

UNION OF TANZANIA PRESS CLUBS



REPORT ON JOURNALISTS' VIOLATIONS IN TANZANIA

2023



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PREAMBLE

The Union of Tanzania Press Clubs (UTPC) has compiled this comprehensive report on media violations experienced by journalists across Tanzania in 2023. These violations have been meticulously documented by Press Club coordinators from all regions of Tanzania mainland and zanzibar. The report highlights incidents where journalists have faced unlawful arrests, threats, physical assaults, and other forms of harassment while performing their duties. The purpose of this report is to shed light on the challenges faced by journalists in Tanzania, advocate for their safety and freedom, and promote a more secure environment for the press to operate independently.

INTRODUCTION

Journalism plays a crucial role in fostering transparency, accountability, and informed public discourse. However, in Tanzania, journalists often encounter significant obstacles that hinder their ability to report freely and effectively.

This report, gathered by the Union of Tanzania Press Clubs (UTPC) through the efforts of regional Press Club Coordinators, provides a detailed account of these violations, emphasizing the need for concerted efforts to protect and support journalists.

Throughout 2023, numerous incidents of media violations have been reported, reflecting a concerning trend of threats and interference in journalistic activities. A total number of 18 incidents were recorded from 13 regions of Tanzania. Among these 18 incidents, a total of 26 journalists were involved, of which 10 were women and 16 were men.

The incidents documented in this report include cases of unlawful arrests, physical assaults, threats, and other forms of intimidation directed at journalists. These violations not only undermine the journalists' ability to perform their duties but also pose a serious threat to the principles of freedom of the press and freedom of expression.

The sections detail specific incidents of media violations across various regions, illustrating the pervasive challenges faced by journalists in their quest to report truthfully and transparently.

Union of Tanzania Press Clubs (UTPC), through this report, aims to highlight these issues, call for justice and accountability, and advocate for a safer working environment for all journalists in Tanzania.

Apart from all that, this report has recorded incidents that falls under arrest and detention, litigation, attacks, forceful removal, threat to life and denial of access to information.

These recorded incidents compromise the importance of adhering to international human rights standards and fundamental freedoms that protect journalists' rights and ensure the free flow of information. Below are some of the international human rights standards violated by these incidents involving journalists.

Freedom of Expression:

- **Universal Declaration of Human Rights (UDHR), Article 19:** "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."
- **International Covenant on Civil and Political Rights (ICCPR), Article 19:** "Everyone shall have the right to hold opinions without interference. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice."

Freedom of the Press:

- **UDHR, Article 19:** The right to impart information and ideas through any media also encompasses the freedom of the press.
- **ICCPR, Article 19:** The expression "through any other media" explicitly includes the press, thus protecting journalists.

Right to Liberty and Security:

- **UDHR, Article 3:** "Everyone has the right to life, liberty and security of person."
- **ICCPR, Article 9:** "Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law."

Protection from Arbitrary Arrest and Detention:

- **UDHR, Article 9:** "No one shall be subjected to arbitrary arrest, detention or exile."
- **ICCPR, Article 9:** Reiterates the prohibition of arbitrary arrest or detention.

Right to a Fair Trial:

- **UDHR, Article 10:** "Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him."
- **ICCPR, Article 14:** Ensures the right to a fair and public hearing by a competent, independent, and impartial tribunal.

1. ARREST AND DETENTION

Iringa Region: Ms. Shan Nicolas (24), a journalist from Shamba FM, a radio broadcasting station based in Iringa, was unlawfully arrested by the police on June 15th, 2023 while carrying out her duty. The police took her into custody and transported her around the city in a police car for almost four hours before she was eventually released.

Shan was covering the confrontation between the police force and small local traders, commonly known as "Machinga," who were resisting forceful relocation from their trading area when she was arrested.

After significant efforts made by Iringa Press Club leaders and other concerned individuals, the journalist was finally released from custody.

Iringa Region: On January 14, 2024, during the cleanliness campaign, a journalist name Francis Godwin, through his media outlet Matukio Daima TV, took a photo at the residence of the Iringa District Commissioner, Ms. Veronica Kessy.

The area had not been cleaned and was overgrown with tall grass that needed to be cleared. The news and photo were published by Matukio Daima TV and went viral on social media.

Following that published story, house assistants of District Commissioner Veronica Kessy conducted a cleaning early the next morning. On January 15, 2024, at 4:00 am, Francis Godwin received a call from the Police Station requesting his presence at the District Commissioner's residence because he had reported it as dirty.

Upon arrival, Francis found the District Commissioner accompanied by the Officer in Charge of the Police Station and other officers. They asked Francis to show them the allegedly dirty area as reported in his media outlet. Although Francis pointed out the area, the grass had already been cleared at that time. However, the DC Ms. Kessy acknowledged that the grass had indeed been cleared.

Despite this acknowledgment, District Commissioner Veronica Kessy became angry and insisted that Francis enter the house to inspect other areas for cleanliness. However, Francis refused, suspecting it was a ploy to detain him. Afterward, they let Francis Godwin leave.

Mara Region: On July 20, 2023, Ms. Dina Maningo, a journalist and proprietor of Dima Online TV, was apprehended by the District Security Officer on grounds related to a land dispute within Rorya District.

During her detainment, she was instructed to erase all photographs capturing individuals expressing grievances against the local administration due to delays in land assessment for compensation.

Subsequently, Ms. Maningo was released from custody, a resolution attributed to the advocacy of the leaders from the Mara Press Club, who advocated for her immediate and unrestricted release.

Tanga Region: On April 11, 2023, three journalists were arrested in Handeni Tanga, while attempting to cover the conflict resulting from the relocation of a Maasai group from the Ngorongoro Conservation Area to Msomera Village in Handeni Tanga.

The journalists in question were Rodric Mushi from STAR TV, Rajab Hassan, and Abel Lowasa from Habari Maalum. The grounds for their arrest were unclear.

However, the Kilimanjaro press club coordinator reported that the journalists were later released, thanks to support and efforts from the lawyers.

Kilimanjaro Region: On June 21, 2023, Jabir Johnson, a journalist working for East Africa media, was detained by the police while covering a story on the women demonstration on decline of moral values among children in Moshi town. The police confiscated his camera and demanded that he delete all pictures and videos captured on it.

Despite being in the line of duty, Jabir was subjected to this unjust treatment by the police authorities. The incident was immediately reported to UTPC through Media Club of Kilimanjaro Coordinator Ms. Queen Isack, who advised Jabir not to speak giving any statement until a lawyer arrived on the scene.

Fortunately, Jabir was released few minutes later without any charges. The Union of Tanzania Press Clubs (UTPC) intervened to ensure that the journalist's rights were protected and that he was able to resume his work without any further interference.

Ruvuma Region: On September 20, 2023, Warid Kazawa, a journalist reporting for Wasafi Media and Kazawa TV online, was arrested by police in Namtumbo district, and his phone and camera were confiscated in Namtumbo district while he was collecting news from the ward councilors.

There was no clear information regarding the reasons for her arrest. The Ruvuma Press Club took steps to communicate with the Regional Police Commander, and as a result, the journalist was released. However, the materials on his camera had been deleted.

2. LITIGATION

Mbeya Region: On December 14, 2023, the Mbeya Press Club received an information from UTPC and also on the WhatsApp social media platform about the arrest and detention of a journalist and Member of Mbeya Press Club Ms. Upendo Fundisha by the Police in Chunya District.

The report from Pendo indicates that Pendo was arrested while investigating the news of an elderly woman being deprived of her land by miners. While pursuing this news story, she was arrested by the police and taken to the district commissioner of Chunya who informed her that she was arrested for not reporting her presence to him but also for impersonating as a government official.

As followup measures, Mbeya Press Club Coordinator Keneth Mwakandyali contacted Upendo for details, but she requested him to wait as she worked to address the situation.

After repeated attempts trying to find her, the coordinator Mwakandyali informed Mbeya club leaders on the situation. Mbeya Press Club Chairman Nebart Msokwa then contacted Upendo, who again she didn't give cooperation.

To take the matter dipper, the Press Club leaders contacted senior journalist Felix Mwakyembe, who was informed by Upendo about her arrest while on duty trying to find out if Mwakyembe has any new development on the issue.

The club also reached out to the Mbeya Regional Police Commander, but the call was redirected to the Mbeya Police Information Officer, whom he confirmed that Upendo's arrest along with an unnamed individual.

The officer claimed that Pendo and the other suspect they were arrested for posing as national security officials, emphasizing that the arrest was unrelated to journalistic duties.

After reports indicated a lack of cooperation from Pendo towards the Mbeya Press Club, UTPC continued searching for Pendo without success. When she was finally located, she had already been in contact with her first lawyer, Mr. Philip Mwakilima, who did not provide satisfactory assistance. Consequently, she sought another lawyer, Mr. Felix Kapinga.

However, Pendo has informed us that during the extended period when she could not be located and failed to provide information, she was undergoing cancer treatment. This significantly affected her psychologically, leading her to avoid communication with anyone.

Pendo has informed us that her case has been taken to court and was first mentioned on January 8, 2024. It is scheduled for another mention on January 23, 2024.

As a part of follow up on the case, UTPC has already been in contact with her lawyer, Felix Kapinga, to assess the magnitude of this case. The lawyer has stated that Pendo has been granted bail, and the investigation has been completed. Therefore, the case will be mentioned again on January 23 in the Chunya District Court for the preliminary hearing, where the initial details will be read before the case proceeds to trial. The extent of the case will be determined after the preliminary hearing on January 23, 2024. UTPC continues with close monitoring to ensure that Pendo receives assistance through the Safety of Journalists Mechanism Support Fund.

Mara Region: On September 9th, 2023, Caroli Jacob, a journalist and owner of Mara TV, was called to participate in a Public Meeting in Mtana village, Manga ward, Tarime district, Mara region. The meeting was organized by the Member of Parliament for Tarime Rural constituency, Honorable Mwita Waitara, who addressed individuals seeking to contest for the parliamentary seat in his constituency.

During his speech, Hon. Mwita Waitara mentioned Mr. Eliakimu Maswi, the Director of PPRA, as one of the individuals traversing the constituency and engaging in various activities as reported on Mara TV. After he saw the news story, Maswi needed to identify the journalist responsible for the story. After identifying Caroli Jacob, he threatened the journalist with a lawsuit, demanding a payment of 12 billion Tanzanian shillings for defamation.

Maswi served Caroli Jacob with a court summons, and when the notice arrived, the Mara Press Club leadership committee intervened by engaging Mr. Maswi, urging him to withdraw the case. Consequently, Maswi decided to drop the case, which was pending at the High Court of Appeal in Mwanza.

However, a few weeks later, Mr. Eliakimu Maswi reopened the case against journalist Caroli Jacob. The case was initially scheduled for hearing on March 13, 2024, at the Musoma District Court.

UTPC contacted lawyer Paul Bomani, who was sent the charges for review and readiness to assist in the case.

3. ATTACKS

Dar es Salaam Region: On July 22, 2023, the media community were shocked by an incident involving two journalists working with Mwananchi Communication LTD. These journalists, namely Fortune Francis and Sunday George, along with their driver Omary Mhando, encountered a violent incident whereby they were physically assaulted and sustained injuries. Additionally, their mobile devices were confiscated by an unidentified group.

The assault transpired as the journalists were diligently executing their journalistic responsibilities at Buriaga ground within Temeke district, located in Dar es Salaam. This particular location was being prepared for upcoming activities of the main opposition party, Chama Cha Demokrasia na Maendeleo (CHADEMA), scheduled to transpire the following day. The journalists were present to observe the preliminary arrangements being made.

In response to this incident, the Union of Tanzania Press Clubs (UTPC) issued a formal statement, aiming at condemning the wrong actions of physically assaulting journalists while they are in the pursuit of their professional duties.

Arusha Region: On August 15th, 2023, a distressing incident unfolded involving five journalists, namely Janeth Joseph of Mwananchi Newspaper, Dixon Busagaga reporting for Clouds TV, Elia Kimani reporting for Channel 10, Habibu Mchange of Jamvi la Habari Newspaper, and Ferdinand Shayo reporting for ITV. These journalists were subjected to a severe and unprovoked assault, resulting in their sustained injuries. The incident occurred within Endueni village situated in Ngorongoro, Arusha, where they had been conducting their journalistic duties.

Their presence at the above-mentioned location was in the capacity of their professional roles, engaging in the collection of information for news reports.

Specifically, they were engaging with local villagers who had convened to receive information from government officials concerning a relocation plan for the Maasai community within the Ngorongoro Conservation Area. This plan aimed to provide an alternative settlement for the Maasai population.

Tragically, during the course of their work, the journalists fell victim to a violent attack perpetrated by members of the Maasai community, employing traditional weaponry. This assault resulted in severe injuries sustained by the mentioned journalists. Swift action was taken to provide them with medical care, and they were quickly transported to the nearby Fame Hospital located in Karatu.

The Union of Tanzania Press Clubs (UTPC) responded promptly to this distressing incident, reaching out to Dr. Gabriel Paul Kisima to ascertain the journalists' health status and the status of their medical expenses. Subsequently, the Tanzania National Parks (TANAPA) administration took the responsibility of covering the incurred medical expenses.

This deeply regrettable event serves as a stark reminder of the challenges journalists often encounter while fulfilling their essential roles in informing the public.



4. FORCEFUL REMOVAL

Iringa Region: Another incidence in Iringa, on September 20, 2023, Jema Mgungile, a journalist representing Ebony FM, faced a case of media violation. She was forcibly expelled from a community gathering by Iringa District Commissioner Venorica Kessy, who claimed that Jema lacked an invitation and insisted she vacate the meeting. Sadly, Jema had to comply with the order, leaving her unable to fulfill her journalistic duty to cover the crucial discussion at hand.

It's noteworthy that Jema had initially been invited to the gathering by the villagers themselves. They were well aware that the District Commissioner (DC), Venorica Kessy, would be present to address the ongoing land crisis, and they had expected Jema to provide media coverage of the event.

Mara Region: Dina Maningo, a journalist and proprietor of Dima Online TV, was subjected to offense on February 2nd, 2023, by Tarime town Council Director, Mr. Gimbana Ntavyo. The latter went to the extent of ordering security officer to remove her from his office. It is worth noting that Maningo was merely performing her journalistic duties, which involve gathering news.

Shinyanga Region: On April 29th, 2023, journalist Kareny Masasy, reporting for Habari Leo digital, was asked to leave the Shinyanga town council premises due to her story published on April 28th, 2023. The story was about the closure of the Mwamala ward dispensary for over a year because of the lack of medical and health specialists.

The council director made the statement that led to the journalist's eviction. However, ward councilors disputed the statement and acknowledged the existence of the problem reported. They urged the journalist to continue reporting the truth.

Later, on May 12th, 2023, the government sent medical specialists to the Bugogo dispensary, which had previously been reported to have stopped operating.

Mbeya Region: On the 14th of July, 2023 a distressing incident took place involving Ipyana Samson Njiku, a freelance journalist and a member of Mbeya Press Club (MBPC). During a performance, by a Bongo Flavour artist Rajabu Abdul, also known as Hamonize that Ipyana found himself pushed from the stage. This unfortunate event unfolded due to a misunderstanding with an individual believed to be the Harmonize manager.

The incident occurred at the Chuo Kikatoliki Mbeya (CUCoM) venue while Hamonize was performing. As some journalists were diligently capturing and documenting the unfolding events an individual obstructed their efforts. This obstruction escalated into a dispute between the journalists and the manager. Eventually the individual called upon Hamonizes security personnel to remove journalist Ipyana Samson from the stage.

Upon receiving information about this incident, Mbeya Press Club swiftly launched an investigation to verify its authenticity. They gathered evidence that confirmed its occurrence with the video support. Additionally they made attempts to contact Ipyana Samson in order to conduct an interview and take action. Unfortunately Ipyana Samson did not fully cooperate in providing details, about what transpired.

5. THREAT TO LIFE

Kigoma Region: On September 15, 2023, Fadhili Abdallah, a journalist reporting for Habari Leo newspaper and a representative of Kigoma region, received threats from Ms. Paulina Ndigeza, the district education officer. Ms. Ndigeza pledged to harm the journalist, accusing him of publishing false statistics on the school dropout rate in Kigoma.

The journalist received a threatening text message, which was followed by a directive requiring him to appear before the district ethics committee. However, he refused to go, fearing for his safety. Kigoma Press Club assured the safety of the journalist and encouraged him to report any situations that may occur. No further threats have occurred to the journalist thus far.

Lindi Region: On March 15th 2023, Edina Kahema, a journalist and radio presenter at Mashujaa FM, a radio station broadcasting from Lindi, has frequently received threats from the District Executive Director. She has been accused of provoking the government while reading newspapers on a radio program.

The journalist mentioned that the District Executive Director and other officials have developed a tendency to record voice clips of her statements deemed provocative towards the government and share them in various WhatsApp groups.

Morogoro Region: On June 24th, 2023, Mwajuma Rambo, a journalist reporting for Global Online TV, received threats from Fortunatus Musilim, the Regional Police Commander, following a phone call from the journalist who sought to balance the story regarding the reported land conflict among the community in the Kiegea area of Morogoro municipal.

Musilim instructed the journalist to stop reporting the story. However, the information reached Fatuma Mwasa, the Regional Commissioner, who acknowledged the presence of conflict in the area and expressed disappointment in the police commander for imposing restrictions on journalists reporting on such issues.

6. DENIAL OF ACCESS TO INFORMATION

Songwe Region: On June 17, 2023, Dickson Kapungu, a journalist reporting for Global Online TV, and Jamaal Meena of Jay Online TV were denied access to information as they were doing their journalistic work by the Council Director for Songwe, Mr. Philimon Magesa.

When the reporters asked why they were stopped doing their work, Mr. Magesa did not give a proper answer and only promised to meet with them on the following day.

7. CONCLUSION

In light of the 2023 report on journalists' violations in Tanzania, it is evident that the safety and security of journalists remain a critical concern. With 18 incidents reported across 13 regions involving 25 journalists, the need for concerted efforts to protect journalists cannot be overstated. It is imperative for stakeholders, including government agencies, legal entities, media organizations, civil society, and international partners, to come together and invest in protecting journalists. Collaborative efforts will not only safeguard the freedom of the press but also ensure that journalists can carry out their duties without fear of harassment or violence.

One of the primary steps towards enhancing journalists' safety is the development of robust mechanisms dedicated to their protection. This involves establishing clear protocols for responding to threats and violations against journalists, providing legal, medical and psychological support to journalists in distress but also making sure that perpetrators of such violations are held accountable. A well-coordinated approach will create a safer working environment for journalists and promote a culture of accountability within the media landscape.

Recording and reporting on violations against journalists are crucial components of any strategy aimed at improving their safety. Accurate documentation of incidents helps to highlight the prevalence of threats and provides a basis for advocacy and policy development. Stakeholders should prioritize the establishment of comprehensive databases and reporting systems that can track violations in real-time. This data will be invaluable in identifying patterns, assessing risks, and formulating effective interventions to protect journalists.

Regular meetings and dialogues among media stakeholders are essential for addressing the challenges faced by journalists and finding sustainable solutions. These forums provide an opportunity for journalists, policymakers, law enforcement, and other relevant parties to discuss pressing issues, share best practices, and develop joint strategies. By fostering open communication and collaboration, stakeholders can work together to create a safer environment for journalists in Tanzania, ultimately contributing to a more free and democratic society.

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