Registration process was done in compliance with the Media Service Act, 2016, and its regulations. In 2017, Government introduced regulations



implementing the act that revised the requirements for registering print media. According to the regulation, all newspapers, journals, newsletters and magazines that are produced in the country were registered. Under the regulation, all print media products were required to register by October 15, 2017. (URT, 2017)

Re-registration announcement was made on August 23, 2017 and media organisations were given until October 15, 2017 to complete the process of re-registration. However, the deadline was extended to October 31, 2017 in an effort to enable more publishers to comply. Director General of Tanzania Information Services (Maelezo) and Chief Government spokesperson, Dr Hassan Abbas, was quoted by the media (Kolumbia, 2017) as saying that, beyond the deadline, any publication that would not have finalised the procedures would not be allowed to operate. Until October 31, 2017, a date set as a deadline for registration, a total number of 109 newspapers had been registered and 85 out of the 109, were re-licensed to continue with operations while the other 24 were newly licensed.

The first licensing phase targeted newspapers that possessed licences before enforcement of the Media Services law (Parliamentary Act Number 12 of 2016) and respective regulations, but the Government continued to register new publications.

Dr Abbas further said that after completing the first phase of registration and licensing of newspapers, unlicensed institutions were prohibited to issue publications until they complied. He warned that anyone publishing a newspaper, journal or any other publication without a licence or special permission to do so, commits a criminal offence.

According to Section 50 (2) (a) of the Media Services Act (2016), a person found guilty of the said offence is liable to a pecuniary fine of between Sh5 million and Sh10 million, a 3 to 5-year jail sentence – or both (URT, 2016).

The 2017 registration shake-up was not the first in the recent history of the print media in Tanzania. In 2016, the Government decided to cancel registration of more than 400 newspapers and magazines, thereby, reducing the number of publications operating legally in the country's market, by over 50 per cent. Bazira & Uki, (2017)



The Shake-up Which Stripped away registrations of 473 publications was carried out in June 2016.

According to the Government Notice No.195 published in Government Gazette dated June 10, 2016, Supplement No. 23, the cancellation was carried out in compliance with the provisions of Section 23(1) of the Newspapers Act, 1976, a provision which indicated clearly that it was against the law for a registered newspaper/magazine not to publish for three consecutive years. The Act stipulates that when a publication is deregistered, it cannot be published or distributed through hard copy or electronically until the owner submits a fresh application for registration and get a licence. (URT, 1976)

2.4 Just Few Proprietors Still Dominate Newspaper Landscape

Just like in the previous years, in 2017/18, newspapers landscape continued to be diverse with numerous publications hitting the newsstands on daily, weekly and monthly (for just a few) basis. Owners included individuals, private companies, Government and political parties, with control concentrated in the hands of a few proprietors.

Three months investigative research, titled, "The Media Ownership Monitor (MOM)" jointly carried out by the Media Council of Tanzania (MCT) and Reporters Without Borders (RSF), indicated that the print media market in Tanzania was dominated by Mwananchi Communications Limited (MCL), a subsidiary of the Nation Media Group (NMG). MCL is by far the most dominant market player in terms of readership. NMG, a public listed company whose majority shareholder is the Aga Khan Development Fund, has its headquarters in Nairobi.

Other proprietors are; the IPP Media, a private enterprise owned by a businessman, Dr. Reginald Mengi, New Habari (2006) Ltd, associated with the politician and businessman Rostam Aziz and the state-run Tanzania Standard Newspapers –TSN (RSF, 2018).

Some publications such as Uhuru and Tanzania Daima are owned by political parties. According (RSF, 2018), Uhuru is owned by the ruling party CCM and run by Uhuru Media Group, while Tanzania Daima is associated with the chairman of Tanzania's



leading opposition party, Chadema, Freeman Mbowe, through his wife, who is the majority shareholder of Free Media Limited. Kiongozi and Tumaini Letu newspapers are owned by religious organisations.

Some veteran journalists and media analysts interviewed on the implications of this kind of ownership expressed the view that such a situation was unhealthy in terms of content diversity and that it contradicted the whole concept of media pluralism and its benefits to democratic processes.

Betty Masanja, a media analyst, said that media cross ownership gives a room for media owners with their personal agenda including political related to manipulate the content of their outlets to suit their own interests, something which is dangerous for national security and stability. This view was supported by Ibrahim Kisinja, an independent researcher working with the Integrity Watch.

In Masanja's view, whoever owns the media has power and control of the content produced, therefore, by having only a few people dominating the newspaper market means allowing opinions of Tanzania's population of more than 54 million to continue being influenced by a few people.

However, another media analyst, Ramadhani Kabale, was not against media cross ownership, although he suggested that there should be a mechanism to ensure such owners use their media outlets for the purpose stipulated in editorial policies.

He was also of the view that strict measures should be put in place to ensure such owners do not interfere or manipulate editorial work to suit their personal interests. This view was also shared by Alpha Nuhu, a veteran journalist at the Daily News who thinks editorial work should be left in hands of professionals and proprietors must not interfere.

In 2017/18, newspapers published in Kiswahili, the language widely spoken and understood by most Tanzanians, continued to dominate the market. Kiswahili newspapers comprised a wider range of titles for readers to choose while English language publications were seen as targeting the elite class.



2.5 Newspapers Sustainability Issues

2.5.1 Newspapers in Progress to Re-conquer the Market, Regain Position

In 2017/18, there were notable developments in the print sector which are worth noting. The first development was that, the sector which was reported to have been shaken up in the previous years following decline in readership and advertising revenue, in the two years, continued to rebuild itself in an effort to regain its position as the comprehensive and most trusted communication channel.

Various newspaper outlets continued to move out of the traditional newsgathering and dissemination styles by adopting online approaches. This shift was a response to consumers' new way of news consumption which causes the need for publishers to create content in a way that makes it usable across different platforms.

Some journalists and communication stakeholders interviewed mentioned integration of their newsrooms to conform to digital requirements, coming up with online version of the newspapers and launching apps targeting different markets to ensure provisions of what consumers are looking for, as steps taken during the transformation process.

Some journalists who commented on this included Peter Nyanje, News Editor for Financial Times, Salome Kitomary, a senior journalist for Nipashe, Godfrey Ismaely, editor for Majira newspaper and Nancymona Ijumba, a Communication lecturer at St. Augustine University of Tanzania.

Ramadhani Kabale, a seasoned journalist with Tanzania Broadcasting Corporation (TBC), narrated serious challenges the print media has been facing in recent years, and concluded that, the industry is not off the hook yet and if urgent measures are not taken, many publications would be out of business in not a distant future.

2.5.2 Restrictive Laws an Obstacle to Newspapers Sustainability

Besides the above development, in 2017/18, print media in Tanzania continued to face a number of challenges just as it had been the case in 2016/17. These challenges included shrinking in advertisements revenue, poor distribution, the growing use of social networking



platforms as communication channels as well as unfriendly laws and regulations, a challenge which was perhaps the major obstacle for print media's sustainability in Tanzania in the two years.

The Government trend of banning newspapers accused of not complying with the law plus intimidation of journalists, prosecution and harassment, were some of the aspects witnessed in the two years which raised sustainability concern to journalists, newspapers proprietors as well as to those who aspired to venture into the business.

The following section highlights incidents of disappearance/kidnapping, violence, threats, intimidation, interference with editorial freedom and denial of access to information to print journalists in the last two years.

2.6 Journalists Abused, Clamp Down on Outlets...the List is Long

2.6.1 Incidents of Abuses against Print Journalists

Several incidents of abuses were reported across Tanzania and documented in various reports including (MCT, 2017; MCT, 2018; LHRC, 2017; LHRC, 2018; Human Rights Watch, 2017, Human Rights Watch, 2018, Amnesty International, 2017, Freedom House, 2018)

On March 25, 2017 during the swearing in ceremony of new Minister of Information, Culture, Art and Sports, President Magufuli expressed his displeasure with the way media outlets accorded weight to stories he said were not important. The President warned the media owners against thinking that they were free to publish anything they wished. He was quoted saying, "You are not that free. Watch it!" He directed the minister to ensure that the needful is done to reign in news outlets. This was intimidation and a move to interfere with editorial freedom.

Four print journalists; Zephania Ubwani (The Citizen), Filbert Rweyemamu (Mwananchi), Janeth Mushi (Mtanzania) and Elihuruma Yohane (Tanzania Daima) were arbitrarily arrested by police and later released when covering a story about the tragic accident involving pupils of St. Lucky Vincent Primary School in Arusha



In March 2017, it was reported that Arusha District Commissioner, Alexander Mnyeti, threatened those who were covering a District Council meeting by telling them that he would order the police to beat them up.

On April 22, 2017, journalists and their newspapers in brackets; Mary Geoffrey (Nipashe), Asha Bahi (Mtanzania), Mariam Mziwanda (Uhuru), Kalunde Jamal (Mwananchi) and Henry Mwang`onde (The Guardian) were ambushed by a group of people wearing masks and armed with machetes during a meeting organised by opposition party, Civic United Front (CUF). Some journalists were injured while their working equipment including cameras, got damaged.

Mtanzania newspaper reporter, Ramadhani Hassan, was arrested and taken to Dodoma Central Police Station for questioning after he took pictures of controversial scene involving traffic police officers. He was detained for three hours and all the pictures he took of the incident were forcibly deleted.

A journalist working for the sport and entertainment tabloid, Champion, Musa Mateja, was prevented from using his camera while covering a Confederation Cup football match between Segrada Esperanca and Young Africans. The reporter who was the only journalist that had travelled with Young African Team to cover the match was denied access to the football ground by the leaders of Esperance

On July 3, 2017 Ibrahim Yamola (Tanzania Daima) and Aziza Masoud (Mtanzania) were interrogated by police on details of a press conference they had attended. The conference was organised by top leaders of an opposition party, Chadema

Tanzania Daima journalist, Sitta Tuma, was beaten after taking photographs at a political rally in Mara Region

On November 21, 2017 Editha Edward (Habari Leo), Rehema Matowo (Mwananchi) were assaulted, harassed and threatened by police after covering riots at a school where police were accused of giving a hand to teachers who were allegedly assaulting students. A reporter from Mwananchi was approached by people who claimed to come from Disaster Management Department and took away his equipment as he was interviewing family members of 11 people who had reportedly died after eating poisonous mushrooms



in Kilindi District, Tanga Region

The editor of Mawio newspaper received phone calls threatening him after an article linking two former presidents Benjamin Mkapa and Jakaya Kikwete to controversial mining contracts, was published by the newspaper. Mkapa was a Third Phase President while Kikwete took after him)

A journalist from a weekly tabloid, Sauti Huru, Bollen Peter Ngetti was charged in court under Cyber Crimes Act, 2015 for publishing allegedly seditious information “which could bring the President into contempt”.

Another alarming incident took place in November 2017 when a MCL journalist, Azory Gwanda, was reported missing by his family in Kibiti District, Coast Region. He has not been seen since, dead or alive. Before his disappearance, Gwanda had investigated a series of murders targeting police and local officials in the Coast Region. On January 16, 2018, Pendo Fundisha, a journalist working for Mtanzania newspaper was denied the right to perform her duties by police officers who, after snooping into what she was writing using a computer at the Post Office Internet café in Mbeya, ordered her not to file the story.

On January 17, 2018, 15 journalists who were hosting a dinner for visiting information officers from the US Embassy were ambushed by police on the grounds that they (police) had received intelligence reports alleging that one of journalists was designing flyers for a certain opposition party

Sharon Sauwa, a journalist working for Mwananchi Communications Ltd, was on February 22, 2018 interrogated by police for alleged cyber crimes. It has yet to be known what she was being accused of but police seized her phones.

On June 4, 2018, journalist of Mtanzania newspaper, Derick Milton was thrown out of Meatu District Court when making a follow-up of a case involving a secondary school teacher who was accused of sexual molestation of his student

On August 8, 2018, a journalist with Tanzania Daima was brutally harassed by police officers in Turwa Ward, Tarime District in Mara Region, after he was arrested while covering a campaign rally. He stayed in custody until the following day.



On October 9, 2018, Friday Simbaya who works for The Guardian was arrested by TCRA officers due to reasons that are not yet clear. He was arrested in Iringa and transferred to Dar es Salaam where a file on him was opened.

Suleiman Abeid from Majira newspaper was thrown out by Shinyanga Regional Police Commander Simon Haule when collecting information about water problems from Shuwasa, a Government agency that is in charge of water supply and sanitation in the region.

Besides incidents against individual journalists, in 2017/18, several cases of newspaper banning, suspension and being threats were reported across Tanzania and documented in various reports. The following section highlights such cases.

2.7 Incidents of Newspaper Suspensions and Banning

Several incidents were reported across Tanzania and documented in various reports, including (MCT, 2017; MCT, 2018; LHRC, 2017; LHRC, 2018; Human Rights Watch, 2017, Human Rights Watch, 2018, Amnesty International, 2017, Freedom House, 2018)

On 15 June, the Information, Sports and Culture Minister banned Mawio newspaper for two years over articles it published linking two former presidents with alleged improprieties in mining deals signed in the 1990s and early 2000s.

On 19 September, the Information Services Department (ISD) slapped a two-year ban on MwanaHalisi newspaper it accusing of insulting the President and publishing unethical stories “endangering national security” for an article calling for prayers for Tundu Lissu, an opposition party member. This was the second time the newspaper had been suspended in three months.

In September, the Director for Information Services, announced a ban of another newspaper, Raia Mwema, which was being accused of publishing an article titled, ‘Urais utamshinda Rais Magufuli’ (Kiswahili for ‘Magufuli presidency was likely to fail’) containing “misquotations” of the President. The ban lasted 90 days.

On 22 October 2017, Tanzania Daima was banned for 90 days for what was described by the Director of Information Services as a continuous publication of false information. According to the letter from Government, the suspension was imposed because of the



newspaper`s trend to publish unethical, false and seditious news and features which brought fear and hatred amongst members of the public

In October, authorities banned Raia Mwema, a weekly newspaper, for 90 days for publishing an article alleged to be deceitful, seditious and endangering national security and deemed critical of Magufuli`s presidency.

In March 2017, the High Court of Tanzania delivered a judgment in favour of the newspapers following a permanent ban issued in January 2016, which lead the newspaper to file a petition in March 2016

The above incidents, which to a large extent were facilitated by media laws and regulations, are a testimony of the negative impact they had to individual journalists, print media organisations and to the general public.

The following section will highlight the implications of these laws, especially on how they contributed to the current status of self-censorship, which ultimately held back effective and open public debate, aspects which are central to democratic development.

2.8 Status of Self-censorship and Chill in Coverage of Some Stories

2.8.1 Restrictive Laws Trigger Fear, Journalists Opt for Self-censorship

Enforcement of the recent enacted laws such as the Cyber Crime Act, 2015, Media Service Act, 2016, Statistics Act, 2015 and the recent pieces of legislation, Electronic and Postal Communications (Online Content) Regulations 2018, just like it was expected by media stakeholders and human rights defenders, had chill effects on journalists, the entire industry as well as to the general public.

Reports reviewed (LHRC, 2017; LHRC, 2018; Human Rights Watch, 2017, Human Rights Watch, 2018, Amnesty International, 2017, Freedom House, 2018) and opinions from respondents, indicate clearly how in 2017/18, unfriendly legal framework together with a tense political atmosphere under Fifth Phase Government, managed to silence many journalists and their sources who, due to fear of prosecution or heavy fines, opted for self-censorship.



It was revealed that self-censorship was practiced by journalists and editors in both private and public media when covering stories concerning Government leaders and policies. For that reason, the trend of self-censorship was on a sharp rise to the extent of alarming media stakeholders and human rights defenders from in and outside of Tanzania. (ibid).

Betty Masanja, a media analyst who is also a lawyer, said “Some provisions under the Media Service Act, had always been manipulated by authorities and used to punish or silence journalists “making noises” or those critical to the Government.”

Such provisions include those giving the minister responsible for information the discretionary power to prohibit importation of publications, punish journalists and media outlets, control over content and Section 16 of the Cyber Crime Act which penalises any person who intentionally and unlawfully receives unauthorised information,

One part of the law blamed by many critics is Section 16, which says that publishing false or misleading information was punishable by at least six months in prison as indicated below:

“Any person who publishes information, data or facts presented in a picture, text, symbol or any other form in a computer system where such information, data or fact is false, deceptive, misleading or inaccurate commits an offence, and shall on conviction be liable to a fine not less than three million shillings or to imprisonment for a term not less than six months or to both. “(The Cybercrime Act (16), 2015)

Commenting on the clamping down of critical newspapers, Salome Kitomary, chairperson for the Media Institute in Southern Africa, Tanzania Chapter (Misa-Tan), said in 2017/18, this trend worsened the situation to the extent that some newspaper outlet owners, to save their publications from being suspended or banned, decided to play it safe by focusing on neutral stories rather than articles critical of the Government and its policies.

“Some media outlets have been eaten up by the “angry law;” and others have gone quieter –putting aside stories they perceive unpleasant to Government or going fully into frivolity unlikely to raise tempers,” commented Ndimara Tegambwagwe, one of media gurus in Tanzania. He added that, due to the same reason,



new practitioners are fearful of committing errors while some old journalists are heard saying “I have a family, why risk?”

2.8.2 Tough Laws Fuelled Self -Censorship, Ethical Violations

Enforcement of Statistics Act, 2015, the law which makes an offence the publication of statistical information prior to approval by the National Bureau of Statistics (NBS), was also blamed for contributing to the current status of censorship in the print media in Tanzania.

According to Section 37(5) of the Act, any agency or person who publishes or communicates official statistical information which may result in the disinformation of facts, commits an offence and this is punishable by a fine or imprisonment of less than three years or both (URI,2018).

Tegambwagwe, who is also a media trainer in Investigative Journalism said statistics law does not expressly bar journalists or anyone from collecting or generating statistical information, but it is the National Bureau of Statistics (NBS) only, which is entitled to set standards for the collection, analysis and publication of statistics to ensure uniformity in quality, adequacy of coverage and reliability of statistical information.

Explaining why this law scares journalists, Tegambwagwe said: “Investigation by media is by itself, research, and could generate statistical information through the same or different methods and may be with different results and for different purpose. The results, however, do not constitute official statistics. Here non-official statistics may not necessarily tally with official statistics; and if your story was aimed at fact-checking or challenging official statistics or statistical information, then you will be in for it.”

Put in simple words, it means that if journalists findings do not tally with official statistics, a journalists concerned would be in trouble for breaching the law.

Commenting on that, Kitomary, who is also an investigative journalist, said, the current trend is threatening the quality reporting in the country because many journalists are scared of writing in depth stories supported by figures. She said data journalism is the most affected area since its approach heavily depends on figures



and statistics to tell a story.

“Whether journalists are scared because they lack enough knowledge on the Act or are due to strict measures stipulated in the law, what is clear is that, many journalists have gone back to the coverage of stories with many opinions without figures to complement their facts,” concluded Kitomary, adding that, the law had also elicited fear on sources of information, who are also reluctant to provide figures due to the same reason.

Some critics who requested to remain anonymous felt that to prohibit people from querying or discussing statistical information that is contradictory is nothing short of censorship and part of a broader Government crackdown on dissent and criticism of its political and economic record.

A major question raised is: “Why should people be prohibited from discussing or cast doubt on statistical information the Government or any of its associated organisations publish, if it is genuine with what it publishes and its statistics are factual?”

In their view, there is an agenda behind, otherwise, it would have welcomed independent statisticians and researchers, whose findings, help the Government in its development strategic planning.

In response to criticism against the Statistics Act, the Government insists that the Act was enacted in order to establish and coordinate the National Statistical System (NSS) in Tanzania and was amended for the purpose of coordination of dissemination of statistical information in order to avoid conflicting statistics within national statistical system. It also denied there is any prohibition of public debate of policy and its outcomes or interference with articles of the Constitution such as freedom of expression.

Another law whose enforcement contributed to the current status of self-censorship was the Access to Information Act (ATI) of 2016. Respondents claimed that this law which came into force in July, 2017, encouraged censorship especially for sources of information.

A study carried out by Misa-Tan, in collaboration with CIPESA, came up with the finding that there was a prevailing culture of secrecy among public officials at both central and local Government levels.

The survey which assessed the responsiveness of Local Government



Authorities (LGAs) and Central Government offices in Tanzania to citizens' information requests revealed that, this culture hinders journalists from accessing information necessary for media reporting towards increased civil participation, transparency and accountability in governance. The study covered seven regions, with a total of 28 information requests filed to 14 institutions during March and April 2017.

Access to Information (ATI) stakeholders, in one of the forums expressed their concern about the prevailing situation. They said, this behaviour ultimately affected the general public that comprises the consumers of media content.

In their view, the law also increased the culture of secrecy. They said some sources especially public officials, deliberately or due to ignorance of the law, further displayed the tendency of concealing some information from journalists on different grounds, and that, this automatically affected the work of journalists in Tanzania.

In the same forum, the Government through the Director General of Tanzania Information Services (Maelezo) and the Chief Government spokesperson, Dr Hassan Abbas, admitted that there was widespread laxity among officials in handling and processing information requests, poor customer care, lack of knowledge of the Access to Information Law and reluctance of State officials to share public information.

Experiences shared during the forum by various journalists and ATI stakeholders indicated that the act had complicated their work when it came to getting information from Government sources.

“One of the criteria of a quality news article is to have diverse sources from different categories including public authorities; however, these days it is very difficult to get authorities to comment even when the chapter is straight forward,” noted one journalist.

Gaudencia Mngumi, who was on a Tanzania Media Foundation (TMF) fellowship in 2018, explained how her many attempts to reach some officials in different public institutions to comment on her analytical story failed.

Citing an example, she said, after attempting several times to get someone in a position of authority to comment on her article, and the editor threatening not to publish it until Government authority sources gave their side of the story, she ended up quoting document



sources.

Mngumi's frustrations were shared by a number of journalists interviewed, who explained how in the past two years, public authority sources had been very difficult to reach.

Some respondents generally think that the tendency to deny journalists information, besides undermining media's credibility and encouraging unethical conduct among media professionals, it also hindered people's right to receive information relevant to their lives.

2.9 Introduction of Fees for Online Newspapers

2.9.1 High Fees Forced Existing Online Outlets Close Down

The recent pieces of legislation, Electronic and Postal Communications (Online Content) Regulations 2018, also affected the print media organisations and journalists. This regulation which was passed by the National Assembly in September, 2017, and signed into law in March 2018, had many areas of contention, but the major ones included its demand for all online content service providers to register and pay over US\$900, which is more than Sh2 million per year, to publish online content.

The introduction fees, besides creating barriers for potential new market players, forced existing online outlets out of business as most of them could not meet the requirement of the regulation and pay the fees.

Other groups affected by enforcement of Electronic and Postal Communications (Online Content) Regulations 2018 were some print journalists owning or contributing articles or other materials to online forums.

Some journalists admitted that due to restrictive situation, traditional newspapers operate in, they either established their own online forums or contribute analytical articles to online platforms using pseudonyms, and that the directive to register and pay a certain amount of money was a blow to them.

They also explained how online platforms enabled forums owned by writers and independent journalists to become powerful in terms of reach and readership.

Godfrey Ismaely is one of the journalists who were affected by



registration of online media directive. He said that due to the high fees imposed, he was unable to register his blog which was well established and already popular due its insightful coverage of social, political and economic issues

Generally, stakeholders feel strongly that enforcement of these restrictive laws had continued to jeopardise freedom of expression and rights of people to access information and express their views, something which had automatically led to the shrinking of civil space witnessed today.

This situation alarmed rights defenders from in and outside the country and there is widely documented evidence showing such incidents had tarnished the image of Tanzania as far as respect and promotion of human rights were concerned.

As a result of these rights violations, in the past two years, Tanzania dropped in the World Freedom Index 2017. According to the World Freedom Index Report, in 2016, Tanzania ranked 71 but dropped to 83 in 2017 and 93 in 2018. Factors attributed to the big fall included suspension and closure of media outlets, threats to media houses and attacks against journalists (Freedom House, 2018; LHRC, 2017). The Press Freedom Index is an annual ranking of countries compiled and published by Reporters Without Borders based upon the organisation`s assessment of countries` press freedom records in the previous year.

There had been many efforts from different media stakeholders and rights defenders to intervene and put in check human rights abuses and violations. Such efforts had included going to court to challenge some provisions, condemning press violations incidents, urging Governments to review restrictive sections as well as publishing violations incidents in local and international publications. However, the Government had consistently defended its position.

2.10 Complaints Against Newspapers in 2017/18

Reports from Media Council of Tanzania (MCT) indicate that, in 2017/18, eight complaints against newspapers, were brought before MCT`s Ethics Committee for mediation and arbitration. In 2017, accused newspapers, were Uhuru, MwanaHalisi, Mawio, Tanzanite, Daily News, Mtanzania and Jamhuri while in 2018,



complaints were against Raia Mwema and Jamvi la Habari (2018). According to MCT, some cases reached a mediation and newspapers apologised. One case was closed after the complainant decided to seek other alternatives. Another complaint was not valid while in the case involving Mwanahalisi newspaper, the Council could not continue with the complaint after the newspaper was banned from publishing for two years.

2.11 Concluding Remarks

In this article the print media comes out as a struggling industry that needs a conducive environment to regain ground. It suffers massive setbacks while trying to rejuvenate in a tense political environment, dominated by repressive and restrictive laws. The chapter indicated how various laws and regulations have been manipulated by authorities despite efforts by both local and international human rights bodies to urge the Government rescind its position. It presented a list of individual journalists and media houses abused under such laws.

The chapter also indicated how unfavourable environment in which the print media operates has contributed to Tanzania's position in the World Freedom Index declining. Despite such setbacks, the chapter has indicated a number of developments in the sector.

2.12 Recommendations

Based on the above findings and conclusion, this report makes the following recommendations...

Journalists should:

- Challenge the enforcement of laws and regulations suppressing freedom of expression
 - Have specialisations so as to develop journalists' professional capacity of becoming experts in particular areas
- Continue Exposing Wrongdoing of Some Authorities

Print media organisations should:

Carry out research on audience behavioural patterns and marketing to help them understand how to adjust their business models in accordance with audience and advertising` demands.



Academicians

Gather evidence of the negative effects and consequences of laws and regulations violating freedom of expression and push for law reforms to abolish those which violate citizen rights.

For the Government

- Review laws and regulations violating people's freedom of expression
- Amend all restrictive provisions in the Cybercrimes Act, the Electronic and Postal Communications (Online Content) Regulations and the Media Services and replace them by progressive sections that will guarantee freedom of expression
- Stop threatening journalists and human rights defenders when they expose wrongdoing of some Government leaders.

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Chapter Three

Current Trends in the Radio and TV Broadcasting

3.0 Introduction

This chapters looks at what transpired in the broadcasting industry in Tanzania Mainland in 2017/18. It mainly focuses on radio and TV stations operating legally in the country, especially on the number of such outlets, their penetration, plurality, ownership as well as issues that raised sustainability concerns to the industry. The chapter also looks at the legal framework guiding the industry before highlighting incidents of violence, threats and intimidation to broadcasting journalists and their stations. Likewise, the chapter looks at the current situation of digital broadcasting, its opportunities and challenges and major ethical issues facing the industry. The chapter ends with a conclusion and recommendations.

3.1 Current Situation of Radio Broadcasting in Tanzania.

Radio broadcasting industry continued to thrive in the past two years. Apart from the mainstream or traditional radio stations, in 2018, doors were officially opened for online radio through licensing them, thus widening the radio broadcasting scope in the country.

3.1.1 Number of Licensed Radio Stations in Tanzania

According to Tanzania Communications Regulatory Authority (TCRA) the current number of radio stations operating legally in Tanzania is 158, a slight increase from 156 that were there in 2017. A big rise, however, was noted in 2016, when the number increased to 148 from 106 in 2015. The trend of radio registration in the country is commendable since there had been a gradual increase year after year. In 2012 the number of radios were 86 but it shoot to 156 in 2017 ([TCRA, 2017](#)).

The tremendous increase in number of radio stations operating the country is a major development that the industry has recorded. It should be noted that at independence, in 1961, Tanganyika, now Tanzania Mainland, inherited a colonial Government-controlled Radio Tanzania, Dar-es-Salaam (RTD). The radio station dominated



the country's airwaves for many post-independence years as a national broadcaster before being incorporated in Tanzania Broadcasting Corporation (TBC). However, the situation began to change in the early 1990s, following political and economic liberalisation, which witnessed Tanzania opening doors to establishment of privately owned media.

Tanzania Regulatory Authority (TCRA) statistics indicate that the 158 licensed stations have coverage varying from national, regional, district and community. According to TCRA categorisation, stations with national coverage cover almost all the regions; those with regional coverage have presence in at least 10 regions while district stations operate in one point of one region and community radio stations serve small specific communities.

A close look at the list show that while most of the radio stations operating nationally are based in Dar es Salaam, with the Mwanza-based Radio Free Africa (RFA) being an exception. There is a significant number of stations operating at regional level. [TCRA](#), 2017).

It was noted that, in the past two years, the geographical spread of radio stations continued to improve, in a sense that they were no longer concentrated in Dar-es-Salaam and other urban centres. Rural areas too were significantly enjoying the fruits of the radio stations spread.

Just like in the preceding years, in 2017 and 2018, languages used in broadcasting were Kiswahili, which is nationally predominant, and English, used by a few radio stations like East Africa Radio (IPP Media) Choice FM (Clouds Media Group) and Kiss FM (Sahara Communications). It is worth noting that the Tanzania Broadcasting Services Act (Section 15) and the Electronic and Postal Communications (Radio and Television Broadcasting Content) Regulations, 2018, specify, under Regulation 29(a), directs that languages to be used in broadcasting are Kiswahili and English, except where special authorisation is given due to specific reasons (URT, 2018).

Regarding the requirement that a radio station must have adequate local content in their programmes to the tune of 60%, industry professionals and stakeholders said, in the two years there were efforts were made to achieve that, although availability of quality



and appealing local programmes remained a setback. They attribute that to lack of skilled manpower and modern equipment facing private companies and individuals who venture into local radio programmes production business.

3.1.2 Radio Plurality and Ownership

In terms ownership, the TCRA list of licensed radio operators shows that most stations were owned by businesspersons, politicians, faith organisations and non-Governmental organisations. It was noted that new evangelical churches, were also venturing into establishing FM radio stations.

Another important aspect noted through document reviews was the fact that there were few companies which, apart from owning radio stations, also ran TV stations and even newspapers.

Those conversant with media development in the country said these very companies are founder members of the Media Owners Association of Tanzania (MOAT). They include IPP Media which owns Radio One and several other stations including ITV, East Africa Television and Capital TV. Furthermore, the group also boasts several Kiswahili and English newspapers.

And then, Sahara Communications Limited owns Star Television, Radio Free Africa and Kiss FM while Clouds Media Group is a proprietor of Clouds FM, Choice FM and Clouds TV.

3.1.3 Radio Proliferation

According to TCRA records, by November 2018 the number of radio stations in the country was 158 compared to 156 in 2017. The increase of two radio stations was the lowest annual increase since 2012 as the Table below shows:

Table: No. of Radio Stations (2012-2018)

Year	2012	2013	2014	2015	2016	2017	2018
Number of radios	86	93	98	106	148	156	158

Source: TCRA

3.1.4 Radio Development Trend: Community Radios as an Area to Watch

As licensing records indicated, an increase in the number of radio stations in Tanzania in recent years was partly due to the



establishment of more FM radio stations in districts and specific communities. Broadcasters and media experts interviewed considered this as a good thing, with many advantages including democratising the communication process in society and using the radio media as a development catalyst.

Prosper Kwigize, Chairman of TADIO, a network of community content-based radio stations in Tanzania, mentioned provision of civic education, creating awareness on health issues, promoting peace and harmony in communities and offering platforms for people to air their views as some of the benefit of these stations.

3.2. Situation of TV in Tanzania

Just like reported in previous years, the growth of television sector in Tanzania had not matched that of radio, due to a number of factors, including high cost of entry. However, in the past two years, there were some developments in terms of television accessibility noted in some parts of the country especially in rural areas. This success was attributed partly to rural electrification programme launched by the Government a few years ago, whose rollout to regions is in phases, has contributed to the increase in TV use across the country since lack of power in rural areas had been partially addressed.

3.2.1 Number of Licensed TV Stations in Tanzania

TCRA records show that the number of TV stations in the country increased from 46 in 2016 to 48 in 2017. However, in 2018, the number dropped. TCRA records show, as per November 2018, licensed TV stations were 34.

A breakdown of the types of TV stations operating legally shows the number of free-to-air (FTA) TV stations was 27 in 2017 compared to 25 in 2016. The rest of the TV stations; were cable TV (15 in 2016 and 2017 respectively), satellite TV (3 in both 2016 and 2017) and pay DTT (3 in both 2016 and 2017).

Since TV stations, just like radio, are governed by the same broadcasting laws and regulations, the language policy is the same. Hence, TV stations use Kiswahili and English in their programmes, although Kiswahili is predominant and more popular, as this is the national language and it is understood by the majority of



Tanzanians. Capital TV and EATV have several English language programmes targeting foreigners.

According to TCRA, there are TV stations with national coverage, which include TBC1, ITV, Channel 10 and East Africa Television (EATV), which are Dar-es-Salaam-based. The Mwanza-based Star TV too has national coverage. A number of other TV stations have regional coverage in the sense that they cover more than 10 regions, as per TCRA definition. It is worth noting that some TV stations operate at district level, in the sense that they cover one region only (<http://www.tcra.go.tz>).

3.2.2 Television Plurality, Ownership and Diversity.

TCRA records show that the State, private companies, non-Governmental organisations, politicians and businessmen own TV stations. Leading TV stations belong to same companies which have interests in radio and newspapers. For example, ITV and EATV are part of the IPP Media, Start TV is part of the Sahara Communications, Clouds TV belongs to Clouds Media Group.

Some TV stations established by local Governments in the districts have helped to bring TV services closer to the people, although the geographical spread of TV stations does not match that of radio stations which have presence even in small RSF (2018) communities.

3.2.3 Television Proliferation

Regarding the trend of television stations in terms increasing or declining numbers, observation shows that during the past seven years, that is, from 2012-2017, the number remained more or less constant without much annual variation. The table below tells the whole story.

Table 2: Number of TV Stations (2012-to Nov 2018)

Year	2012	2013	2014	2015	2016	2017	2018
Number of TV stations	46	44	46	46	46	48	34

Source: TCRA:

3.3 Radio/TV Sustainability Issues

While there are a number of developments noted in the broadcasting industry in Tanzania, including the fact that the number of radio and TV stations in the country had been growing, the media has in the past two years continued to face restraints in five particular



areas: finances, manpower, technical know-how, legal and security constraints.

3.3.1 Financial Constraints

Interviews with different broadcasting stakeholders show that financial limitations are a major challenge facing the sector and they attribute it to a number of factors, including, measures taken by the 5th Phase Government that are aimed at fighting corruption and enforce financial discipline in Government expenditure.

According to the stakeholders, this move brought about financial shock and tight monetary liquidity, a situation that affected business in many sectors, including that of the media. In relation to that, big companies have trimmed their advertising budgets.

Steven Diallo, the technical manager of one of the leading radio stations in the country based in Mwanza and Dar-es-Salaam, said in order to cope, his company has taken various measures including improving quality of programmes, undertaking regular monitoring of the station's performance as well as designing different marketing strategies including learning how best they can use online platforms to reach a bigger audience.

“Most radio and TV stations are now using social media platforms like Facebook, twitter, YouTube and others to reach part of the audience that have diverted to these outlets, as well as capture a larger local and international audience...this has helped them to garner more popularity and economic gains,” noted one communication expert.

3.3.2 Manpower Challenges

Broadcasters and other stakeholders interviewed observed two major issues related to manpower challenges in the broadcasting sector, namely, a shortage of trained broadcast journalists as well as technicians to handle the technical matters competently, and the tendency of private stations owners not being keen on training their staff, either through in-house or external arrangements.

They pointed out that this situation has fuelled the malpractice of using untrained broadcasters, partly due to the misconception that whoever is blessed with a good voice can make a good broadcaster, even without having undergone basic training in journalism.



Narrating challenges facing community radio in Tanzania, Prosper Kwigize, chairman of TADIO, a network of community content-based radio stations in Tanzania, mentioned limited resources in terms of personnel and equipment and high taxes as some of the encumbrances threatening their survival.

3.3.3 Technical Equipment

Broadcasting, especially in the area of television, requires well equipped studios which broadcasters interviewed said are costly to put in place. Our findings revealed that with the exception of big media houses based in Dar-es-Salaam and Mwanza, others operate with unprofessional equipment. The argument that many broadcasting stations lack reliable studio equipment was supported by a majority of broadcasters and radio managers that were interviewed. TADIO chairman said the situation is worse in community radio stations.

3.3.4 Security Challenges

Another aspect which raised sustainability concern over broadcasting industry was related to security. Findings indicated that in the past two years, there were a number of incidents which put lives of broadcaster in danger. While popularity and trust people have in broadcasting media might have been the reason their personnel became targets, views from different people show they were under constant watch by the authorities due to the immense influence they have over their audiences.

3.3.5 Legal Challenges

In the past two years, radio and television stations continued to operate under a legal framework which was neither friendly nor supportive to their development. Broadcasters and other stakeholders interviewed pointed out that some laws and regulations guiding broadcasting industry were still oppressive and that in some cases, were used by authorities for personal or political purposes.

3.4 Status of Closure or Hefty Fines in Tanzania Mainland media

They noted with much concern that some sections of the controversial laws and regulations passed in recent years including the new



Broadcasting Regulations, 2018, which empowers the TCRA, to fine radio and television stations (URI, 2018), affect their day-to-day functions and intimidate them.

Communication and legal experts also noted that for those engaged in online television and radio operations, the strong hand of the Electronic and Postal Communications (Online Content) Regulations, 2018, is likely to squeeze them. Under Regulation 15, the authority has the right to cancel the content service licence, where the terms and conditions are breached (URI, 2018)

Punitive measures like closure of stations and fines was taken against some radio and television stations on a number of occasions, under circumstances which legal observers considered unjust, especially when the affected were not given the opportunity to freely defend themselves.

In February 2017, two radio stations, namely Times FM and Radio Free Africa were fined a total of Sh6 million for allegedly violating regulations governing broadcasting in the country. They were ordered by TCRA to pay Sh3 million each and a strong warning was issued against them (MCT 2017)

Another incident which raised public debate took place on January 2, 2018, when the TCRA Content Committee fined five major television stations for what it termed as “airing seditious content” and contravening the rules under the Broadcasting Services (Content) Regulations; 2005. The five TV stations were Star TV, which was fined Sh7.5 million, Azam Two TV (Sh7.5 million), East Africa TV (Sh15 million), Channel 10 (Sh15 million) and ITV (Sh15 million). The combined fines totaled Sh60 million.

Reaction to the hefty fines was instant. Media stakeholders questioned the circumstances under which accusation arose. The television stations aired in their news bulletin content from a press statement issued by the Legal and Human Rights Centre (LHRC) on November 30, 2017.

The press statement was on human rights violations observed during the civic by-elections, where the organisation observed rights violations in the form of physical assaults, abuse, detention, and intimidation of voters (MCT 2017).

Legal analysts wondered why the TV stations were accused of airing “seditious” content when the organisation which issued



the statement was not accused of anything. They further pointed out that a case involving “sedition” was too serious to be handled by an entity like the TCRA Content Committee. According to some observers, the hefty fines created an impression that the move against the stations was nothing more than a way of raising money for the Government.

In any case, the incident, which tempted one of the TV affected stations to take the matter to court, demonstrated that the legal framework has serious implications on the broadcasting sector.

Pay TV Saga Raise Public Debate

The threat to revoke licences of some pay TV was another matter which lit fire in the sector. In August 2018, TCRA threatened to revoke licences of some pay TV companies which continued to include free-to-air (FTA) content channels in their subscription packages. These included Azam Ltd, Multichoice Tanzania Limited (trading as DSTV) and Simbanet Tanzania Limited (trading as ZUKU)

In a statement issued during the first week of August, TCRA Director General James Kilaba said Multichoice and Simbanet had been cautioned several times by the authority against including free-to air channels in their subscription packs contrary to licence requirements, but they remained defiant.

Reacting to TCRA notice, Multichoice issued a short statement saying the company was aware of the notice but noted that it came when the matter was still before the Fair Trade Competition Tribunal.

To avoid having their licences revoked, DSTV and ZUKU removed FTA channels from their subscription packages, thus raising complaints from users of their decoders who were obviously inconvenienced.

The development enhanced public debate in the media, with some observers wondering why TCRA decided to take action on a matter waiting for a hearing by the Fair Trade Competition Tribunal, while others were of the opinion that licence obligations should be observed to provide a level playing field to operators in the industry. With several national TV stations still providing free-to-air content, the Government is not likely to back down on its stand, much as some members or the public using decoders of affected companies



may feel inconvenienced.

In the past few years, some of the TV stations and individuals had started to introduce online television operations in order to capture more viewers, but the situation changed dramatically when the Government gazetted the Electronic and Postal Communications (Online Content) Regulations, 2018 and made them operational in March 2018. Operators in the broadcasting industry as well as potential ones waiting in the wings seem to have seen the new development as a blessing, for they took no time to seriously get on board.

Radio and television stations were also affected by the enforcement of the Electronic and Postal Communications (Online Content) Regulations, 2018. Under this legislation, online platforms including online radio and TV stations were directed to re-register by paying the mandatory Sh2 million fee to continue transmission or shut down. It should be noted that some of the stations introduced online television operations in order to capture more viewers.

3.5 Highlights of Incidents of Violence, Threats and Intimidation to Broadcasting Journalists

Some of the incidents of harassment and insecurity in the broadcasting media during 2017 and 2018, which were reported to MCT and investigated, are highlighted below:

Invasion of Clouds TV by Dar-es-salaam Regional Commissioner, Paulo Makonda, was the most glaring incident which hit news headlines in 2017. The RC stormed the TV station belonging to Clouds Media Group, which is based at Mikocheni, Dar-es-Salaam, with armed police officers. A team which was formed to investigate the incident found out that the RC proceeded to one of the studios airing a popular TV show to enquire why an interview recorded earlier had not been aired.

It was reported that when the presenters told him the editors had not approved it for ethical reasons, he threatened to take measures against them, including putting them on the list of drug dealers, a move which could easily lead them to jail. The incident was unique in the history of post-independence Tanzania and generated much debate as well as condemnation from media stakeholders and members of the public.



In May 2017, four broadcasting journalists were among those arrested in Arusha by the police for allegedly attending unauthorised meeting. They had gone to cover an event where the Association of Owners and Managers of Non-Governmental Schools and Colleges was giving a donation to the families of the children of Lucky Vincent Nursery and Primary School, who had died in a tragic road accident. The harassed broadcasting journalists were from Ayo TV, Azam TV, ITV and Triple A Radio. They were later freed and police claimed they had been given a “lift” to town.

On February 7, 2017, two journalists including a reporter working for the Arusha-based Sunrise Radio were arrested, by the police, for not reporting to local authorities in the course of covering a story in Arumeru District of Arusha. The reporters had gone to witness what was taking place in a quarry operated by a private company, where the local people had grievances emanating from blasting activities in the area. They were later released after questioning.

On November 21, 2017, four journalists including two from the broadcasting media were harassed and assaulted by police and teachers when they went to cover a student riot in Geita. The broadcasting journalists involved were from Clouds TV and Azam TV. It was reported that the police and teachers were beating up students and did not like the incident covered.

On June 7, 2018, three broadcasting journalists were threatened and forced to leave the area where they had gone to cover an event. The incident took place at Mtavira Village in Singida Region where two journalists from TBC and another one from Standard Radio were making a follow-up on a story of a pastoralist who was supposed to pay Sh30 million fine for allowing his cattle to graze in the Forest Reserve Area.

On August 8, 2018 a journalist from Wapo Radio was publicly beaten up by police officers at the National Stadium in Dar-es-Salaam. The victim pleaded for mercy as he attempted to show them his press card. Members of the public could not comprehend what was going on as the journalist got punished like a petty thief.

3.6 Digital Broadcasting in Tanzania

One view which most of the communication experts and broadcasters interviewed tend to agree with is that the fear and doubts that key



stakeholders in the broadcasting sector had about migrating from analogue to digital broadcasting have proved unfounded as time passes.

Tanzania took a first step in the migration process by switching off its analogue television signals on December 31, 2012, thus setting an example to other countries in sub-Saharan Africa (TCRA, 2013) Some organisations and members of the public were skeptical about the move, but the most vocal were owners of major Dar-es-Salaam-based major TV stations, who advocated migrating at a slower pace and being guided by the International Telecommunication Union (ITU) set deadline of 2015.

At that time, broadcasters insisted that they were unprepared to undertake the costly exercise within a short period of time, claiming that hurried changes would inconvenience members of the public, especially owners of TV sets who would be required to buy decoders. Available documents show that broadcasters also argued that the supply of decoders at short notice could not be guaranteed, and prices were likely to be beyond the purchasing power of most Tanzanians, whose incomes were generally low.

TCRA data on the number of decoders sold in the country between 2011 and 2017 support the observations made by the consultant. The regulator's records show the number of decoders purchased increased from 422,384 in 2012 to 2,236,577 in 2017 (TCRA 2017)

3.6.1 Current Situation of Digital Broadcasting in Tanzania

Interviews and documents reviewed show that digital broadcasting in Tanzania is a success story, as most TV stations have migrated and in 2017 and 2018 the preoccupation of operators in the industry has been on how to exploit advantages of the new system to the maximum.

Hamza Kasongo, a senior broadcaster in one of the private TV stations which ventured into migration as soon as the doors were opened, said it was now possible to have many channels, thanks to digital operations. He pointed out that new comers in the broadcasting sector who want to launch TV stations don't have to worry about installing towers as was the case in the past, given that this work is taken care of by licensed multiplex operators, under the new set-up.



Findings and interviews also show that there is more media convergence where TV and radio stations are linking with online-based media broadcasting and non-broadcasting platforms to reach more viewers and listeners, both in Tanzania and abroad, thanks to digital operations. This is achieved by installing special equipment.

Opportunities in Digital Broadcasting

Given the growing pace that digital broadcasting has taken in the past two years, stakeholders are of the view that, the sector has high potential as far as providing opportunities to broadcasting media houses and journalists is concerned.

Narrating some of the aspects achieved as a digital use, a technical director in one of the major television companies in country noted that digital broadcasting has enabled TV and radio media houses to have more channels. Consequently they offer more services on the one hand, while on the other, they have helped in the improvement of quality of broadcasting services including clarity of signals, pictures and commercials. Reduced operation costs and increasing audience reach are some of the attributed to digital broadcasting.

Some journalists are optimistic that there are opportunities of self-employment by venturing into some digital broadcasting platforms which co-exist with expanded traditional ones through convergence. Digital broadcasting is, however, facing a number of challenges, including technical, business, ethical and legal issues.

Regarding the technical side, some broadcasters said generally, the equipment used in digital broadcasting is sophisticated, expensive and require high technical skills to handle, the capacity which many potential investors lack.

Competition in the sector resulting from many people venturing into the industry, ethical concerns and lack of skilled personnel were other challenges that were pointed out.

All that notwithstanding, many stakeholders say, there are a number of developments to be celebrated, and that one of them is the entry of online TV and radio with unprecedented momentum.

3.7 Online TV and Radio Stations in Tanzania

The past few years have seen some TV stations and individuals introducing online television operations in order to capture



more viewers, but the situation changed dramatically when the Government gazetted the Electronic and Postal Communications (Online content) Regulations, 2018 and made them operational in March 2018. Operators in the broadcasting industry as well as potential ones waiting in the wings seem to have seen the new development as a blessing, for they took no time to get on board. TCRA records of online content services licences issued by October 16, 2018, show online TV operators were 90, an impressive figure attained in only 6 months.

Six operators obtained online content service (simulcasting television) licences which allow them to operate more than one communication platforms. In this group, established companies that own traditional TV stations have opted to launch online televisions as well. These include ITV, Capital TV, East Africa TV, Star TV and Clouds TV (TCRA 2018).

Apart from operators licensed to run both traditional and online TVs, there is a long list of 84 operators licensed that provide online television services only. Owners of online television platforms are an interesting mix, as they include individuals, newspaper companies, Government agencies, faith ministries and broadcasters.

Newspaper companies which have ventured into online television business include Uhuru Media Group., New Habari (2016) Ltd., Tanganyika Standard Newspapers (TSN) and Mwananchi Communications Ltd. Observers are of the opinion that more newspapers will join the pack as they look for opportunities to make some money to cushion their dwindling business fortunes.

Jeniffer Summi, one of the broadcasters interviewed, made an observation in relation to the unprecedented drive by individuals and companies to venture into online television operations. She wonders whether this affordability might be one of the reasons the number of traditional television stations is not growing at the expected pace.

As for the online radio category, there are also operators who have opted to run both traditional radio stations and online radio services (under simulcasting radio content) licence. As of October, 2018, the list carried 25 stations. These included established stations like Clouds Radio, Radio Free Africa, Kiss FM, Capital Radio, JRS Radio Kwizera and Sibuka Media Limited. Six entrants obtained



online content (radio) licences.

Communication experts predict that what happened after a few months of opening the door for online TV and radio licensing might be a beginning of the rat race to establish these platforms, whose impact on the broadcasting industry in Tanzania will be significant.

3.8 Ethical Issues in the Broadcasting Industry

Ethical concerns resulting from digital include the emergence of people calling themselves citizen journalists who, due to the flexibility facilitated by digital devices, are able to share information. This group is said to have caused social inconvenience due to unprofessional and unethical practices involved in free-for-all information sharing.

Lack of skilled personnel is another challenge threatening digital world. The major concern related to this, are: How do one guarantee that those in a rush to establish online television and radio platforms, will stick to ethical and professional conduct? What would be the key ethical principles guiding them?

“There remains a lot needed to be done as far as ethics of online media is concerned...legally there are some efforts to impose control although I think, these laws and regulations are overly tough to the extent of making it hard for the sector to flourish and investors to benefit, noted one communication expert, Ms Summi

Besides that, increasing self-censorship among radio and television journalists was another aspect which raised concern in the past two years. As explained in this article, journalists opted to filter of information due to fear in the wake of harsh laws and regulations as well as hostile political environment.

3.9 Concluding Remarks

It is clear that in the past two years, broadcasting industry in Tanzania continued to progress in terms of numbers and penetration. And while striving to cope with financial, technical, manpower and security challenges in the two years, the industry witnessed journalists and their stations operating under laws and regulations which are unfriendly, regulations that don't provide room for broadcasting media to grow. As a result of such laws, the two years witnessed journalists/broadcasters being punished



or facing threats, intimidation and various forms of harassment. While much potential of broadcasting industry in Tanzania was noted, especially on digital broadcasting, much needs to be done, more so in the area of resources and manpower.

3.10 Recommendations

This article recommends the following:

Broadcasting Media Houses Should:

- Acquire modern digital equipment in order to cope with emerging demands;
- Invest in building capacity of their personnel especially in digital aspects
- Improve programmes to attract more advertisers, sponsors and audience
- Restructure organisational and newsroom set-ups to accommodate multi-media platforms.

Radio and TV Journalists Should:

- Specialise in specific areas of broadcasting to be more competent;
- Look for training opportunities in multi-media reporting
- Exploit self-employment opportunities in digital broadcasting.

Government and Media Supporting Organisations:

- Revisit media laws which are a threat to operators in the broadcasting sector
- Work with other stakeholders to provide more training to journalists in the broadcasting sector.

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Chapter Four

Current Trends in the New Media

4.0 Introduction

This chapter looks at the trend of new media in Tanzania during the 2017/18 period. In this chapter, new media stands for interactive platform by which individuals and communities come together to discuss content through exchanging messages and comments. The chapter starts by exploring progress in the area including an increase in people accessing Internet and other digital devices and benefits expected from such developments. It also looks at how online media continued to survive under a hostile and tense political atmosphere, resulting into deterioration in freedom of expression and shrinking of civic space. The chapter gives a clear picture of how the notorious Cybercrimes Act and other restrictive laws and regulations played a huge role in suppressing voices considered to be critical to the current Government and its policies.

Implications of the enforcement of such laws and how local and international human rights defenders have reacted to the situation are also explored. The chapter ends with concluding remarks and recommendations.

4.1 With Tense Political Atmosphere Online Media Strive to Survive

In 2017 and 2018, Tanzania Mainland continued to record a gradual increase in citizens' access to Information Communication Technology, (ICT). The Internet landscape continued to expand alongside increased accessibility to mobile broadband devices, smart phones and other Internet enabled handsets.

These recorded developments, were expected to increase freedom of expression (FOE), access to information and innovation for socio-economic growth. Instead, the opposite had been the case for the last two years as will be explained later in this chapter.

According to the State of Internet Freedom in Africa 2018 Report, there were about 23 million Internet users (the exact number of the



population using Internet were 22,995,109), translating into 45% penetration during the year. This is an increase compared to 20 million people and 40% penetration in 2016. (TCRA, 2017, CIPETA, 2018)

Table 1: The Trend of Internet Penetration for the Past Six Years

Year	2012	2013	2014	2015	2016	2017
Penetration	8	9	14	17	20	23
Percentage	17	21	29	34	40	45

In 2017/18, the number of people with access to mobile phones also increased. As per September 2018, subscribers were 42,961,449. According to TCRA, for the past three years (2015 to 2018), mobile telephone subscriptions grew from 39,808,419 SIM cards in December 2015 to 42,961, 449 in September 2018, which is an equivalent of 8% growth.

In the last two years, companies providing telecommunication services in Tanzania were seven—a reasonable number when compared to the situation in other countries in Africa. The companies are listed as Airtel, Smart, Halotel, Vodacom, Tigo, Zantel, and TTCL (TCRA, 2018).

An increase in peoples’ access to ICT has always been a crucial element in the portrayal of a country’s development. The promotion of ICT increases citizen’s rights to freedom of expression or freedom of every person to hold opinions as well as freedom to receive and impart information and ideas, either orally, in writing or in print. In addition, Internet access facilitates the right of access to information and is indeed critical for the expansion of free speech.

Therefore, these developments recorded in the past two years, were expected to increase freedom of expression (FOE), access to information and innovation for socio-economic growth. Instead, the opposite had been the case for the last two years as will be explained in the following section.

4.2 Government Uses Restrictive as Mechanisms to Control Online Space

Primary and secondary data indicate that the past two years were



worst on matters related to Internet and online communication in Tanzania Mainland. Press freedom, right to information and freedom of speech or opinion which constitute freedom of expression, were curtailed. (LHRC, 2017, LHRC, 2018)

Characterised by a very tense political tension, the 5th Phase Government continued to impose different mechanisms to control online space. Mechanisms used included enforcement of recent restrictive laws and passing of new regulations with provisions prone to abuses and manipulation (ibid).

According to documents reviewed (LHRC, 2017); LHRC, 2018), in the last two years, the situation with regard to human rights in Tanzania deteriorated compared to that of 2016. Besides other civil and political rights, freedom of expression was among the most violated human rights in Tanzania owing to attacks, threats to journalists, ban of media houses and application of laws that arbitrarily, restrict freedom of expression, such as the Media Service Act and the Cybercrime Act.

LHRC (2018) paints a gloomy picture of human rights situation in Tanzania Mainland showing degeneration and gross violation of human rights with January – June 2018 as worst recorded compared to the same period in 2017, the major contributing factors being continued violations of civic and political rights as well as restrictions on freedom of expressions.

Twaweza, the civil society organisation, which has been in the forefront as far as freedom of expression is concerned, pointed out that 2017 was not a happy year for Tanzanians as free expression in their country continued to come under attack with the restrictive laws which resulted into private citizens being threatened or punished for expressing their opinions on social media (Twaweza, 2017)

Despite stakeholders urging Government officials to refrain from interfering with freedom of expression without reasonable grounds, incidents of threats, harassment and legal penalties facilitated by the recently enacted laws and regulations, continued resulting into journalists, online operators and users to work in fear of consequences including heavy fines and imprisonment. Stakeholders who have consistently urged the Government not to interfere with freedom of expression include human rights



organisations such as Tanzania Legal and Human Rights Centre (LHRC); professional media associations such as Editors Forum; media regulatory bodies including the MCT as well as regional professional organisations such as Media Institute of Southern Africa, Tanzania Chapter (Misa-Tan).

Reports published or statements issued by these organisations plus interviews with their officials, confirm widespread concern about Tanzanian situation with regard to freedom of expression. The areas of concern will be explained in detail later in this chapter.

As a result of rights violation, in the past two years, Tanzania dropped in the World Freedom Index 2017. According to the World Freedom Index Report, in 2016, Tanzania ranked 71, but dropped to 83 in 2017 and 93 in 2018. Factors attributed to this big fall included suspension and closure of media outlets, threats to media houses and attack on media practitioners (Freedom House, 2018; Human Right report, 2017). The Press Freedom Index is an annual ranking of countries compiled and published by Reporters Without Borders based upon the organisation's assessment of the surveyed countries' press freedom records in the previous year (RSF, 2018)

4.3 Online Content Regulations; a Heavy Nail on the Coffin

The passing into law of the Electronic and Postal Communications (Online Content) Regulations, 2017, dealt a major blow to online communication. This regulations was passed by the Tanzania National Assembly in September, 2017 and signed into law in March 2018, despite several calls by members of the civil society and international bodies that urged the Government to revise or withdraw portions of these regulations. These regulations apply to online content publishers – including bloggers, Internet cafes, online content hosts, online forums and online radio, television, social media and any other related communication.

Although the regulation is said to have many shortcomings, stakeholders were very concerned about some aspects including the high fees operators were required to pay, threats to anonymity, liability issues and severe penalties for those contravening these terms, equivocal phrases in the regulations and the extensive powers granted to the TCRA to control online freedom of



expression.

Under the new law, bloggers as well as online radio and TV websites are required to be licensed by the TCRA and pay a prerequisite fee of more than US\$900 which is more than Sh2 million per year for them to operate. (URT, 2018)

Regarding threats to anonymity, the law requires Internet cafes to filter access to prohibited content and install surveillance cameras to record and monitor activities inside the café. The cafes are required to put in place mechanisms to facilitate these controls (URT, 2018).

On liability issues, under the law, social media users are responsible and accountable for the information they publish. Furthermore, bloggers and Internet forums are accountable for all content on their website. In other words, content providers are required to have in place mechanisms to identify sources of content, and to cooperate with the authorities to know the user's identity when the need arises.

To make matters worse, the regulation set severe penalties to those contravening these terms where the fine is not less than Sh5 million or imprisonment for not less than twelve months, or both.

4.3.1 Stakeholders` Response to Online Regulations Online regulations send bloggers packing

As part of the enforcement of the new regulations, in June 2018, all websites, blogs and online content providers including Jamii Forum were banned by TCRA from posting any additional content until they complied with the new law.

This move, caused panic among them with many of them getting confused, not knowing how they were going to raise such a huge amount of money required before resuming operations.

Jail term and fine for failing to comply with the law, saw some bloggers, online radio and television outfits pay the mandatory Sh2million fee for registration to continue transmission, while those who could not afford closed down. According to TCRA, during the period starting from March when the new regulation became into force to October, 2018, a total number of 211 online content service providers had been licensed. Among them, 88 were blogs, 2 online forums, 21 online radio stations and 90 online television stations. (TCRA, 2018)



The TCRA, in its quarterly report of September, 2018, said the new regulations and licensing, minimised the misuse of online media. However, various journalists, civil society, communication stakeholders and human right groups from in and outside the country, had different opinions regarding the move. They strongly believed that this law had many negative consequences not only to online content providers but also to the general public that benefits from diversity of information shared through these platforms (ibid). They said the fee was too high, which automatically forced smaller outlets to close down as they couldn't afford it and this eventually thwarted pluralism.

Salome Kitomary, Chairperson for Media Institute in Southern Africa, Tanzania Chapter (Misa-Tan), said, regulations requirements including the US\$900 registration fee, was shattering news for many people especially young graduates who had started their own multimedia platforms for the purpose of earning a living and utilising their knowledge.

She said besides the fee being too high, there are many requirements which are hard to fulfill, hindering many people from venturing into online business.

Geodfrey Ismaely, editor for Majira newspaper and Ramadhani Kabale who is a media analyst, contended that the fee was too high and due to that, many bloggers had to shut down their platforms. Concern about the high fees was also raised by various organisations in their reports (LHRC, 2018; CIPETA, 2018).

According to respondents, liability issues and severe penalties provided in the regulations encourage self-censorship among online users, something which contribute to a shrinking public space.

Regarding equivocal phrases in the regulations presumed subjective, too wordy, vague and ambiguous, they were concerned that such type of framing was a deliberate attempt by the powers-that-be, to stem dissent and criticism.

They were also concerned about what they termed the extensive powers the Electronic and Postal Communications (Online Content) Regulation grants to the TCRA to control online freedom of expression.



They said that the part which allows TCRA to keep a register of bloggers, online forums, online radio and online television and the one empowering the communications regulator to order removal of prohibited content may be misused by authorities for their own interests.

Their main fear was that these provisions could be a mechanism by the Government to have a database of online users, something which can also be used as a tool to harass and persecute users who are critical of the Government as well as allow the regulatory body to filter and identify the sources of information posted online.

Commenting on the above conditions, Peter Nyanje, News Editor for Financial Times newspaper, said imposing regulations with so many requirements was not a solution to flaws and gaps surrounding social media use in the country, and that the Government was supposed to come up with another mechanism of preventing or controlling social media flaws without affecting peoples' right to online communication.

In his view, the Government decision did not only affect those who misuse social media platforms – it also affected responsible citizens who were using them in a mature way to share information.

Kitomary says that by coming up with measures to control online communication, the Government took a positive step but then, she argues, the measure could have been carried out without affecting peoples' freedom in the use of online communication.

Dinah Chahali, an editor with Channel Ten, is of the conviction that with the ongoing ethical violations associated with digital use, it was high time Government imposed some control although, she admits, some of the provisions are tough to the extent of making it hard the sector to flourish and benefit people.

Generally, views from documents reviewed plus respondents interviewed, show that these new regulations were convenient tools and part of a wider Government scheme aimed at limiting freedoms and liberties of speech and participatory multiparty politics in Tanzania.

Besides challenges caused by the 2017 Online Content Regulations, in 2017/18, the enforcement of existing laws including the notorious 2015 Cybercrimes Act, which has been named among the laws severely restricting freedom of expression, continued to play a



significant role in suppressing people's freedom to express their views and opinions. The following section looks at the far-reaching implications of implementations of such laws.

4.4 The Notorious 2015 Cybercrimes Act Continued to Play Significant Role.

Cybercrime Act 2015, in September 2018 marked its 3rd year of existence, having been enacted in 2015.

This law, which was enacted for a good course, is said to have been misapplied to stifle critical and alternative thinking for political expediency. Despite Government's justification that the Act was established to deter crime such as cyber fraud, child pornography, hate speech, and terrorism that were said to be major security threats, critics claim that for the past three years, the enforcement of the law had been targeting Government critics.

However, authorities have from time to time, defended the Act, arguing that laws such as this prevent moral decadence and promote national security and cohesion. Rights activists, however, say the Government's intentions weren't that clear.

Reports from various institutions show that in the last two years, online communication users continued to face the risk of prosecution under the 2015 Cybercrimes Act and other laws for offenses such as insulting the President and Government officials (LHRC, 2017; LHRC, 2018; CIPETA, 2018).

Due to that, the Act is said to have been used extensively to reign in voices critical of President Magufuli's Government and its policies.

These reports indicate that, there were instances where law enforcement agencies floated existing legislation in ways that undermined privacy. Furthermore, security agencies on several instances demanded access details of individuals who had posted content online (CIPETA, 2018; LHRC, 2017; LHRC, 2018). These actions were given more clout by Section 32 of the Cybercrimes Act 2015, which authorises the police to demand disclosure of data sources for purposes of criminal investigations. (URT, 2015)

In the period under investigation, there was also an emerging trend in Tanzania whereby law enforcement agencies seized phones and personal computers from individuals and held them for several



days on the grounds that they were conducting investigation (CIPETA, 2018).

It was also observed that not only did Tanzania put in place laws and regulations to enable censorship and surveillance as elaborated in the earlier sections, but authorities continued to threaten online content service providers and users with arbitrary arrests and prosecutions (ibid)

4.5 Incidents of People Punished Under Online Laws

Several incidents of people punished under online laws were reported across Tanzania and documented in various reports including (MCT, 2017; MCT, 2018; LHRC, 2017; LHRC, 2018; Human Rights Watch, 2017, Human Rights Watch, 2018, Amnesty International, 2017, Freedom House, 2018).

The following are some of the incidents that occurred in 2017/18:

- On 21 September, Zitto Kabwe, opposition leader for the Alliance for Change and Transparency party, was arrested following comments he made on social media. These concerned the House Speaker's handling of reports by two parliamentary committees formed to investigate tanzanite and diamond mining before they were debated in Parliament.
- On October 31, Zitto Kabwe was again detained by police for allegedly issuing false statistics on the national economic growth figures. He was accused of violating the Statistics Act, 2017.
- Outspoken opposition MPs Tundu Lissu and Halima Mdee were in February and July 2017 arrested and detained for what was claimed as abusing President Magufuli, sedition and incitement. The videos of their purported offences were circulated online.
- Another opposition MP, Godbless Lema, was detained for four months and charged with sedition by way of uttering what was claimed to be insults against President Magufuli in video and audio clips widely shared on social media.
- In March 2017, Tanzanian musician, Emmanuel Elibariki, famously known as Nay wa Mitego, was arrested and detained for a day in relation to the lyrics of the song titled;



‘Wapo’ which were deemed abusive to the Government and President Magufuli. The song was widely shared on social media platforms.

- In 2017, the case against the cofounders of the popular discussion site, Jamii Forums, Maxence Melo and Micke William, continued with proceedings. Their arrest happened in December 2016. They were accused of refusing to identify anonymous users of their platform who had written about corruption and other sensitive topics.
- Chis Kika, a journalist working with Dar 24 was arrested by the Dar es Salaam police after writing an article on Ludewa District Commissioner, Andrea Tsere, refuting information that was viral on social media.
- On October 9, 2018, Mohab from Online Media, was arrested by TCRA officers due to reasons that were not divulged. He was arrested in Iringa and transferred to Dar es Salaam where a file against him was opened.

4.6 Shrinking Public Space Alarms Local, International Rights Groups

Critical review of various documents including (LHRC, 2017; LHRC, 2018; Human Rights Watch, 2017, Human Rights Watch, 2018, Amnesty International, 2017, Freedom House, 2018), reveal that the fast shrinking public space in the last two years, alarmed the media, civil society, communication stakeholders as well as human rights groups in and outside Tanzania.

Documents indicated that, these laws and regulations were not only unfriendly to free, open and secure online communication, but they also undermined citizens’ rights to free expression, privacy and access to information.

Such laws were also condemned for contradicting and contravening international as well as regional instruments to which Tanzania subscribed as signatory. These include the Universal Declaration of Human Rights (UDHR), International Covenant on Civil and Political Rights (ICCPR) and African Charter on Human and Peoples’ Rights (ACHPR) that guarantee freedom of expression, right to privacy, and the right to information.



The LHRC went further by requesting the Minister for Legal and Constitutional Affairs to initiate a process of revisiting or reviewing freedom of expression as provided in pieces of legislations, such as the Media Service Act and the Cybercrimes Act, with the view of removing or mending problematic provisions including ambiguous and vague provisions (LHRC, 2017).

One part of the Act which is blamed by many critics is Section 16, which says that publishing false or misleading information was punishable by at least six months in prison.

In August 2018, Media Institute of Southern Africa Tanzania Chapter (Misa-Tan) condemned Section 6 implications. In a publication entitled, 'So this is Democracy?' MISA-Tan expressed concern over violations of media freedom and freedom of expression, calling it an onslaught against the media in Tanzania (MISA, 2018)

In January 2017, media stakeholders took the matter to the East African Court of Justice, challenging the Section of the new law that restricted media freedom. Among the stakeholders were the Media Council of Tanzania (MCT), LHRC and Tanzania Human Rights Defenders Coalition (THRDC), (LHRC, 2018)

In March 2018, human rights activists obtained an injunction battling the application of the regulations citing the law as an affront to free speech. The injunction was overturned in May 2018 and implementation of regulations halted the operations of some bloggers including Jamii Forum which ceased for some time in order to avoid the severity of punitive law (LHRC, 2018)

Concerned with this situation, Reporters Without Borders (RSF) called on Tanzanian authorities to repeal sections of the law which barred forums such as Jamii from posting any reports before registration, (RFS, 2018)

The African Freedom of Expression Exchange (AFEX) expressed its disappointment with the Government of Tanzania for passing into law the Electronic and Postal Communications (Online Content), the regulations of which contained clear provisions that could further tighten the country's already restrictive freedom of expression environment both online and offline. AFEX appealed to the Government to take into account the concern raised by local and international rights groups and revise the portions of the law that were an affront to free speech (AFEX, 2018).



The African Commission on Human and Peoples' Rights (the Commission), also issued a statement expressing concern on the growing trend of States in East Africa adopting stringent regulations that put in check Internet and online platforms.

The statement said the adoption of the Electronic and Postal Communications (Online Content) Regulations 2018 in Tanzania which introduced licensing requirements for bloggers, may negatively impact the ability of users to gain affordable access to the Internet, something which goes against states' commitment to protect the right of every individual to receive information, as well as the right to express and disseminate one's opinion within the law provided under Article 9 of the African Charter on Human and Peoples' Rights, (APC, 2018)

4.7 With the Tense Political Situation, What is the Future of Online Media?

Despite legal related challenges, in 2017/18, online media in Tanzania continued to survive but of course, not with the same momentum witnessed in previous years.

Various journalists and other stakeholders interviewed spoke of how social media including blogs have expanded the public sphere by facilitating communication to Tanzanians who previously lacked access to traditional media. It should be noted that with the type of media ownership Tanzania have, it is obvious that journalists and editors working for traditional media are always controlled by invisible hand of owners and their associates, especially politicians and other influential people.

Commenting on social media benefits, Tegambwage said: "Their interactive nature makes them important in both free and restrictive circumstances, anywhere in the world. You have people being informed fast. You have people talking to friends beyond borders. You have people pouring their hearts online for everyone to see or hear. You have the world talking unfettered."

Expressing his conviction of the relevance of social media, Tegambwage, said: "While they may not be a panacea to shrinking civic space - they are, indeed, a breathing space in as far as freedom of expression is concerned,"

Taking this further, Peter Nyanje, said that such platforms have



continued to offer writers and independent journalists a forum to express views and report news that might not otherwise appear in mainstream media.

In his view, these platforms have also opened up possibilities for individuals to establish private news outlets that prove immensely powerful in terms of reach and readership. Analysts, Betty Masanja and Ramadhani Kabale share similar view on the relevance of social media. Salome Kitomary, who is also a senior journalist for Nipashe newspaper, said, these platforms are sources of income to young graduates who had started their own multimedia platforms for the purpose of earning a living and utilising their knowledge.

Generally, many respondents admitted that in the past two years, social media were the major channel for politicians especially members of the opposition parties to reach out their supporters after the Government put a ban on public rallies. Since the presidential elections in 2015, Tanzania's Opposition has been restricted by a ban on opposition rallies and sanctions, intimidation, and punishment of citizens for criticizing President John Magufuli of the ruling Chama cha Mapinduzi (CCM). Since his election, the President has taken tough measures against corruption and improved governance in the country. However, he is highly criticised for his intolerance to criticism, a situation leading to numerous prosecutions of his critics and social media users.

However, after the online regulations were adopted, these platforms are no longer free enough to provide independent and in-depth analysis as they used to before the disruptions.

4.8 Strategies to Promote Good Use of Online Media

In the past two years, the Government continued taking serious measures and legal action against people posting indecent content on social media.

Senior leaders, including, made it clear that the Government would continue to safeguard the country's culture for present and future generations and that it would not allow anyone to promote immorality on social media. It also took stern legal action against those accused of misusing online media. Among those who have tested the sweeter bitter of online acts include the following: Musician Nassib Abdul (Diamond Platnumz), Faustine Charles



(Nandy) Miss Tanzania, Wema Sepetu, Hamisa Mobeto, Gift Stanford (Gigy Money), Susan Michael, Jane Ikunda (Sanchoka), Rutyfia Abubakary (Amber Rutty) and Said Bakari (James Derious). Some of these artistes were taken to court or summoned by Basata where they were asked to issue a public apology and issued with different forms of penalties including banning. The Government through the Ministry of Information, Culture, Sports and Arts, continued to work closely with Basata and the TCRA to regulate the Tanzanian creative sector after President John Magufuli ordered the TCRA in December to take legal action against artistes who entertain nudity in their videos.

Regarding public awareness, in the past two years, TCRA continued to implement focused information and awareness campaigns to educate consumers and the general public on their rights and obligations and how to avoid mobile and Internet fraud. The education also addressed the legal requirements for the registration of SIM cards.

The TCRA also launched campaigns for responsible use of social media with messages against the initiating and transmitting or forwarding of offensive content online. Between July and September 2018, TCRA coordinated the production of 24 messages addressing responsible and ethical use of communication services and application (TCRA, 2018)

4.9 Concluding Remarks

From what has been said in this chapter, it is clear that in last two years, Tanzania Mainland continued to make progress in terms of the number of citizens accessing Internet and other digital devices. However, the chapter shows, this progress did not promote freedom of expression (FOE) and access to information as expected. The chapter discussed various drawbacks hindered the growth and progress of online media which range from political situation execrated as well as restrictive laws and regulations.

The chapter further showed how authorities used restrictive laws as mechanisms to control online media as well and punish certain individuals who are perceived as a threat by the Government. It also raised concern as to how far online media will go given the political tension in the country.



4.10 Recommendations

This article makes the following recommendations:

For the Media:

- Inform, educate and mobilise the public to demand Internet freedom as well as report incidents of online rights violations;
- Challenge the enforcement of laws and regulations that violate online rights and suppress freedom of expression and
- Sensitize people on constructive use of digital.

For Civil Society

- Be on alert to digital violations and gather evidence of their negative effects and consequences which would be used in pressuring the Government to abolish practices that violate the rights of citizens and
- Continue monitoring and paying greater attention to violations of the right to access Internet.

Academicians

- Gather evidence of the negative effects and consequences of laws and regulations that violate freedom of expressions and push for law reforms to abolish those which violate citizen rights.

For the Government

- Review laws and regulations that violate people's rights to online communication;
- Amend all restrictive provisions in the Cybercrimes Act, the Electronic and Postal Communications (Online Content) Regulations and the Media Services and replace them by progressive sections that will guarantee freedom of expression and the media in line with international human rights standards;
- Stop open threats against journalists and human rights defenders who expose wrongdoing of some Government leaders and
- Work with media and other stakeholders to sensitise



people on constructive use of online media.

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Chapter Five

Media Support in Tanzania Mainland

5.0 Introduction

This chapter focuses on the role played by various organisations in supporting the media in Tanzania in 2017 and 2018. Some of the aspects explored include activities undertaken by supporters, joint initiatives, views of media supporters on how to improve media development support and the perception of beneficiaries on provided support. The chapter ends with a conclusion and recommendations.

5.1 Organisations Supporting Media in Tanzania

Organisations which have been supporting the media in Tanzania in the past decade are more or less the same. A notable new comer is Internews, which is perceived by journalists as having made an impact within a short time. These include; the Media Council of Tanzania, (MCT), Tanzania Media Foundation (TMF), Journalists Environmental Association of Tanzania (JET), Tanzania Media Women Association (TAMWA), United National Educational Scientific and Cultural Organisation (Unesco), Media Institute of Southern Africa, Tanzania Chapter (Misa-Tan), Union of Tanzania Press Clubs (UTPC), Tanzania Editors Forum (TEF) and Friedrich Ebert Stiftung (FES). These institutions support the media significantly, especially in the area of training, which they have all along paid much attention to.

5.2 Internews

Internews is an international non-profit organisation which works to ensure access to trusted quality information that empowers people to have a voice in their future and live a healthy, secure and rewarding life.

The organisation supports journalists in Tanzania in different ways including offering training and other capacity building opportunities.

Wenceslaus Mushi, the Internews Director of Information and



Communication mention 'Boresha Habari', a five-year project as one of the activity benefiting media immensely. The project aims at improving media news quality and strengthen the capacity of civil organisations to engage the media so that, people-oriented activities of the former can be publicised for the benefit of society. Internews, through the Boresha Habari project, has so far provided capacity building training to journalists to produce high quality local news coverage, where in 2018, a total of 876 journalists from Tanzania Mainland and Zanzibar were trained on various topics, the purpose being to improve journalism and quality of news produced.

It also provided capacity building to 20 community radio stations through training, coaching and mentorship, trained youth and women on community radio development and programming where for the year 2018, a total of 442 youth and adult women from Tanzania Mainland and Zanzibar benefitted.

Other groups which benefitted from the training were 58 non-state news outlets whose training covered various topics including journalism, new media laws in Tanzania and their requirements.

Journalists and their organisations have also benefited from professional forums organised by the organisation including roundtable workshops, meetings, awareness campaigns, and marketing forums. Besides that, Internews, supported media-sector CSOs and institutions that serve to strengthen the independent media or journalists.

Key Players Working with Internews

In providing media support, Internews is working closely with several organisations including the MCT; Tanzania Bora Initiative, a youth organisation which motivates young men and women to be enterprising and liberate themselves socially and economically; Jamii Media; Geopoll, an organisation engaged in electronic media monitoring and conducting surveys; the Legal and Human Rights Centre; as well as three Universities, namely Zanzibar Journalism and Mass Communication College, St. Augustine University of Tanzania, as well as University of Dar es Salaam's School of Journalism and Mass Communication.

On Internews perception of the impact of its activities to journalists



and media houses, Mushi said his organisation is putting emphasis on practical training and hope this approach helps both the journalists and media houses to be more professional.

Regarding gaps in media support in Tanzania, Mushi said they have noted that mentoring young journalists is yet to be taken seriously, and there is a lack of basic content collection equipment, especially in broadcasting.

As for the best way to support media activities in Tanzania, Mushi suggested that it is important to give support in equipment provision, initiate more projects to mentor young journalists and help those who opt to specialise in specific journalistic areas.

5.3 Tanzania Media Women's Association

Tanzania Media Women's Association (Tamwa) is an organisation whose mission is to advocate women and children's rights by conducting awareness raising activities to advocate cultural, policy and legal changes and transform society through the use of the media. It powers women in the media to ensure they play a significant role in this advocacy mission by using different media platforms (TAMWA).

According to Tamwa Executive Director Edda Sanga, the organisation has been supporting the media in Tanzania in different ways. The following are some of the support as highlighted by the director:

Tamwa supports the media in various activities including the area of training where in 2017 it provided a reporting training to 30 journalists under a special project jointly sponsored by the French Embassy and Tanzania Private Sector Foundation, and 19 journalists on road safety reporting under the Road Safety Project.

In the past two years, the organisation also sponsored two journalists to undertake online training while one of its members got a scholarship to train in Copenhagen, thanks to the support of Danish International Development Agency.

Tamwa's role in the Road Safety Campaign continued in 2018 where a batch of 45 editors from Dar es Salaam, Coast and Morogoro regions were trained on Road Safety reporting. A total of 43 journalists from Dar es Salaam and Morogoro regions also got a similar training in April and July 2018.



The association's records show that a total of 147 journalists and editors benefitted from several training programmes in 2017-2018. Out of these, 75 were male and 72 were female, an indication that Tamwa is sensitive to gender equality.

In 2018, Tamwa offered fellowships to seven young journalists to participate in the on-the-job training and go to rural areas to write news stories as well as newspaper feature articles on gender based violence (GBV). Rural areas earmarked for practical work included Kisarawe, Mvomero, Lindi Rural, Newala and Ruangwa. Makumbusho in Dar es Salaam's Kinondoni District as well as Kivule and Kitunda in Dar es Salaam's Ilala District were also targeted for practical work. Media outlets which benefitted from this project included Majira, Habari Leo, Daily News, Jamvi la Habari, Nipashe and Mtanzania newspapers, as well as Jamii Forum social network.

At the same time Tamwa linked some community radios to GBV committees in the areas named above, to ensure they got enough media coverage and community members play a role in the exchange of ideas on gender-based violence, as community radios encourage participation of community residents in programme preparation and broadcasting.

Besides Danida, which had been the association's main sponsor, Sanga said, the association networks with a number of organisations including MCT and members of the Coalition on National Road Safety Campaign, in carrying out its media related activities.

Commenting on the impact of Tamwa's support activities to media houses and journalists, Sanga observed that journalists who get training on reporting issues like GBV and female genital mutilation (FGM) end up writing readably good and relevant stories when they go to the field. She added that these efforts must have contributed to awareness creation, as most women in the country are showing signs of understanding their rights and are aggressively claiming them.

As for gaps in the kind of media support being given by organisations, the Tamwa boss pointed out that the biggest problem is lack of adequate funds, which limit chances of trained journalists to go to remote areas, identify testimonial cases and cover them in detail. She added: "You may note that even newspaper reports on issues



like gender-based violence do not, in most cases, reach the targeted groups as newspapers hardly venture out to remote rural areas.”

As to what should be done to improve support to media organisations and journalists in Tanzania, Sanga suggested that some resources should be directed to solving some of the obvious challenges facing the industry like poor newspaper distribution. She also advocates introducing the kind of training which shape young journalists to be inquisitive and analytical, as opposed to only focusing on imparting basic general writing skills.

5.6 FES TANZANIA

Friedrich Ebert Stiftung (FES) is a non-profit German Foundation funded by the Government of the Federal Republic of Germany, committed to the advancement of social-political and economic development in the spirit social democracy, through civic education, research and international cooperation. One of its programmes in Tanzania is on media freedom and freedom of expression (FES).

Media Support Offered by FES Tanzania

According to FES Tanzania Project Coordinator, Amon Petro, their organisation has been supporting the media in Tanzania in different ways. The following are some of the support as highlighted by the project coordinator.

In the past two years, FES undertook several activities including supporting printing of a publication titled ‘Freedom of Expression and Criminal Law in Tanzania’, a book which gives a snapshot on the use of criminal law in regulating freedom of expression. It also navigates through the recently passed media related laws, analyse the threats and challenges posted, and give suggestions on the way forward.

It also supported capacity building training to journalists in order to enable them improve their ability in producing news stories and media analyses which are clear, accurate, thorough, cogent and fair, within the room provided by current media laws and their regulations. FES training also aimed at developing journalists’ skills on human rights and human rights defenders.

The training benefitted 124 journalists from twelve regions which were clustered into four zones. These were Central, South, East and



North zones. Apart from training and publishing, FES has been a long-term partner in organising the annual World Press Freedom Day event in Tanzania.

Impact of FES media Support

Commenting on the impact of FES media support activities to media organisations and journalists, FEZ Tanzania Project Coordinator, Amon Petro, said feedback from journalists indicated that they appreciated the knowledge gained and expressed the wish to have more training sessions in various areas of their profession.

The coordinator noted that one of the shortcomings of media support in Tanzania is lack of proper monitoring and assessment to find out how various support activities make a difference in practical performance. He suggested that this aspect and sponsorship of more mentorship programmes deserve special attention.

5.7 Misa-Tan

The Media Institute of Southern African (MISA), is a non-governmental organisation established in 1992 with its major objective being to promote a free, independent and pluralistic press in service of democracy and good governance in the Southern Africa Development Community (SADC) region. Its Tanzania Chapter, Misa-Tan was registered in 1997 under the Societies Ordinance, 1954 (www.misa-tan.org).

Support Offered by Misa-Tan

In the period covered under this report, the organisation supported the media in different ways including offering training and in aspects related to advocacy and protection of media freedom and freedom of expression.

According to Misa Acting National Director, Sengiyumva Gasirigwa, their organisation has been supporting the media in Tanzania in different ways. The following are some of the support as narrated by the acting director.

As part of the campaign to decriminalise free expression and champion for the establishment of progressive media and access to information laws, Misa-Tan organised and conducted specialised training to lawmakers and media practitioners.

About 240 Members of Parliament and 150 journalists benefitted



from these engagements in the past three years. Also, about 200 journalists and editors from different media organisations, were trained on ATI issues, Internet use and election coverage for the last three years, as part of the organisation's capacity building initiatives. Besides that, the organisation trained about 240 staff members of the Tanzania Judiciary on ATI and customer care skills since 2015 to date. It is believed that enlightening Judiciary staff on press freedom and freedom of expression issues may help them to handle related cases with understanding and more competence.

The organisation also conducted investigations and media monitoring on press freedom violations in the country and compiled reports which are used in advocacy work.

In collaborating with Unesco, the organisation prepared activities to mark the "International Day to End Impunity", an event aimed at raising awareness to protect the right to freedom of expression and promote access to justice for journalists, artists, writers, musicians, human rights defenders and activists around the world who are persecuted for exercising their right to freedom of expression. Misa-Tan had also been taking part in co-organising media stakeholders periodic review meetings involving media practitioners, civil society, Government representatives and MPs to brainstorm on issues related to press freedom and freedom of expression.

Key Partners Working with Misa-Tan

In the course of implementing its activities, Misa-Tan had been receiving support from a number of organisations including; United Nations Tanzania Office, Media Council of Tanzania, FES Tanzania, Article 19 East Africa, Unesco, Union of Tanzania Press Clubs, TCRA and other organisations.

With regard to whether the Misa-Tan support to the media have had a significant impact to, the organisation Acting National Director, Sengiyumva Gasirigwa, pointed out that training sessions with journalists and editors on media laws have been an eye-opener, as the organisation realised that most of them were not conversant with legal developments which have a big effect on their day-to-day work.

He observed that much as it may look strange, many journalists in the society have no reading culture. "Hence, training on media laws



have been beneficial to journalists who got a chance to participate, as well as to media houses they represented,” he said.

On the gaps in media support, Gasirigwa noted that something should be done to change the mindset of media house owners, whom he accused of not investing much in staff development by way of allocating adequate funds in their budgets for training purpose. “There are cases where journalists who opt to go for a long course, even by self-sponsorship, end up losing their jobs,” noted Gasirigwa, further suggesting that supporters of media activities should also have programmes which target media owners in terms of enlightening them about their role in media development.

Another aspect, which Gasirigwa said is a source of concern, is the situation of inadequate media research, which leads to the situation where not much is known about numerous media related areas, like unemployment among journalists, working conditions, gender inequality, training provided by schools of journalism, media ownership, investments in the media industry, challenges of newspaper production, and many others. His suggestion was that media supporting organisations should address media research challenges seriously.

5.8 Tanzania Human Rights Defenders Coalition (THRDC)

Tanzania Human Rights Defenders Coalition (THRDC) is an umbrella organisation for human rights defenders, including journalists. The organisation comprises more than 150 members from across the country.

Support Offered by THRDC

Realising that the media has been going through a difficult period for the last three years, characterised by enactment of draconian laws and insecurity of journalists, THRDC has come up with a programme to improve the working environment of journalists and media houses through capacity building, advocacy, and protection of media workers.

According to THRDC National Coordinator Onesmo Olungurumwa, their organisation has been supporting the media in Tanzania in different ways. The following are some of the support as highlighted by Olungurumwa.



Activities undertaken in 2017 and 2018 include: * Empowering media practitioners in mainstream and online media to protect themselves, whereby reviewed documents show that in 2017 the Coalition conducted six capacity building activities, reaching about 270 beneficiaries, including journalists.

- . In July 2018 THRDC assisted 10 journalists from Tanzania to attend a security management training for journalists, which was organised by THRDC's Uganda-based sister organisation, Defend Defenders. The journalists who attended the Kampala course were from Nipashe, The Citizen, Tanzania Daima and Mwananchi newspapers. Others were from ITV, Azam TV, Star TV, Radio 5 and Loliondo FM.

Legal Aid Provision to Journalists and Media Organisations

The organisation's reports also show that it had been on the forefront in the provision of legal aid to journalists who have been attacked or prosecuted in the course of their work. In 2018 the Coalition, through its Protection Department, provided legal aid to prosecuted journalists, including Emmanuel Kibiki of Njombe Region, Sitta Tuma who was arrested in Tarime, Christopher Gamaina and two others from Mwanza.

THRDC also provided legal aid to bloggers Mohab Fulwe and Friday Simbaya, who were arrested and detained for several days for running online TVs without licence from the Tanzania Communications Regulatory Authority (TCRA).

Challenging Draconian Laws Which Limit Media Freedom

In order to challenge draconian laws which were recorded in 2017-2018, the organisation teamed up with other institutions to take legal measures against some of these laws.

It collaborated with MCT and Legal and Human Right Centre (LHRC) to file three major strategic cases in court, which included a case filed in Mtwara High Court to challenge the Online Content Regulations of 2018.

And then, there was the case to challenge the Media Services Act (2016) which was also jointly filed in the East African Court of Justice, while another case to challenge some provisions of the Media Services Act (2016) was filed at the High Court in Mwanza.



Monitoring and reporting on human rights abuses against journalists, was another activity implemented by THRDC. In 2017, the organisation recorded 35 journalists' security related incidents. These included physical attacks, prosecution, online attacks and other threats. Using this data, the organisation develops annual reports on human rights situation in Tanzania, which are used by other institutions and coalitions in advocacy work.

Furthermore, in the last two years, the organisation issued a number of press releases condemning incidents of press freedom violation, whenever they occurred.

The incidents included banning of newspapers as well as disappearance and torture of journalists. In some of these incidents, press statements were issued in collaboration with other media and human rights organisations.

It was also revealed that THRDC has been providing short time relocation to some journalists receiving threats from unknown people and in 2017, they offered this kind of assistance to two journalists.

Key Players Working with THRDC

THRDC works together with other media organisations such as the MCT, MOAT and UTPC under the ambit of the Coalition on Right to Information (CoRI). The organisation also works closely with human rights organisations at local, regional and international levels.

Issues on THRDC Media Support

Commenting on the impact of the support provided by his organisation to journalists and media organisations, Olungurumwa said journalists whose training they sponsor get equipped with the knowledge to keep themselves secure while those who got legal assistance were set free by the courts.

The coordinator also pointed out that through THRDC public awareness programme, journalists have won recognition as human rights defenders who deserve protection and security.

As for gaps in media support activities in Tanzania, he noted with concern that the THRDC is so far the only organisation preoccupied with the protection and security of journalists, adding that the task is too big to be handled by a single institution.



“Journalists need security gear like special jackets when covering assignments that are rife with risks, such as elections, workers’ strikes and riots; however, his organisation cannot provide for them all on a big scale due to financial constraints,” Olungurumwa observed.

Commenting on the best way to support media houses and journalists in Tanzania, he suggested that more players should come forth and participate in the provision of security for journalists, and media houses should include personnel’s security on their list of priorities.

5.9 Journalists Environmental Association of Tanzania (JET)

JET is an independent, non-governmental organisation which uses the media to promote the environment agenda in Tanzania. It also produces and disseminates educational publications on environmental issues.

Support Offered by JET

JET assists journalists to go to the field where they can gather news stories and feature articles on environmental matters. It offers training for journalists and editors as well as organise forums to discuss emerging issues on environment.

According to John Chikomo, the Organisation’s executive director, in 2017, JET conducted a refresher course for 30 journalists from Dar e Salaam, Iringa, Mbeya and Lindi on reporting land rights in the country.

Chikomo observed that land disputes have been a big problem in Tanzania for a long time, hence the importance of training journalists on how to cover this situation analytically and competently.

During the same year, JET organised a meeting with editors to discuss the best way to handle media coverage of the worldwide biosphere crisis, which affects Tanzania as well. The JET boss disclosed that in 2018, the organisation intended to train 30 journalists keen on specializing in reporting on environmental issues.

Commenting on the importance of the support interventions, Chikomo said: “We monitor news stories and feature articles in newspapers as well as electronic media to find out what is published



on environmental issues and assess the impact of our campaign. On the whole, the journalists we trained have not let us down. Hence, we think our initiatives have an impact, although we can only afford to train a limited number of reporters and editors.”

As for gaps in media support, the JET executive director observed that there is poor coverage of environmental developments in rural areas, where over 90 per cent of the Tanzanians live, adding that inadequate funds are a big setback.

On what should be done to improve media support in Tanzania, the JET boss suggested that media houses need to work with environmental civil organisations and strategise together on how to raise funds for the purpose of promoting the environmental agenda.

5.10 Tanzania Media Foundation (TMF)

Tanzania Media Foundation (TMF) seeks to support and promote investigative and public interest journalism through grants and learning, so that the public is better informed, able to debate and demand greater accountability across the country.

TMF Media Support

According to the Foundation’s Interim Executive Director, Fausta Musokwa, their organisation has been supporting the media in Tanzania in different ways. The following comprise some of the support as highlighted by the acting executive director.

The TMF supports the media through training and grants. Divided into institutional and individual grants, they are available to content producers, media outlets and journalists. According to TMF records, in the past two years, the foundation offered 21 institutional grants to content producers and media outlets as well as 80 individual grants to journalists.

While individual grants supported a range of issues including raising rural voices, reporting on development, health and road safety, institutional grants included 13 content grants on environmental, land rights and conservation as well as health (maternal and child), governance and women’s economic participation.

In 2017, eight content transformation grants were awarded to media outlets with the objective of increasing each outlet’s capacity



to produce quality content and strengthen governance and media business practices.

TMF also promotes continuous learning by linking journalists for peer-to-peer knowledge sharing and veteran journalists with junior and mid-career journalists for mentorship. In 2017 and 2018, TMF organised six learning activities, each of which was attended by at least 20 journalists. The foundation also introduced a data journalism club for young journalists in 2018 and arranged for two discussion sessions on media landscape.

Key Players Working with TMF

TMF receives core funding from the embassies of Ireland and Switzerland, and it also works with Hivos, the European Journalism Centre, the Global Road Safety Partnership, UNESCO and Evidence for Action. Locally, TMF is an organising committee member of World Press Freedom Day as well as a member to the Coalition on the Right to Information Committee (CoRI). The foundation also works closely with the Ministry of Health, Community Development, Gender, Elderly and Children as well as Tanzania Editors Forum (TEF), Tanzania Media Women Association (Tamwa) and the Union of Tanzania Press Clubs (UTPC).

Commenting on how TMF support helps journalists and their organisations, the Musokwa, noted that institutions which got the content with transformation grant in 2018 were able to address structural weaknesses in order to enhance their editorial independence and quality content production. She also pointed out that mentorship to both institutions and journalists were helpful in capacity building.

As for gaps in media support, she said there are areas which still need support like increasing digital literacy among journalists and media institutions as a whole. Musokwa further remarked:

“Our assessment reveals that there is minimal use of digital applications at individual and institutional level, and that institutions have not been able to sufficiently benefit financially from digital technology.”

As for the best way to support the media in Tanzania, the interim executive director said since the media sector in Tanzania is still under-performing, support should address factors behind this



situation, which include legal framework of regulations.

She added that support of the sector need to promote sustainability, so that media outlets can manage to stand alone instead of depending on political or business patronage that subsequently threatens editorial independence.

5.11 UNESCO and Other Supporters

The United Nations Educational Scientific and Cultural Organisation (Unesco) has been a big media supporter in Tanzania in the past as well as during the 2017-2018 period. Reviewed documents show that it has helped to strengthen community radio stations through training, equipment support, building organisational capacity and involvement in monitoring as well as assessment of community radio activities.

The organisation has also played a role in professional development of media workers, in both private and public sectors. It plays a big role in organising and funding the World Press Freedom Day commemoration in the country, as well as other media related activities.

Union of Tanzania Press Clubs

The Union of Tanzania Press Clubs (UTPC) is another media supporting organisation. It is an umbrella organisation of about 23 press clubs all over Tanzania, and its mission is to create an environment that enables strong, efficient and effective press clubs in Tanzania, which contribute towards building a democratic and just society.

UTPC, which is currently being funded by the Swedish International Development Agency, is engaged in capacity building through training, research and conducting study tours for journalists. In 2017, it organised a special course for women journalists and several zonal press club members. The organisation participated in major media events such as the World Press Freedom Day.

5.12 Media Council of Tanzania (MCT)

The Media Council of Tanzania (MCT) is an independent, voluntary, self-regulating body established in 1995 with the objective of promoting freedom of the media and ensuring highest professional standards and accountability in the country, (MCT, 2018).



MCT's 2017 Annual Report posted on its website reveals that, major activities planned for implementation during the year under review were:

- To conduct advocacy for constitutional and policy reforms;
 - Institute litigation against the Media Services Act, 2016, document and investigate press freedom violations;
 - Maintain the press freedom violations register (PFVR) and
 - Engage colleges on teaching standards using monitoring evidence.

Other earmarked activities were:

- Organise the Excellence in Journalism Awards Tanzania (EJAT) 2016;
- Advocate review and repeal of anti-media laws in Zanzibar;
- Disseminate advocacy work through publishing online Media Watch and Barazani Newsletters and
- Conduct mediation and arbitration of complaints brought before the Council.

MCT also intended to:

- Monitor media performance;
- Looking at trends of professional and ethical standards and advise editors accordingly;
- Publish reviewed Code of Ethics for Media Professionals
- Mentor and support the professional growth for young journalists through. ([MCT](#), 2018)

According to the '2017 Annual Report' and interviews with MCT desk officers, the Council achieved success in most of the activities planned for 2017 and 2018, although the 2018 Report is still being compiled.

Advocacy

Regarding advocacy, the Council worked with its partners in the Coalition on the Right to Information (CoRI) to undertake several activities.

In 2017, CoRI held four meetings with key agenda items focusing on decrease in freedom space of civil society and the media in Tanzania. This was at a time when the Government used the Media Services Act, 2016 to ban or suspend some newspapers, thus tempting CoRI members to unanimously agree to challenge the Government in



court against measures taken (MCT, 2017).

In 2018 CoRI held 5 meetings in the first half of the year in which issues related to the Electronic and Postal Communications (Online Content) Regulations, 2018, as well as the fining of 5 TV Stations by the Content Committee of Tanzania Communication Regulatory Authority (TCRA), among others, were discussed.

MCT's online newsletters, Media Watch and Barazani, were published as scheduled in both 2017 and 2018 and were instrumental in disseminating information on advocacy work in Tanzania. The Council also participated in radio and television programmes for advocacy purposes (MCT, 2017, MCT, 2018).

Litigation

In 2017 and 2018, MCT jointly filed or supported some cases filed by partners in search of legal justice where media freedom seemed to be violated or endangered. Records show that, during the period under review, the Council was engaged in one way or another in key cases highlighted below:

There is the case the pitted MCT, Human Rights Centre and Tanzania Human Rights Defenders Coalition against the Attorney General of the United Republic of Tanzania. This case was filed at the East African Court of Justice in Arusha, in 2017.

In this case the applicants are challenging the provisions of MSA, 2016, contending that they contravene the Treaty for establishment of the East African Community. Pleadings and hearing have been concluded. The judgment is awaited. (MCT, 2018).

Then there is the case between Centre for Strategic Litigation Limited versus the Attorney General of the United Republic of Tanzania and Secretary General of the East African Community, filed in 2018.

In this case the Council is supporting the applicants who have sued the two respondents, challenging the EPOCA (online content) Regulations for being in contravention of the provisions of the Treaty for the establishment of the East African Community. The case is in the pleading stage and the respondents have not responded to the reference (MCT, 2018)

There is this other matter, the Constitutional Case No. 2 of 2016, which involves the Union of Tanzania Press Clubs and HaliHalisi



Publishers versus the Minister of Information, Culture, Arts and Sports, TCRA and Attorney General. It was filed at the High Court Mwanza and the Applicants specifically seek for the interpretation of the constitutionality of the MSA, 2016 in relation to Article 18 of the Constitution of the United Republic of Tanzania.

The case was dismissed in the preliminary stage. Dissatisfied with the decision, media stakeholders lodged an appeal at the Court of Appeal in Mwanza and same is waiting for the hearing date to be scheduled (MCT, 2018).

On April 30, 2018 the MCT, LHRC together with the THRDC filed an application before the High Court of Tanzania in Mtwara against the Minister for Information, Culture, Arts and Sports, TCRA and the Attorney General, seeking court permission to challenge the Electronic and Postal Communications (Online Content) Regulations.

The same was filed together with an application for injunction which was granted on the same day.

However, the respondents filed preliminary objections which saw the High Court of Tanzania, Mtwara Division, striking out the case in May, 2018. The applicants re-filed the same and were allowed to file an application for orders of certiorari to challenge the Minister of Information move to make online Content Regulations. The same has been concluded and the court dismissed the Application on January 9, 2019.

The applicants have appealed against the decision.

Other cases which MCT and partners supported, in one way or another, include Miscellaneous Case No. 2 (2018) of HaliHalisi Publishers contesting the banning the publication Mwanahalisi newspaper for 24 months in September, 2017 and Miscellaneous Civil Application No. 2 (2017) where Free Media Limited was challenging the banning of Tanzania Daima newspaper.

Mediation and Arbitration

In 2017 and 2018, MCT received a number of complaints against some newspapers from individuals and institutions claiming to have been wronged through defamation or bad publicity. MCT records show that the Council handled them, and mediated where necessary (MCT 2018)



Press Freedom Monitoring

In 2017 and 2018 the Council continued with monitoring and documenting press freedom violations, as well as maintaining the Press Freedom Violations Register (MCT 2017, MCT 2018)

Journalism Awards

In 2017 MCT organised the Excellence in Journalism Awards Tanzania (EJAT 2017) event in recognition of journalists who performed outstandingly the previous year. EJAT was established nine years ago by a consortium of media organisations under the Media Council of Tanzania.

According to MCT Report on EJAT 2017, the event has been gaining more popularity over time since its inception and has become Tanzania's most prestigious media award function.

5.13 Media Stakeholders Perception

Regarding perception of media stakeholders on media support in the country, many appreciated efforts made by these organisations but were of the view that support aiming at making media outlets independent and sustainable, would add more value to what they are doing.

A veteran journalist who has worked for both the Government and private media before retirement noted that organisations supporting the media in Tanzania are doing a good job but are faced with financial constraints to the extent that they cannot satisfy the needs of journalists and media houses. He contended that the external support should aim at making media houses economically viable so as to be able to facilitate in-house training for their employees.

A broadcasting journalist who participated in one of the training programmes conducted through mentorship said the training was very beneficial to him, but noted that opportunities of this kind are still few.

The approach of training journalists through press clubs was hailed by a media observer who noted that providing training to press club members would, in the long run, promote media coverage in rural areas, as those trained have access to villages where most Tanzanians live. She suggested that more media supporters should



think about working through press clubs to ensure their training partnership has an impact on a wider society.

A lawyer who participated in training journalists on media laws, on an invitation of a media supporting organisation, pointed out that given the draconian nature of Tanzania's recently enacted media laws and regulations, more journalists should be enlightened on them, lest they end up in legal trouble in the course of executing their duties.

Generally, practitioners in the media industry agree that the rapidly changing digital technology is posing a big challenge to media owners, reporters and editors who, therefore, need training in this area in order to cope with modernity.

The issue of lack of monitoring and assessment of the impact of training provided by media supporting organisations was raised by the key players themselves when they were asked to comment on the impact of their work to journalists and media houses.

Respondents agreed that the problem exists and suggested that one or two of the strong media supporting organisations should volunteer to undertake this activity, as impact assessment of projects is too important to be ignored.

5.14 Concluding Remarks

This chapter has reviewed different types of support offered to the media by various organisations. A major observation is that organisations involved have put significant emphasis on training journalists in several areas. Yet it has been noted that more has to be done on this work, and there are gaps to be filled. The fact that there is inadequate research on media related activities, and that the situation requires a solution, has been observed as well. A follow-up on trainees' performance on the job to assess the impact of the training that has been provided is another area which media stakeholders have to look into. On the whole media support in Tanzania is remains a big challenge.

5.15 Recommendations

Findings made in the chapter require this report to make a few recommendations on basic issues which key organisations involved in Tanzania's media development should address.



These are outlined below:

Media owners should

- Give more support to in-house trainings
- Strengthen their management systems to be financially viable and support media development.

Journalists/Editors should:

Look for specialised training opportunities and introduce mentorship programmes

Media Training Institutions should:

Initiate more media related research

Network on Media Support, Monitor and Impact of Supported Activities

Provide support strengthening media institutions, make them independent and sustainable

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PART II

ZANZIBAR

The State of Media Report in Zanzibar in 2017/18

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ABBREVIATIONS

ACHPR	African Charter on Human and Peoples Rights
CD	Compact Disk
CUR	Constitution of the United Republic of Tanzania of 1977
CZ	Constitution of Zanzibar, 1984
FM	Frequency Modulation
DVD	Digital Versatile Disc
GOVT	Government
GSO	Government Security Office
HDV	High Definition Video
ICCPR	International Covenant on Civil and Political Rights
MCT	Media Council of Tanzania
NACTE	National Council for Technical Education
NGO	Non-Governmental organisation
SUZA	State University of Zanzibar
TOR	Terms of Reference
TSN	Tanzania Standard Newspapers
TV	Television
UDHR	Universal Declaration of Human Rights
UN	United Nations
V	Versus
ZBC	Zanzibar Broadcasting Commission
ZJMMC	Zanzibar Journalism and Mass Media College
ZNZ	Zanzibar
ZPC	Zanzibar Press Club
ZSSF	Zanzibar Social Security Fund



Chapter One

Political Context/Legal and Regulatory Framework

1.0 Introduction

This chapter specifically focuses on Zanzibar political situation in 2017/18 as well as Zanzibar Media Regulatory Framework. Some key political issues have emerged during the period and have been pointed out, discussed and analysed to see how they have directly or indirectly affected the media operations.

1.1 Key Political Events in 2017/18 and Their Implications to Press Freedom and Journalism

Unlike in the 2016 Report of the State of Media in Zanzibar, there were no serious political events that captured national or international. There have, however, been events that had political connotations. The first one was the new Elections Act No. 4 of 2018 replacing the old Elections Act that was in place since 1984 and which was used for all multi-party elections – 1995, 2000, 2005, 2010 and 2015.

The old Elections Act has been replaced by a new one. Although there is no solid evidence that proves that the Elections Act of 1984, was repealed on political grounds, but analysis showed that political repercussion that emerged in the October 2015 General Election have been dealt with in the law. As a result, the new Elections Act has implications to press freedom and journalists in particular with regard to the announcement of the presidential results.

In the process of addressing some challenges that emerged in the elections, the Revolutionary Government of Zanzibar prepared an Election Bill to repeal the Election Act No. 11 of 1984 and enact Elections Act of 2018 and other matters connected therewith. Among other things, the Bill (ZNZ Gov. Gazette, September 1, 2017) identified the electoral offences and determined the penalties associated with such offences.

The Government Bill was presented, discussed and passed by the House of Representatives in Zanzibar. It was later assented by the Zanzibar President and Chairman of the Revolutionary Council, Dr Ali Mohammed Shein, on January 16, 2018, to become a law.



(Election Act No. 4 of 2018). It is a constitutional requirement that a law must get a presidential assent before it becomes a law.

In the new Elections Act, there is section dealing with media houses or journalists. Section 127 (1) of the new Elections Act prohibits announcement of the election results by a candidate, a political party, an institution or any other persons through any means of communication before the Commission announces. It is worth noting that there was almost the same clause in the repealed election law.

Section 127 (2) (a) of the new Elections Act, says that if the offence is committed by a candidate who is thereafter found guilty, upon conviction he or she will be liable to imprisonment for a term of not less than five years and a fine of not less Sh50 million and he or she shall not be allowed to contest for the election for a term of 10 years.

Section 127 (2) (b) says that if the offence is committed by a political party or an institution shall found guilty, it shall, upon conviction, be liable to a fine of Sh100 million, up from the Sh5 million fine in the repealed Elections Act.

Furthermore, the Act spells out, if the offence is committed by some other person, he or she shall be liable to imprisonment for a term of 30 months, according to Section 127 (2) (c) of the new Elections Act.

This must be a blow to the media and journalists, for they are likely to work under a state of fear and would have to be extra careful to avoid conviction in the execution of their professional duties during elections.

Along with the new Elections Act, a Bill for an act to establish the Zanzibar Government Printing Press Agency was tabled, discussed and passed in the House of Representatives. By the time we went to press, it was not clear whether the Bill was already submitted to the State House to get an assent from the Zanzibar President.

The main purpose of establishing the agency is to maintain the concept of confidentiality in printing services to the Government. The agency shall have the duty to provide its services to all ministries, departments, authorities, corporations and all Government institutions.



In addition, all Government institutions, including the State-owned Zanzibar Leo newspaper, shall be obliged to seek printing and stationery services from the Agency. In the past, Zanzibar Leo was printed by the Tanzania Standard Newspapers (TSN) Press in Dar es Salaam. The implication of the proposed new law may create a chain of bureaucratic hurdles for those seeking urgent access to information.

Key Legal and Regulatory Framework and Their Implications to Press Freedom and Journalism

The media sector is governed by a number of applicable laws in Zanzibar. The media laws were established on the basis of international and regional instruments. There are sections in international and regional instruments that underscore the right to freedom of expression and opinion.

There is Article 19 in both the UDHR of 1948 and International Covenant on Civil and Political Rights of 1966 (ICCPR). The chapter puts emphasis on the right to freedom of expression and opinion. The right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers.

The contents of Article 19 from international human rights instruments have found a place in Section 18 of the Zanzibar Constitution of 1984 which is the Mother Law and there is no law that should contradict it. As it is famously known, in the event of a law conflicting with the Constitution, the Constitution prevails.

However, by implication, the framing of constitutional provisions has in one way or another limited enjoyment of freedom of information and opinion. For example in the constitutional provisions relating to press freedom and information, there are words such as, “Without prejudice to the relevant laws of the land”, used in Section 18 (1) of the CZ of 1984.

By implication, the words, famously known as claw-back clause, limit enjoyment of such press and information freedom by using relevant laws which are in force in Zanzibar. If one makes a reference to the said relevant laws, one may conclude that they permit the restriction of guaranteed freedom in the Constitution.

There is also Section 24 (1) of the CZ, 1984, thus provides: “...



The human rights and freedoms, the principles of which are set out in this Constitution can be restricted by the law enacted by the House of Representatives save only to the extent that are necessary and acceptable in the democratic system. In any way that restriction shall not: interfere with the right to freedom from torture, inhuman and degrading treatment; interference with the human rights principles; cause more effect to the society from the act that restriction is intended.”

Apart from the constitutional provisions cited above, in the Zanzibar situation, the laws relating to media operations in Zanzibar can be divided into two parts. There are laws which are directly relating to media operations and there are laws which are indirectly relating to media.

The laws directly relating to the media operations are the Zanzibar Broadcasting Commission Act and the Registration of News Agents, Newspapers and Books Act. These are two main laws regulating the media operations. There are a number of sections in both laws which affect media operations. For example, the Zanzibar Broadcasting Act provides powers to issue and cancel permit to any institutions violating the law. The Act also provides powers to the Commission to set conditions that are deemed fit for national interest.

The Registration of News Agents, Newspapers and Books Act, provides almost similar powers that have been stipulated in the Broadcasting Act. The minister responsible for information is empowered (under Section 30) to suspend publication of any newspapers if the minister is of the opinion that it is in the public interest or in the interest of peace and good order to do so.

A senior information officer with the ministry responsible for information in Zanzibar, Mr Salum Vuai, confirmed recently: “As far as I can recollect, there is no plan by the Government to revise the existing media laws.”

If that is the case, the only option left is for non-governmental organisations (NGOs) to play advocacy role to persuade the Government to change the laws in place or individuals to test media relating laws in the courts of law.

There are other applicable laws in Zanzibar which are not directly related to media and journalists, but which have sections which



somehow, affect the execution of their functions of the media. These include:

- The new Elections Act No. 4 2018 which has been extensively discussed above
- The National Security Act, 1970, particularly in Section 48 which creates sedition offence
- The Penal Act No. 6 of 2018 which creates an offence relating to defamation
- The House of Representatives Act, Section 32 of which makes it an offence to publish any false or scandalous libel on the House or Committee proceedings of the House or any Committee. Furthermore, the same Section prohibits publishing – save by the general or special leave of the House – a report of any proceedings of the House or any committee whose proceedings were not held in public
- The Censorship and Cinematography Exhibition Act. There is Section 4 (a) of the Act concerns censorship of films, video cassettes (CD, DVD, HDV) and other publicity materials such as banners or posters or in magazines before they come into use by or shown to the public
- The Prevention Detention Decree, 1964, Section 2 of the Decree provides powers to the President to issue detention orders whenever he is satisfied that a person is conducting himself so as to be dangerous to the peace and good order in any part of Zanzibar or is acting in a manner prejudicial to the defence of Zanzibar or the security of the Republic

All the above cited laws which have either direct or indirect connection to media operations in Zanzibar raise interesting issues that in practice are likely to cause challenges to media houses and journalists. In addition, the existing laws curtailing press freedom have not yet been tested in the court of law to get the judicial interpretation and position.

Unlike in the case of Tanzania Mainland, neither a non-governmental organisation nor an individual in Zanzibar has opened a case on media laws. There are more than 300 registered NGOs that operate at different levels in Zanzibar which claim to serve the interests of the people.

Court decisions would not only promote local jurisprudence on



laws relating to media operations but would also strengthen the arguments on press freedom in Zanzibar.

Civil societies and individuals should cultivate the habit of going to courts that have a significant role in interpretation of media and non-media laws. Courts remain the only institutions that can defend and protect the rights that are enshrined in the Law.

The best example of the courts' role in interpretation of country laws is in *Goodwin v. United Kingdom*, the European Court of Human Rights. The Court held that the protection of journalistic sources is one of the basic conditions of press freedom. However, the Court did not rule out disclosure completely and in all circumstances, instead it imposed very strict conditions; based on "necessity" and "proportionality".

In another case of *A.K. Gopalan v. State of Madras*, the Court held that the whole purpose of the constitutional limitations is two folds: namely, the freedom is not absolute but is subject to regulations. Secondly, the limitations must be within the purpose and purview intended by the Constitution.

Highlights of incidents of Acts of press freedom violations:

There have been complaints of incidents of press freedom violations in Zanzibar. However, the complaints carry no weight and cannot be given a space in serious discussion. There are a number of NGOs operating in Zanzibar but no complaints have been registered for either record purposes or actions. This means there is nothing to write about in terms of press freedom violation for the lack of convincing evidence. The said complaints are reduced as street rumours.

The Media Council of Tanzania (MCT), Zanzibar Office Senior Programmes Officer, Ms Shifaa Hassan, explained that a total of 25 complaints connected to the incidents of acts of media violations have been reported in the office during 2017/18.

The complaints had ranged from denial of information, physical harassments, journalists being barred from covering some events on political grounds and denial of accreditation card to practise journalism in Zanzibar. The MCT has a special register for recording complaints of press freedom violations.

In addition, the MCT team led by the Executive Secretary, Mr.



Kajubi Mukajanga, the MCT Zanzibar Office Senior Programme Officer, Ms. Hassan, and the editor of Baraza and Media Watch newsletters, Mr Hamis Mzee, had, on May 4, 2018, conducted a meeting for journalists in Pemba to get first-hand information on their professional activities. During the meeting, similar complaints of harassment and denial of information were raised. According to Ms Shifaa, the MCT team urged the journalists to exercise a high degree of tolerance, reminding them that professional hazards should not stop them from doing their work.

The concern that there were incidents of press freedom violations was also backed by the chairman of Zanzibar Press Club (ZPC), Mr Abdalla Mfaume. However, he said, the incidents have not been reported to their office in writing. “We have heard the complaints but the alleged victims have not reported to us officially.”

1.4 Conclusion

The existing media laws and regulations have been a challenge to promotion of media freedom. There are sections in the laws that stand as obstacles. Unless efforts are made to request the Government to revisit the laws and make changes, the press performance may end up being much below the expectations of the people.

During the period under review, the MCT made serious efforts to influence changes in the media related laws. The efforts have been made in the form of meetings, dialogues, training and round table discussions.

It is on record that the MCT officials had, on May 02, 2017, met with the Zanzibar Second Vice President, Ambassador Seif Ali Iddi, at his office to explain professional difficulties facing the media in the Isles.

It was explained by the MCT Senior Programme Officer, Ms Shifaa Hassan that the Second Vice President promised, to follow up the matter, for the betterment of the media profession. Stakeholders’ meeting on reviewing the existing media laws in Zanzibar was conducted by the MCT as an attempt to improve the media working conditions.

During 2017/18, the MCT is reported to have sent a letter to the Zanzibar State House requesting for an appointment with the Zanzibar President, Dr. Ali Mohamed Shein, to explain to him why



numerous things need to be done to improve media operations in Zanzibar. The MCT is still waiting for the appointment as we go to press.

1.5 Recommendations

- * Repeal and amendments of laws hindering press freedom is fundamental
- * Media stakeholders should continue to lobby for the repeal and amendments of laws hindering journalists' professional performance
- * Media players should cultivate the habit of reporting to MCT offices or other institutions, acts of violations of media freedom
- * NGOs should assist in pushing for promotion of media freedom.



Chapter Two

Current Trends in the Print Media in Zanzibar

2.0 Introduction

This chapter attempts to provide key information about the current trends in the print media in Zanzibar. It explains as to whether there is registration of new newspapers or deregistration of those that were there and about online newspapers in Zanzibar during 2017/18.

2.1 Registration of Newspapers

The legal framework with regard to registration of newspapers is governed by the Registration of News Agents, Newspapers and Books (Act, No. 5 of 1988). All the requirements for registration are provided for under the Newspapers Act. In addition, there are regulations which must be observed in seeking application for newspapers registration.

One of the regulations is that the applicant must provide the name of the editor who would be responsible for the contents of the newspaper.

The Nyalali Commission which was responsible for collecting public opinions over whether Tanzania should adopt multi-party system or not had cited the Newspapers Act as one of the 40 oppressive laws recommended for repeal. However, the law is still in place.

There was time the MCT attempted to review the Newspaper Act, splitting it into two pieces of legislation: the Media Services Act and Information Act. It is seven years now, and the existing media legislation both for the print and electronic media remains intact.

There were no new newspaper or newsletters that were being registered in 2017/18, according to the Registrar of Newspapers, Ms. Jamila Mahmoud. She gave no reasons the situation. There is only one daily newspaper in the Isles, the Government-owned publication, 'Zanzibar Leo'. The contents of the newspaper are well edited to suit the administration's interests.

On the other hand, the registrar noted, some registered newsletters



that belong to NGOs and Government institutions have failed to come out for long time. A total of 60 newsletters, quarterlies, and annual publications, have been registered.

The lack of funds was the main problem. Almost all NGOs are donor-driven and it appears that some partners have, of late, changed their priorities to the disadvantage of some NGOs.

No newspaper has been deregistered, explained the registrar. Zanzibar is well served with newspapers published from Tanzania Mainland and other East Africa countries. During the time, there was no publication that was banned from importation to the Isles.

2.2 Sustainability Issues

The question of sustainability is crucial and broad. It depends on the focus of interpretation of the word itself. In this context sustainability issues are interpreted in the following aspects: financial muscles of the organisation, production, distribution, influence of the contents of newspapers to the public and maintenance of labour force. This chapter, therefore, attempts to provide some key information on the sustainability issues as mentioned above.

2.2.1 Financial Muscles of Newspapers

Financial muscle is a fundamental and a lifeline of survival of newspaper. Without financial capacity, it is extremely difficult to survive in the news business. It is the cost of resources that are consumed in organisation activities. As earlier explained, there is only one daily newspaper in Zanzibar, the State-owned newspaper “Zanzibar Leo”.

Almost 97 per cent of the newspaper’s budget is sourced from the Government. The main source of its own income is advertisements and copy sales. The paper adheres to Government financial laws, regulations and policies.

A budget speech of the Ministry responsible for Information for 2017/18 which was presented in the House of Representatives indicated that the Government pumped in to the newspaper money for all the main activities—recurrent and development. This includes salaries of the staff and contribution to the Zanzibar Social Security Fund (ZSSF).

The performance of the newspaper entirely rests on the shoulders



of the Treasury. In other words, the administration has control of the newspaper. (Who pays the piper calls the tune).

2.2.2 Production

Newspaper production is a long process starting from assigning journalists to go out to their respective beats to collect material for news stories, features and photographs. It further entails writing opinion pieces, editorials; editing, designing, deciding the print order, soliciting advertisements and handling the final product, etc. Sustainability of production largely depends on financial muscles. The shortage of funds will automatically affect newspapers in every department. This means the sustainability of 'Zanzibar Leo' newspaper, which was launched in 2002, entirely depends on the Government for a huge per cent of its funding.

The current daily print order of Zanzibar Leo' stands at 15,000 copies, according to the Managing Editor Yussuf Khamis Yussuf. A copy of the newspaper is sold at Sh 500, of which Sh300 covers the printing charges, Sh100 is for the vendor's commission and the balance goes to the Government.

2.2.3 Distribution

Unlike in the past, the newspaper's distribution has changed. There are only two distribution points in Tanzania Mainland. They are the capital city, Dodoma and Dar es Salaam, the country's commercial centre. Mr Yussuf, the ME, said recently that the two distribution points in the Mainland were strategically selected to serve Government interests. The old distribution points which were struck out from the list: Mwanza, Arusha, Lindi, Mtwara and Morogoro.

2.2.4 Newspaper's Contents

The contents of newspaper obviously follow the Government's editorial policy. It is expected to convey Government information to the public. Media critics have complained that most of the stories published by the paper are nothing more than official statements or information from the Government or Government institutions and carries little or no criticism.



2.2.5 Maintenance of Labour Force

As explained earlier, Zanzibar has only one daily newspaper that is a Government-owned. The newspaper's organisation structure remains as other Government institutions. The managing editor is appointed by the President of Zanzibar and recruitment is carried out as per the Government procedures. The newspaper management must submit its request for recruitment to the central establishment for approval and the laid down procedures must be followed. The names of all employees are submitted to the Government Security Office (GSO) for vetting.

Unlike in some privately-owned media houses, the newspaper employees are supposed to sign a labour contract and are assured of their monthly salaries well in time. In this case, the sustainability of staff is 100 per cent.

2.3 Mushrooming of Online Newspapers

With the exception of Zanzibar Leo Newspaper, there is no other newspaper which is accessible online. The Zanzibar Newspapers Registrar, Ms Jamila Mahmoud, confirmed that she received no application from anyone seeking to operate online newspaper. This means the concept of online newspaper is lagging behind in Zanzibar.

2.4 Conclusion

The road to development of print media is bumpy. National and international investors have not focused their attention to the print media. It is either because of stiff competition from electronic media which is faster and up to date or soaring costs involved in print industry including newsgathering, employment of professionals, production and dissemination of information.

It appears, however, that lack of experience in business development to stimulate new thinking in running the newspapers business is the main problem. As a result, newspaper management maintains the traditional mindset of depending money from the Government coffers or donors.

2.5 Recommendations

- * There should be diversion from the traditional set-up of



running newspapers to the business environment set-up in running the newspaper

- * Newspaper management should develop plans that outline strategies to compete in the stiff business environment
- * International and national institutions should help to mentor and coach newspapers management in business development
- * Regular business development training on the newspaper management should be given top priority.





Chapter Three

Current Trend in Radio and TV Broadcasting in Zanzibar

3.0 Introduction

As in the case of print media, there is a Broadcasting Commission Act which regulates the affairs of all electronic media in Zanzibar. There are also a set of regulations that are in place to support the Broadcasting Act. This chapter specifically focuses on radio and television registration, introduction of decoders and its implications on radio, television and digital broadcasting in Zanzibar.

3.1 Registration of New Radio and TV Stations

There is an interesting story on registration of radio and TV stations. The Commission has for the first time in history registered and licensed eight online TV stations in Zanzibar. "It is a history in broadcasting industry," explained the Acting Executive Secretary, Mr Chande Omar. All the online televisions are owned by indigenous Zanzibaris. It is expected that the online TV stations will boost dissemination of information to the public.

The eight registered and licensed online televisions are:

Zanonline Tech;

State House, Zanzibar;

Zanzibar Department of Information;

Alfatah Online;

- KTV TZ Online;
- Pemba TV;
- Mubashara Media Network and
- Zanzinews Com.

However, the number of radio and television stations on air remains at 25 and 28 respectively as it was the case of last year, said, Mr Omar.

3.1.1 Deregistration and Suspension of Radio and TV stations

The Commission has not deregistered any radio or TV station but has temporarily suspended operations of a privately owned



A-Jazeera Cable Television in Pemba for what it had been termed as technical administrative issues.

The ZBC Acting Executive Secretary said the suspended TV station had agreed to sort out all the shortcomings noted by authorities and was now back on air. He gave the assurance that the Commission was committed to promote broadcasting institutions. But, he maintained that compliance to the country's applicable laws and regulations is absolutely necessary to promote standards and professional ethics.

3.1.2 Introduction of Decoders and its Implications on Radio and TV

As expected, the number of decoders installed in Zanzibar (Unguja and Pemba) shot up to 300 from 120. People across the Isles, both in urban and rural areas, have installed decoders to access local and foreign programmes, especially sports.

The ZBC Chief Engineer, Mr Ali Hussein, attributed the increase to installation of satellite dishes by the people. Media analysts say the increase is an indication that people prefer foreign news component whose quality, analysis and editorial independence seem to be stronger than local content. The increase of decoders outshines radio and television performance and this should not be taken lightly.

According to the ZBC Chief Engineer, the corporation has engaged a team of local media experts to study on operations of local broadcasting media. Among other things, the research is expected to come up with a number of decoders installed in Zanzibar.

The ZBC registrar, Mr Omar Said, was of the opinion that the study would indicate areas of strengths and weaknesses, a move which would stimulate new thinking in the development of broadcasting media in Zanzibar.

Despite the fact that Zanzibar was among the first African countries to establish a broadcasting media, there are some countries which are progressing faster, especially when it comes to investing in the new broadcasting technological equipment.

3.2 Threats and Intimidation to Journalists

The question of threats and intimidation depends on someone's



interpretation. Generally, it may be interpreted as the lack of free environment to work freely and independent mind. The MCT Zanzibar Office had recorded a total of 25 incidents of threat and intimidation targeting journalists for the Year 2017/18.

As said earlier, the acts of violation included denial of information, harassments and beatings. A letter dated March 01, 2018, which was sent to the MCT Zanzibar Office by the ZCTV Chief Editor Jacob Joseph, explained that five media workers were beaten while in the course of carrying out their professional work as journalists. The workers, according to the copy of the letter, were trying to record a road accident involving a car and Vespa which had occurred at Maisara.

The electronic media employees are allowed to work as per the existing broadcasting legislation and regulations. Apart from the privately owned Al-Jazeera Cable Television in Pemba, which was temporarily banned for what had been termed “technical issues” there were no media workers that had been harassed.

However, there have been serious complaints by some journalists working for the mushrooming electronic private media, who claim they were not given employment contracts. On top of that, it takes too long for them to receive their monthly salaries. By any definition, this frustrates the journalists and it may be described as psychological threat and intimidation. This fact was confirmed by the ZPC chairperson, Mr Abdalla Mfaume. However, he maintained he had just heard about this “on the streets”. He said he would rather the complaints were brought officially to the ZPC.

3.3 Sustainability Issues

As the case of print media, the electronic media also survives under the competitive business environment. The electronic media, with the exception of the Government owned media which receives money from the Treasury; these have to compete for advertisements as income generating means.

This may be considered as one of contributing factors to the delay of monthly salaries to some journalists. Given the current business situation, no more advertisements are sent to the radio and television stations. In addition, it takes a bit longer to get money from businessmen, said Mr Mwinyi Hamad, a member in



the management of a privately owned media.

There is also the need of Isles businessmen to change their mindset and make full use of availability electronic media to advertise their merchandise.

3.4 Current Status in Digital Broadcasting

The digital broadcasting has recorded an impressive performance in Zanzibar after replacing the analogue system. By last year, all electronic media had switched to the digital system.

It is not possible to continue operating with the old broadcasting system, said ZBC Chief Engineer Ali Hussein. One of the conditions set for the registration of electronic media is to prove you operate under the digital system.

3.5 Conclusion

There is a positive development in the electronic media in Zanzibar. Online TV stations have started to sprout, a sign of digital development and improvement in dissemination of information to the public. An increase in the number of decoders installed in urban and rural areas is another sign of positive development in the electronic media. It stands as a challenge to radio and television in dissemination of information. Unless concrete measures are put in place to compete with online televisions, radio and televisions may be pushed out of the market.

3.6 Recommendations

The following are recommendations in respect to this chapter:

- The ZBC management should continue to encourage interested people to invest in the electronic media.

All registered radio and TV stations must adhere to the applicable laws and regulations to avoid unnecessary friction with authorities.



Chapter Four

Current Trends in the New Media

4.0 Introduction

The new media remains as one of the challenging issues to the operations of old media. If serious measures are not put in place to check the trend, the old media might completely be overshadowed and pushed out of the market. By whatever yardstick, the new media are flourishing and it appears that some segments of the population believe the content they circulate.

Unlike in the past, the new media treat themselves as free from the Government control. Individuals, non-governmental organisations, companies, and other social groups have established their own websites, Facebook and other platforms and rely entirely on the new media to send messages to their targeted groups.

There was no registration or licensing requirements. Information was haphazardly put in circulation without taking precautions in respect of peace, unity, social and cultural considerations. However, the situation has now changed in Zanzibar. The Government through the ZBC has developed the new 2018 Media Contents Regulations. Under the new regulations, all social media operators are required to make an application for registration to the ZBC before starting to operate.

4.1 Registration of New Media

The decision to register and license operations of new media was not by default but by design. Initially, the Government wanted to amend the ZBC Act (Act No. 7 of 1997) and create a section of the law compelling registration of the new media in Zanzibar. But a new thinking came up to review the regulations.

The ZBC has issued a three-month ultimatum beginning October 2018 to all operators of social media to apply for registration in order to be given an operational licence. The basic purpose of registration is to make the operators responsible for the contents.

The ZBC Acting Executive Secretary, Mr. Chande Omar, insisted



that the registration is a matter of absolutely necessary and non-compliance to the ultimatum would attract legal action. “We are very serious on the social media registration. Some of the social media operators are irresponsible for the contents and violate the island’s cultural norms and value,” explained Mr Chande.

4.2 Current Status of New Media and its Implication on Journalism Practices

It is an open secret that the new media has brought implications on journalism practices. A lot of information that is circulated by the new media is not in line with ethical considerations that journalism demands. It appears that some operators in the new media are not trained in journalism. As a result there has been a serious deterioration in key journalism ethics such as objective reporting, balancing of information, the right of privacy and the right to reply. The new media operators are competing with the traditional media in terms of news gathering and dissemination. It is undeniable fact that people get information a bit faster through the new media than they get it from the traditional media. Furthermore, it appears that the general population has built a trust on some of the information they get through the new media.

However, a large number of people have been complaining over the manner the new media is operating. A lot of privacy issues are publicly circulated through the new media contrary to the Isles’ cultural norms and social values. This is in fact one of the reasons that pushed the ZBC to review the regulations with the main objective being to exercise control on the new media.

If the current situation of the new media is left unchecked, it may lead to social disharmony and endanger peace and unity.

4.3 New Media and its Impact on Traditional Media in Zanzibar

The new media has a big impact on traditional media in Zanzibar. Although, there are no official statistics, it appears that private and Government-owned TV and radio stations have lost a substantial number of its erstwhile viewers and listeners in the wake of the new media.

Judging by views given in the recent training workshop for



journalists in Zanzibar, many people prefer to get news and other information through the new media. “You do not have to switch on your radio or TV to get the current affairs. You get everything through the new media,” explained a participant in the workshop organised by Article 19 from Kenya.

Although radio and TV stations are here to stay, special effort must be made to compete with the new media in dissemination of information. Critical analysis must undertaken by radio and TV stations if they are to continue attracting viewers and listeners.

A random survey conducted in Zanzibar’s Stone Town indicates that sales of new and used radios have gone down drastically, a clear sign of a drop in the number of listeners in both urban and rural areas of Zanzibar.

4.4 Comparison of Ownership, Press Freedom Violations and Advertising Aspects

The question of ownership, press freedom violations and advertising is an issue in the Zanzibar situation. Government owned media and journalists working for it are strictly guided by the State’s editorial orientation. All the news and information from the Government media must adhere to the country’s applicable laws and policies.

In any case, all senior State officials are appointed to Government media posts in accordance with the procedures laid down in the Public Service Commission Act of 2011. And, as the adage goes, “He who pays the piper calls the tune”. Anyone who acts contrary to the Government’s standpoint should expect to be subjected to the laid down disciplinary measures.

The Government media don’t depend much on funds being generated from copy sales and advertisements to cover their daily operations. The budget is there. In terms of advertising, with the exception of the Government/donor-funded projects, all Government advertisements are sent to the State-owned print and electronic media. Payments are made depending on the Treasury funds disbursement. This leads to a conclusion that State-owned media workers, including journalists, do not have to bother much about copy sales of or advertisements since they are assured of their monthly salaries.

Privately run media have to compete for advertisements. They have



to lobby heavily with key officials in the State-owned corporations to get advertisements.

It appears that most of privately owned media houses survive on funds from extra sources and not straight from advertisements. However, analyses indicate that some private electronic media have compromised their professional principles in their bid to build good public relations to attract advertisements.

4.5 Conclusion

In terms of professionalism, the issues of ownership, press freedom violations and advertising have affected the performance of both Government and private media. Very few journalists and media owners are independent in collection and dissemination of news.

4.6 Recommendations

The following are recommendations in respect to this chapter:

- Professionalism should be given a top priority
- Government media workers should map out strategies to survive on their own and contribute to the national coffers



Chapter Five

Media Development Support

5.0 Introduction

The development of the media sector is important if it is to perform its professional duties better. The development includes, among other things, having a staff development programme to sharpen journalists' skills. Without putting in place a special development plan, media players might be left behind especially in this era of science and technology. It appears, however, that media development support is not in the priority list of both public and private establishments.

5.1 Grants/Fellowships and Scholarships

Unlike in the past, journalists and broadcasters are no longer sent abroad to pursue further studies in their profession. Journalists and broadcasters have to struggle on their own and get the money to pay for undergraduate and postgraduate programmes they desire. Like it is the case in other professions, journalists are now forced to compete for loans from the Higher Education Students Loans Board to get money for pursuing further studies. They may secure admission to local or foreign journalism colleges and universities, but getting sponsorship would be a big headache.

The Government has drawn a list of priorities for scholarships. The list includes science, medicine, pharmacy, petrol and gas, engineering studies and agricultural programmes.

Journalism is not in the list. As a result, those wishing to take up further studies in other professions, including journalism, have either to dig deeper into their pockets or look for sponsors other than the Government.

The Zanzibar Journalism and Mass Media College (ZJMMC) principal, Mr Chande Omar, says a large number of Certificate and Ordinary Diploma students have not settled their tuition fees, a situation which makes it difficult for his institution attain its administrative and academic targets.



It is on record that some Zanzibari students are in China pursuing doctorate programmes in journalism under the Chinese Government scholarships. However, the competition to clinch a Chinese scholarship is very high.

5.2 Promotion and Protection of Journalists Rights and Welfare

So far, the media professional associations such as ZPC, MCT and some foreign bodies such as the Kenya-based Article 19 have tried to record incidents affecting the journalism in order to promote and protect journalists' rights.

Generally, they have popularised international and regional legal instruments containing articles on the journalists' rights. They have also educated local journalists on the CZ, 1984, media laws and laws relating to the media (statutes, regulations and policies).

The safety of journalists was also a topic of discussion. This, according to MCT officials and Article 19, was deliberately designed in an attempt to fill the yawning gap and empower media owners and journalists to deal with the legal aspects of their work.

However, the welfare of journalists remains a thorny issue. It appears that journalists are good in defending and exposing other people's problems but cannot stand up and fight for their own welfare. According to the President of ZPC, Mr Abdulla Mfaume, many journalists working with the private electronic media are not paid their monthly salaries in time.

"Some journalists have gone without salaries for three months," he notes. But, so far, no action has been taken to rectify the situation. It was also learnt that some journalists and broadcasters in private media have not even signed a labour contract.

At least journalists working with the Government-owned media are comfortable in terms of their welfare. Under the civil service arrangements guided by legislation, regulations and policies, all civil servants, are assured of monthly salaries from the Treasury.

In addition, the employer (the Government) remits monthly contributions to the ZSSF for the benefit of the media workers. This is plausible.



5.3 Promotion of Specialised Training in Journalism

Neither schools of journalism nor newsrooms have developed a culture of a specialised training for journalists. General journalism subjects are the ones that are taught in media schools. The Chief Academic Officer of the ZJMMC, Mr Rashid Omar, acknowledges the importance of specialised training, but so far nothing has been done.

Students are taught Development Studies as one of the compulsory subjects in the first semester. The assumption is that the content of Development Studies takes care of essential general knowledge that the learners require. However, the fact remains that there is no specialisation in the Isles' media schools.

Likewise, in newsrooms, there are no specialised desks that have been established. Journalists are assigned to cover news of any nature. Specialisation is not part of the plan of managements in the newsrooms, explains the Managing Editor of a Government-owned media outlet, Mr Yussuf Khamis. His views were echoed by the chief editor of the Bomba FM, Mr Mwinyi Sadallah, who said that specialisation entails a lot of issues including human and financial resources.

5.4 Provisions of Institutional Support to Media Institutions

Only Government owned electronic and print media institutions get the institutional support. These prepare an annual budget covering administrative expenses, long and short term costs and development plan including technological advancement, recruitment, staff development programme and other requirements.

Thereafter, the budget is included in the estimates of the ministry responsible for information before being tabled in the House of Representatives for deliberations and approval.

Private media establishments are left on their own devices. They do not get a penny from the Government kitty, so they have to develop their budgets covering recurrent and development expenditure and spend as per their own financial muscle.

The pace of development in private media is slow. The media owners have set their own priorities. They may have good plans but the financial capacity is the main determining factor in implementation of the institutional development plan. They have to find their own



survival means, especially through advertisements. In fact, it appears that very few media institutions have developed long and short term development plans.

5.5 Availability of Research Fund

Research funding is a distant dream for both public and private media. The situation is worse for the private media. It appears that research funding is not even in the mind of the private media owners. Almost all budget operations of the private media exclude research funding. The private media is all out to earn and save money.

For its part, the Government media has stopped including a request for research funds in their annual budget. No money is set aside for media research fund, explained the Zanzibar Journalism and Mass Media College Chief Academic Officer, Mr Rashid Omar.

5.6 Other Development Support

All Government media houses get development support from the national coffers. It is up to the management of each Government media house to budget for development support and submit it to the relevant ministry for scrutiny and approval. Thereafter, the budget is incorporated in the ministry's budget and is sent to the Ministry of Finance and Planning for inclusion in the national budget.

The best example of development support is the major rehabilitation of the buildings housing the Government-owned ZJMMC at Kilimani. The Government has released about Sh100 million for the rehabilitation work and the purchase of media equipment.

The situation is different with privately owned media houses. There is no budget for development support. Owners of the media houses have the final decision of what should be done for the developmental interest of an institution. Some media houses continue to rent buildings and offices.

5.7 Conclusion

Media development support is not a well-organised aspect. It is not a predictable thing especially in private media sector. With exception of journalists in Government-owned media houses, the



rest can never be sure of their welfare. Promotion and protection of journalists' rights is not well designed. To suit their respective interests and plans, some local and foreign institutions have shown interest to promote and protect journalists.

However, there is no official plan showing the short and long-term strategies to achieve the objectives of the media development plan which include the welfare of journalists.

5.8 Recommendations

The following are recommendations in respect to this chapter:

- Staff development plan in media houses is absolutely necessary to assist journalists to advance themselves professionally;
- The welfare of journalists should be given priority in both Government and private media;
- The safety of journalists must be promoted and
- Research funds must be set aside on annual basis.





Chapter Six

Professionalism in the Media and Trends in Journalism Training Institutions

6.0 Introduction

Professionalism has been an important subject in the practice of journalism all over the world. This is an over-emphasised issue. Lack of professionalism may cause a serious blunder, deny the people the right to be well informed and the credibility of information supplied to the people may be questionable. In a number of forums, players in the media sector have been urged to try their best to stick to professional ethics in order to win the confidence of the public. This chapter focuses on the professionalism.

6.1 Key Ethical Events in 2017/18

Unlike in the past years, almost all the interviewees have confirmed that no official ethical event has been reported in Unguja and Pemba in 2017/18. Media players have been strictly observing ethics in the practice of the profession.

The MCT Zanzibar office has introduced a register in which people with complaints are invited to report to the office for consideration and redress. “Not a single case ethical issue has been reported to our office,” said the MCT Zanzibar Office In-charge, Ms Shifaa Said. This statement was echoed by the President of Zanzibar Press Club, Mr Abdulla Mfaume who revealed that there was no official report of ethical events during the period.

Lack of complaints reported in the two offices does not, however, indicate that all was well in terms of ethical considerations. There may be extra factors that make people not to report incidents of ethical violations to the MCT and ZPC. Other factors may include the state of fear, lack of cooperation, slow response to incidents of ethical violations, awareness by the people on the existence, functions and powers of the MCT and the ZPC on the interventions of ethical issues. As a result, some of the affected people do not come out to seek legal redress and have decided to keep quiet.



6.2 Media Current Ethical Debates

An ongoing ethical debate has centered on two issues in Zanzibar. One is the right to reply. Media houses are not doing well in this score, and two, is the issue of balancing information before it is published and circulated. These are very important issues that need immediate attention from the media houses for the purpose of restoring their credibility in the eyes of the public before the situation gets out of hand.

6.2.1 The Right to Reply

In this context, the right to reply means the media houses must offer equal opportunity to people affected by what is published. Not doing that has implications on the media. Some people feel unfairly treated by the mass media. In addition, they think the media is being used to damage their reputation in the eyes of right thinking members in the society.

6.2.2. Balance of Information

When there is no balance of information, it means journalists are not professionally effective and do not spend time verifying the collected information before publishing it. This should be distinguished from the right to reply, which means giving the affected person the opportunity to respond to what has been published about him.

Some journalists have defended themselves saying that often, sources of information do deliberately shy away under flimsy excuses from speaking to journalists on some burning issues.

This situation forces some journalists to publish their story using the limited information they have collected from their own sources provided there is no element of defamation or sedition.

6.3 The trend in Journalism Training Institution

Training in any profession is a vital aspect of development and reforms. Journalism has been changing with time. It is impossible to practise old journalism in this era of science and technology.

Journalists must be given the opportunity to attend training programmes periodically so as to sharpen their thinking and equip them with new skills. Development journalism is not achievable without training programmes.



6.4 Tertiary Institutions and Quality of Education/ Curriculum

As per the Constitution of the United Republic of Tanzania of 1977, higher education is one of the matters falling under the Union sphere. A special institution—the National Council for Technical Education (NACTE)—was established with its main objective being to regulate, among other things, quality assurance of education programmes which are offered at all tertiary institutions.

Audit of the education programmes is done periodically. The audit includes availability of teachers and their qualifications, curriculum and supportive facilities available in the institutions. Journalism schools in Zanzibar are also under NACTE control and must be audited periodically.

6.5 Research Status/Consultancies and Community Services

As said earlier, research status and consultancies remain a problem. In the first place, international and national institutions have a research and consultancy policy. Interested parties including foreigners are invited to apply for research and consultancies. Thereafter, a shortlist of the applicants is made and a final selection is carried out on the basis of merit. The competition is stiff and local applicants are rarely selected. In many cases, foreigners are given the opportunity to do the consultancies on the grounds of competency and they do not have any political or social inclination that could influence research outcome.

6.6 Sustainability of Journalism Training Institutions

The survival of training institutions offering journalism courses, especially those that are privately run, is hanging in the balance. The number of students has gone down drastically. This is attributed to a number of reasons including capacity of parents to pay fees and a large number of potential applicants opting for other professions. The Government does not sponsor students doing journalism as it is not among its priorities.

The ZJMMC Chief Academic Officer, Mr Rashid Omar, said the number of registered students for a diploma in Journalism has dropped from 115 to 5 in the academic year that began in October,



2018. However, he did not reveal the minimum number of students per a programme. However, the good news is that the Zanzibar Government has recently formed a special task force charged with the duty to study into ways to merge the ZJMMC with the State owned University of Zanzibar (SUZA).

If all goes well, the State-owned media college may become part of SUZA in the near future and it will be able to offer undergraduate and postgraduate programmes, explained Mr. Omar.

6.7 Conclusion

Despite several excuses that have been advanced by journalists who fail to balance their stories before they publish them, but that is a clear sign of violation of media ethics. Ethics serve as a guideline to the practice of the profession and must be adhered to by every journalist. This situation indicates that there is a gap of professionalism that needs to be addressed. Regarding training, the trend shows that there is hope for journalism training institutions, especially those that are State-owned, to survive. What is required is that the institutions should abide by all the regulations given by NACTE in order to be recognised and attract students. Without getting accreditation from NACTE, the schools may be forced to close down. Training remains a matter of paramount importance

6.8 Recommendations

The following are recommendations in respect to this chapter:

- Enactment of the Right to Information Act;
- Journalists must abide by professional ethics;
- Staff development programme in journalism is a fundamental issue.
- Research and consultancies should be given a special consideration by improving the professional capacities of locals so as to win the awards and
- Journalism training institutions must be financial back-up in order for them to survive.

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STATE OF THE MEDIA 2017-2018

The ‘State of the Media Report 2017-2018’ tracks, highlights and documents trends, notable developments and challenges in the media sector that prevailed during these two years in Tanzania Mainland and Zanzibar.

The report explores a number of critical issues in the industry ranging from legal and regulatory framework, political environment under which the media operate; current trends in the print media, broadcasting and new media as well as issues related to media support, professionalism and trends in journalism training institutions.

Tanzanian media, once vibrant and responsible, emerge in this report as an industry struggling to survive in a very hostile political and regulatory environment dominated by repressive laws.

In 2017 and 2018, the media—print, broadcasting and online—suffered massive setbacks. Intimidation, harassment and prosecution of journalists became the order of the day, followed by suspension and banning of newspapers and closure of broadcasting stations by government.

The industry’s development was also haunted by constraints related to the political economy of the media, including decline in advertising revenue, failure to adjust to digital demands as well as coping with rapid transformation taking place in the media landscape.

Amid such challenges, however, there were a number of notable developments in the period under review. The media continued to play important roles and manage responsibilities accorded them, including enlightening people on political, economic and social issues around them. Besides an increase in the number of people accessing information technology, the period also witnessed online newspapers, radio, television and online media hitting the market and expanding the public sphere for people from diverse social status to air their views.

Indeed, there are battles ahead to be fought and won by media organisations with the support of media fraternity; but of utmost immediacy are: challenging unfriendly legal framework, holding onto ethical practice, and creating new avenues of income for media independence and sustainability.

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