

GLOBAL INFORMATION SOCIETY WATCH 2011

INTERNET RIGHTS AND DEMOCRATISATION

Focus on freedom of expression and association online



This edition of Global Information Society Watch is dedicated to the people of the Arab revolutions whose courage in the face of violence and repression reminded the world that people working together for change have the power to claim the rights they are entitled to.

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TANZANIA

JAMMING THE NEWS: TAKING THE STRUGGLE ONLINE



Collaboration on International ICT Policy for East and Southern Africa (CIPESA)

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Introduction

Since independence, Tanzania, under the Chama Cha Mapinduzi (CCM) party, has enjoyed political stability and national unity more than other countries in a region wrecked by civil wars. However, the recent elections in October 2010 won by incumbent president Jakaya Kikwete saw CCM's popularity slide from 80.2% in the December 2005 elections¹ to 61.2% of the vote.² With this came a worrying intolerance for critical media both online and offline. A number of journalists have been intimidated and harassed by government officials for questioning the government's democratic credentials, while some political and social rallies and demonstrations have been repressed. To fight this new authoritarianism, some Tanzanians, including politicians,³ have resorted to social media to express their views. However, the government has also been implicated in attempts to block websites and blogs whose content has been perceived as a threat.

To its credit, Tanzania's government has worked to boost the country's internet infrastructure. The national fibre-optic network currently under construction is set to cover all districts in the country by June 2012. Out of the 26 regions and 127 districts in the country, 19 regions and 59 districts have been connected to the network so far.⁴ The Tanzania Communications Regulatory Authority (TCRA) reports that by June 2010 there were 4.8 million internet users and 19.5 million telephone subscribers from a population of 43.7 million.⁵ Nonetheless, the low literacy levels, low levels of infrastructure rollout

beyond major urban centres, and high access and usage costs still bar the wider majority of Tanzanians from the information society.

Policy and political background

At the policy level, the country has laws that seem to improve citizens' rights to information and freedom of expression. However, for the most part the same legislation gives with one hand and takes away with the other. Article 18 of the Tanzanian Constitution guarantees the right to freedom of expression and the right to seek, receive and impart information. But the constitution in semi-autonomous Zanzibar only gives citizens the right to receive information. It gives no rights to seek or impart it. These guarantees are also insufficiently implemented in Tanzanian domestic legislation. This is mainly witnessed in restrictive laws applied by the government that limit freedom of expression.

For example, in the Police Force and Auxiliary Police Act of 2002, Sections 43, 44, 45 and 46 provide a number of subjective unrestricted powers to police officers without laying down objective criteria for issuing stop orders when censoring information. Further, the National Security Act of 1970 gives the government absolute capacity to define what should be disclosed to or withheld from the public, and makes it a punishable offence to in any way investigate, obtain, possess, comment on, pass on or publish any document or information which the government considers to be classified. In addition, the 1976 Newspaper Act sets limitations on what public servants can reveal to the public.

Whereas the Electronic and Postal Communications Act of 2010⁶ calls for the observation of the rights to freedom of expression and information, it has come under scrutiny for not being user friendly, as it focuses more on punishing offenders rather than exploring the possibilities and potential in the communications sector.⁷

1 Tanzania 2005 presidential election results: www.eisa.org.za/WEP/tan2005resultsa.html

2 National Electoral Commission: nec.go.tz/pdf/Presidentials.pdf

3 Tungaraza, J. N. (2011) Tanzania: Opposition MP Tweets His Arrest, *Global Voices*, 5 June. globalvoicesonline.org/2011/06/05/tanzania-opposition-mp-tweets-his-arrest

4 Saiboko, A. (2011) Kikwete: Fibre-optic network to cover all districts next year, *Daily News*, 25 May. www.dailynews.co.tz/home/?n=20151&cat=home

5 Tanzania Communications Regulatory Authority (2010) *Report on Internet and Data Services in Tanzania*. tcra.go.tz/display.php?type=headlines&code=46

6 The Electronic and Postal Communications Act was enacted to keep abreast with developments in the electronic communications industry, and provide for a comprehensive regulatory regime for electronic and postal communications services providers.

7 Media Council of Tanzania (2011) *Tanzania: State of the Media Report, 2010*. www.mct.or.tz/mediacouncil/index.php?option=com_phocadownload&view=category&download=27:state-of-the-media-report-2010&id=1:downloads&Itemid=867

Attempts to control social media...

Tanzania has seen an increase in online publishing. In a country where freedom of expression and association are being suppressed, internet users have resorted to searching for information from other media such as the internet. Because of this, the Tanzanian government has been accused of blocking websites and blogs it has perceived as a threat.

One such website is JamiiForums.com, which has become a target for the Tanzanian government. The website publishes and discusses topics ranging from politics and economics to societal issues in Tanzania and beyond. On average, over 20,000 people visit the forums daily and spend at least seventeen minutes browsing at least eleven pages per person. The membership registration increases at a rate of 25% every month. Currently there are about 40,000 registered members.⁸ This makes JamiiForums one of the most popular and vibrant websites in Tanzania.

However, on a number of occasions, the forum has come under attack by the government over allegations that it was working to “undermine” the ruling party and the government. In April 2011 the forum’s hosts reacted with a press release reassuring their members that the government allegations were intended to threaten and deter the online community from exercising their freedom of speech and association.⁹ The forum’s hosts have also, on a number of occasions, been interrogated by the authorities over content that irked the government. In a recent British Broadcasting Corporation (BBC) article, it was reported that the government is cloning the JamiiForums website in an attempt to control content produced on that website.¹⁰ Although the government has not come out and admitted this new allegation, it is believed that it is now trying to institute a mechanism through which content on social media sites can be controlled or even censored, as seen in China.¹¹ Evidence of this is in the proposed Information and Broadcasting Policy 2007, currently under review, which will require everyone wishing to establish blogs or websites to register with the registrar of companies and also get

a licence from the TCRA.¹² However, this policy has not been welcomed by media activists, who have proposed a number of recommendations including removal of the proposition on the internet, noting that that the internet cannot be treated in the same manner as radio and television broadcasters.

Print media has not been spared in the government crackdown. Local newspapers have come under constant attack for allegedly publishing articles critical of the government.¹³ A crackdown on opposition demonstrations has also seen freedom of expression and association come under attack. Demonstrators have faced resistance from police and government when they have attempted to exercise their rights to protest.¹⁴

An increase in internet penetration from 5% in 2005 to 11% in June 2010 in Tanzania indicates a gradual increase in internet usage. This increase may be attributed to the proliferation of mobile phones in the country, which allows citizens to access mobile internet anywhere. Political activists, civil society organisations and journalists are using the internet to voice their concerns, and to reach a wide range of citizens. Organisations like Article 19, the Media Council of Tanzania (MCT), the Tanzania Media Women’s Association (TAMWA) and Daraja are using online platforms to urge citizens to hold the government accountable.

In cases of biased reporting from government-owned media outlets, they have served as alternative news sources, capturing actual events as they happened. This was the case when it came to the Gongo la Mboto blasts.¹⁵ The blasts killed over 20 people and injured at least 184 in the Dar es Salaam army base, but army officials declined to discuss the cause of the blasts. As a result, netizens captured events of the blasts by uploading and sharing photos of victims.¹⁶ Soon, stories about the blasts were all over the internet providing an opportunity for Tanzanians in the diaspora to follow the events. Tanzanian tweets were able to share

8 JamiiForums, where we dare to talk openly: www.jamiiforums.com/index.php

9 JamiiForums (2011) Tanzania’s Ruling Party threatens online social media, *Fikra Pevu*, 19 April. www.fikrapevu.com/habari/political-paranoia-tanzanias-ruling-party-in-fear-of-online-social-media

10 Allen, K. (2011) African jitters over blogs and social media, *BBC News*, 18 June. www.bbc.co.uk/news/world-africa-13786143#story_continues_1

11 Internet censorship in the People’s Republic of China: en.wikipedia.org/wiki/Internet_censorship_in_the_People%27s_Republic_of_China

12 The proposed policy seeks to amend the 2003 Information and Broadcasting Policy and aims at, among other things, prohibiting ownership of more than one type of media outlet.

13 Media Council of Tanzania (n.d.) MCT condemns newspaper ban. www.mct.or.tz/index.php?option=com_content&task=view&id=120&Itemid=1

14 AFP (2010) Tanzania police break up demonstration, *News24*, 28 December. www.news24.com/Africa/News/Tanzania-police-break-up-demonstration-20101228

15 Simbadeo (2011) Gongo la Mboto bomb blasts... a glimpse. simbadeo.wordpress.com/2011/02/17/gongo-la-mboto-bomb-blasts-a-glimpse

16 Macha, N. (2011) Tanzania: Netizens comment on bomb explosions at army base, *Global Voices*, 18 February. globalvoicesonline.org/2011/02/18/tanzania-netizens-comment-on-bomb-explosions-at-army-base

information about the possible causes of the blast while calling on the government to investigate. Other netizens felt that the government had learnt nothing from the 2009 Mbagala bomb blasts¹⁷ and that it had failed to fulfil the promises of moving the camp to a non-residential area. One blogger expressed his dissatisfaction, wondering why after two years since the Mbagala blasts, when residents went through the same experience, there was nothing done to prevent its reoccurrence.¹⁸ As the discussions and criticisms developed, netizens demanded the resignation of the minister of defence, a call that was welcomed by the country's opposition, who also called for his immediate resignation.¹⁹ The cause of the bomb blasts has not been established, as such information of a military nature is considered "classified information" by the government. To date only speculations have been made as to the possible causes of the bombs.

Conclusions

As the Tanzanian government continues to limit access to news by jamming and inhibiting independent voices in papers, new internet-based media are enabling citizens to find alternative means of mobilising, publishing, resisting, and accessing information. The relative safety of the online world compared to physical demonstrations and print journalism are all emboldening citizens and civil society groups to take their clamour for better governance into the virtual world. And, without a doubt, the Tanzanian government is listening, and is convinced about the power of internet activism, which is why it has been attempting to block the use of online forums such as JamiiForums.

The government needs to make information accessible to the public, as this will make it more transparent and accountable. A failure to do so will prompt citizens to seek alternative means to exercise their democratic rights, to air their opinions freely and fairly. The mere blocking of communication media and interrogating or persecuting citizens will only make them invent new means to express their concerns. The era of controlling what information should be made available to the public is no more. The public will continue to invent new means to make themselves heard, and at any cost.

Action steps

- Research citizens' perceptions on the use of information and communications technologies (ICTs), especially social media tools for social resistance. ICT activists need to better understand knowledge, attitudes and perceptions in the use of ICTs for social resistance. This will help to understand how best to involve users in exercising their rights to free speech.
- Create awareness about the use and existence of ICT tools for citizen participation.
- In terms of policy advocacy, ICT activists need to engage the government in reviewing policies and laws that seem to negate freedom of expression and access to information. Advocacy campaigns calling for the promotion of affordable access to ICTs will also reduce challenges associated with accessing ICTs, while improving access to information. ■

17 BBC (2009) Deadly blasts rock Tanzanian city, *BBC News*, 29 April 2009. news.bbc.co.uk/2/hi/africa/8024656.stm

18 Bongo Blast (2011) Of Dar bomb blasts and Mbagala lesson that never was, 23 March. symeniah.blogspot.com/2011/03/of-dar-bomb-blasts-and-mbagala-lesson.html

19 Kilyinga, N. (2011) Opposition wants Mwinyi to resign, *Daily News*, 18 February. dailynews.co.tz/bunge/?n=17355

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2011 Report

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