



The first home grown analysis of the media landscape in Africa



TANZANIA 2015

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The African Media Barometer (AMB)

The African Media Barometer (AMB) is an in-depth and comprehensive description and measurement system for national media environments on the African continent. Unlike other press surveys or media indices the AMB is a self-assessment exercise based on home-grown criteria derived from African Protocols and Declarations like the Declaration of Principles on Freedom of Expression in Africa (2002) by the African Commission for Human and Peoples' Rights. The instrument was jointly developed by fesmedia Africa, the Media Project of the Friedrich-Ebert-Stiftung (FES) in Africa, and the Media Institute of Southern Africa (MISA) in 2004.

The African Media Barometer is an analytical exercise to measure the media situation in a given country which at the same time serves as a practical lobbying tool for media reform. Its results are presented to the public of the respective country to push for an improvement of the media situation using the AU-Declaration and other African standards as benchmarks. The recommendations of the AMB-reports are then integrated into the work of the 19 country offices of the Friedrich-Ebert-Stiftung (FES) in sub-Sahara Africa and into the advocacy efforts of other local media organisations like the Media Institute of Southern Africa.

Methodology and Scoring System

Every three to four years a panel of 10-12 experts, consisting of at least five media practitioners and five representatives from civil society, meets to assess the media situation in their own country. For 1½ days they discuss the national media environment according to 39 predetermined indicators. The discussion and scoring is moderated by an independent consultant who also edits the AMB-report.

After the discussion of one indicator, panel members allocate their individual scores to that respective indicator in an anonymous vote according to the following scale:

1 Country does not meet indicator
2 Country meets only a few aspects of indicator
3 Country meets some aspects of indicator
4 Country meets most aspects of indicator
5 Country meets all aspects of the indicator

The sum of all individual indicator scores will be divided by the number of panel members to determine the average score for each indicator. These average indicator scores are added up to form average sector scores which then make up the overall country score.

Outcome

The final, qualitative report summarizes the general content of the discussion and provides the average score for each indicator plus sector scores and overall country score. In the report panellists are not quoted by name to protect them from possible repercussions. Over time the reports are measuring the media development in that particular country and should form the basis for a political discussion on media reform

In countries where English is not the official language the report is published in a bilingual edition.

Implementing the African Media Barometer the offices of the Friedrich-Ebert-Stiftung (FES) and – in SADC countries the Media Institute of Southern Africa (MISA) – only serve as a convener of the panel and as guarantor of the methodology. The content of the discussion and the report is owned by the panel of local experts and does not represent or reflect the view of FES or MISA.

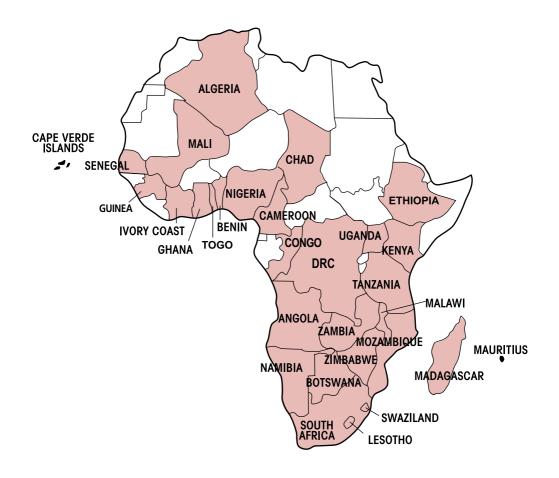
In 2009 and again in 2013 the indicators were reviewed, amended, some new indicators were added and some were replaced.¹

By the end of 2013 the African Media Barometer had been held in 30 African countries, in some of them already for the fifth time.

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¹ Consequently, the comparison of some indicators of previous reports is not applicable (n/a) in some instances in which the indicator is new or has been amended considerably. Furthermore sector scores are not applicable (n/a) as indicators have been moved.



See above 30 AMB Countries (2005-2015)

African Media Barometer Tanzania 2015

Summary

Tanzania is undergoing significant legal change with the recent passage of two laws - the Cybercrimes Act and the Statistics Act – which were rushed through the Parliament early in 2015, although signed copies of the laws were still not publicly available as at early June 2015. Other draft laws which are likely to negatively impact the media environment, such as the Media Services Bill and the Access to Information Bill, remain pending. In addition, a vote in a referendum on the draft constitution, which was to take place following a two-year constitutional review process, has been delayed indefinitely.

With presidential and parliamentary elections to be held in October 2015, a state of uncertainty prevails in the country.

This AMB took place at a time of this uncertainty. Although the Cybercrimes Act and the Statistics Act have not yet been gazetted and no regulations have been published for their implementation, stakeholders have seen the earlier drafts of these bills and there are serious concerns that their contents appear to reverse years of progress on media freedom in Tanzania.

Currently, freedom of expression is guaranteed to all citizens in both constitutions of Tanzania (1977) of Zanzibar (1984). Although Zanzibar is legally an autonomous unit within the United Republic of Tanzania, Zanzibari law is governed overall by the 1977 Tanzanian constitution. But freedom of the media is not specifically mentioned in either constitution.

Article 38 of the proposed draft constitution of September 2014 guarantees freedom of expression while Article 39 also guarantees freedom of information and the news media. But it is not certain when the new constitution will be adopted.

Tanzania has numerous laws that severely infringe upon this basic human right, with more than 20 of them that curtail freedom of expression, including the Newspaper Act (1976), the Penal Code (1945), the National Security Act (1970) and the Public Service Act (1962).

However, the increased use of social media in recent years has provided a new platform for journalists and members of civil society to express themselves more freely on various issues.

But the environment remains hostile for journalists and vocal civil society activists who are regularly intimidated, threatened or even physically attacked. It is particularly risky for private and community media journalists, including those working for state-owned media outlets to criticise the President, the ruling party Chama Cha Mapinduzi (CCM) or the government.

Entry into journalism is not restricted by law in Tanzania. However, journalists needing state access require press cards, which are issued to 'accredited' journalists by the Information Services department and such journalists must be accredited by a particular media house or have proof of relevant qualifications.

There is no statutory protection of confidential sources of information for journalists and access to information is not legally guaranteed while information held by state authorities and public institutions is not easily accessible to citizens. The Public Service Act of 1962 restricts what public information civil servants, even those employed as information officers, can reveal.

While internet service providers (ISPs) are required to register with the state, websites and blogs are not. This is expected to change, however, with the recently passed Cybercrimes Act, which is not yet in operation. There have been incidents where the state has sought to block internet content that was critical of the government and ruling party in general. No such cases have gone before the courts, however, and there is currently no requirement that a court warrant first needs to be obtained before a site is blocked.

There are a number of active media support groups in Tanzania, which lobby for a more media-friendly legislative environment and the government generally engages media stakeholders in consultations about pending media-related legislation but the meaningful participation of non-state stakeholders was highly questionable with the passing in parliament of the Cybercrimes Act.

There is a wide choice of media, particularly print media, but these are not necessarily affordable to the majority of the population. As at June 2015, 854 newspapers, magazines and journals were registered with the Registrar of Newspapers with the majority of them privately owned.

According to the Tanzania Communication Regulatory Authority (TCRA), there are 26 television stations in the country and 84 radio stations as well as a growing number of cable and subscription television operators. According to TCRA figures, there were 700,000 decoders as at December 2014.

However, according to the panellists each of the country's 30 regions has its own television and radio station.

Radio remains the most accessible and affordable media in the country.

Mobile telephony has also taken off in the count and most adults own at least one mobile phone line. Figures from the TCRA as at December 2014 showed that mobile penetration was 67% of the population. Also, in the past few years, access to the internet has increased with the result that as at the end of 2014, 11 million people had access, comprising 3.4 million via organisations and institutions and 7.7 million households. There were 239,000 internet cafes as at December 2014. But the internet is still largely inaccessible in rural areas, due to lack of electricity and poor infrastructure.

There is no law prohibiting media concentration and monopolies or cross-ownership.

Men continue to be much more visible in the Tanzanian media than women. They are mostly the sources for stories, the authoritative voices that get heard and newsmakers, especially political sources, tend to be men. The media is, therefore, still not gender-sensitive.

Minorities – in terms of ethnicity, language and religion – are also not fairly represented in Tanzania. Homosexuality is criminalised under the Sexual Offences Special Provisions Act of 1998 and as such, it is a socially taboo topic and homophobia is common. As a result, homosexual issues are ignored by the media.

The government is the biggest advertiser in the country, followed by mobile telephone companies and breweries, but some media outlets that are overtly critical of the government or those that publish outspoken opinions get little or no advertising from the state. The advertising market is too small to support the many media outlets in Tanzania.

Community radio stations are often owned by local governments, while community television stations are either owned by a faith-based organisation or a local government. Community based organisations struggle to source sufficient funding to be involved in this sector.

There are no legal provisions guaranteeing the independence of the two public broadcasters: the Tanzania Broadcasting Corporation (TBC) and the Zanzibar Broadcasting Corporation (ZBC). In addition, since their boards are appointed by the President and the Minister of Information, they are not independent. The two state broadcasters are also not considered to be adequately funded, particularly due to political interference in their budgets.

Most reporting in Tanzania is not considered to be of a high professional standard. With up to 80% of the country's journalists working as freelancers who earn very little for the media work they do, many will only write reports about organisations or events if they are paid to do so by their sources. Even those

journalists employed full-time at media houses are susceptible to this syndrome because their working conditions and remuneration are poor.

The political atmosphere also affects the media's impartiality as some journalists are used as public relations agents for particular political parties.

The non-statutory, self-regulatory body, the Media Council of Tanzania (MCT), has a code of conduct for both the print and the broadcast media, to which most media houses reportedly adhere. The MCT also encourages newsrooms to have their own codes of conduct to prevent journalists from being sent to the council.

In terms of their safety, media houses generally do not provide journalists with protection. Some investigative journalists are reported even to carry their own firearms for self-defence purposes. Sexual harassment by colleagues or superiors in the workplace is also a common occurrence for young female journalists.

There are now many media training institutions in Tanzania but most of them are centred in the capital, Dar es Salaam while it is difficult to access similar training in rural areas. A handful of journalism schools have had their licences revoked by the government for not offering credible training.

For the purposes of this AMB, the participants assessed the situation in the quantitative grading (scoring) as it is now and not as it may be in future, although potential scenarios were discussed and are summarised in the fuller report.

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SECTOR 1:

Freedom of expression, including freedom of the media, is effectively protected and promoted.

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Freedom of expression, including freedom of the media, is effectively protected and promoted.

1.1 Freedom of expression, including freedom of the media, is guaranteed in the Constitution and supported by other pieces of legislation.

Freedom of expression is guaranteed to all citizens in both constitutions of Tanzania – the 1977 constitution of the United Republic of Tanzania, which was passed when the state was under one-party rule, and the 1984 constitution of Zanzibar. While, legally, Zanzibar is termed an autonomous unit within the United Republic of Tanzania, Zanzibari law is governed overall by the 1977 Tanzanian constitution.

Article 18 of the constitution of the United Republic of Tanzania states that:

- (1) Without prejudice to expression the laws of the land, every person has the right to freedom of opinion and expression, and to seek, receive and impart or disseminate information and ideas through any media regardless of national frontiers, and also has the right of freedom from interference with his communications.
- (2) Every citizen has the right to be informed at all times of various events in the country and in the world at large which are of importance to the lives and activities of the people and also of issues of importance to society.

Article 18 of the Zanzibar constitution is very similarly worded.

The right to freedom of expression, however, is limited because it is not supported by any other legislation. In addition, Article 30 of the Tanzanian constitution contains clauses that can override citizens' rights to freedom of expression under the name of 'public interest', privacy and defence of the nation, among others, which negates the Bill of Rights.

Freedom of the media, specifically, is not mentioned in either constitution.

In the proposed draft constitution of September 2014, under Article 38, freedom of expression is similarly guaranteed as it is in the 1977 constitution, while Article 39 of this 2014 draft also guarantees freedom of information and the news media. A referendum on the draft constitution was scheduled to take place in April 2015, but this was delayed apparently because the National Electoral Commission had not managed to register all voters.

Media-affiliated panellists noted their concern that two recently passed acts, the Cybercrimes Act and the Statistics Act (passed in April and March 2015 respectively), were "going to kill us for sure". These two bills were rushed through parliament under 'certificates of urgency' and even by early June 2015 final versions of these bills had not been made public, leading to considerable uncertainty among those in the media and the general public.

The draft of the Statistics Bill makes the dissemination of statistics restrictive, including making it illegal for anyone to publish or communicate "false" statistical information or statistical information that "may result in the distortion of facts", with associated severe penalties. Ultimately, the bill makes the publication of any Tanzanian statistics legal only if approval had been granted by the National Bureau of Statistics. The Cybercrimes Act is seen by critics as an attempt by the state to clamp down on citizens' freedom of expression by tightening the online space and making it an offence to publish online information that is "false, deceptive, misleading or inaccurate'.

With such uncertainties abounding, a panellist noted: "It's too early to predict how things will go... but I don't want to bank on the proposed constitution."

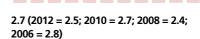
Instead of laws that support freedom of expression, Tanzania has numerous laws that severely infringe upon this basic human right. These include the Newspaper Act (1976), the Penal Code (1945), the National Security Act (1970) and the Public Service Act (1962). For more on how these acts inhibit the functioning of the media, see indicator 1.3.

Scores:

Individual scores:

Average score:





1.2 The right to freedom of expression is practised and citizens, including journalists, are asserting their rights without fear.

There was consensus that only a small portion of civil society in general and journalists in particular feel free to express themselves. Most feel intimidated by the draconian anti-media laws that exist in Tanzania, as well as by the powerful interests of the owners of the various media houses, be they state- or privately run.

"With the new Statistics Act and the Cybercrimes Act, citizens will be even more fearful of expressing themselves."

The uptake in recent years of the use of social media in Tanzania has provided a new platform for journalists and members of civil society, especially, to express themselves more freely on various issues.

"As long as you are a citizen, you can say what you like, until your voice becomes too amplified, and then you become the focus of the state and unseen forces come into play."

The Cybercrimes Act, however, appears likely to empower the state to control this popular platform for free expression: the internet, and social media in particular. This Act is seen as the Tanzanian government's reaction to the Arab Spring of 2010, and its attempt to avert a similar uprising of citizens by clamping down on freedom of expression.

"Generally, freedom of expression (in traditional media) is only restricted if it touches on certain subject matters, such as politics."

In January 2015, the circulation of the privately owned regional weekly newspaper, *The EastAfrican*, was banned in Tanzania, ostensibly because of its lack of registration as required by the 1976 Newspaper Act, although those in the media fraternity believe it was banned because of its critical coverage of Tanzanian President Jakaya Kikwete. *The EastAfrican* is published by the Kenyanbased Nation Media Group and had been circulating in Tanzania for 20 years.

Journalists and vocal civil society activists do operate in a hostile environment in which they are regularly intimidated, threatened or even physically attacked. Staff members of a non-governmental organisation, for example, while informing communities of their legal or human rights, were intimidated by a regional commissioner and the police "because the authorities were unhappy with what we were doing".

In late 2012, two journalists were murdered, allegedly in connection with their work. Also, in July 2012, the government, invoking the 1976 Newspaper Act, imposed an indefinite ban on the Kiswahili *MwanaHalisi*, a daily newspaper known for its investigative and analytical reporting. The reasons given by the state were that the newspaper had published articles, without specifying which articles, that were "seditious, inciting, promoted violence and were likely to jeopardize peace in the country".

In addition, *Mwananchi* and *Mtanzania* newspapers were suspended from operating by the government in September 2013, for two weeks and 90 days respectively, for publishing articles deemed "seditious" and a threat to national security. As such, panellists felt "citizens in general have some fears about expressing themselves" when it comes to criticism of the state or other powerful interests

Private and community media journalists, as well as those working for media outlets owned by the state, face high risks for criticising President Jakaya Kikwete, the ruling party Chama Cha Mapinduzi (CCM) or the government. Not surprisingly, there is little such criticism in Tanzanian media.

"Editors are sometimes forced to collude with politicians to guarantee their safety."

Journalists working for private media houses also feel restricted in their freedom of expression by the business interests of the owners or their wives or other family members.

"They are always aware of the owner's interest and this leads to self-censorship... They feel they need to be loyal to their bosses or they may lose their job. The fear is definitely there... We express ourselves very carefully in Tanzania."

One of the panellists felt that despite the violence and intimidation experienced by some journalists and members of civil society, "the situation is better than it was 15 years ago when citizens could not express themselves at all".

But others felt that, while it may seem to be an improvement on the surface, there is a deep underlying fear. "The government wants you to report on what is seen, not what is under the carpet. If you try to bring this to light, you are done for, blacklisted."

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator

Average score:



2.7 (2012 = 3.3; 2010 = 2.0; 2008 = 2.8; 2006 = 2.1)

1.3 There are no laws or parts of laws restricting freedom of expression such as excessive official secrets, libel acts, legal requirements that restrict the entry into the journalistic profession or laws that unreasonably interfere with the functions of media.

There are more than 20 laws that curtail freedom of expression in Tanzania and thus impact negatively on the operations of the media. These include the draconian Newspaper Act of 1976 (which empowers the Ministry of Information, Youth, Culture and Sports to silence critical coverage by outright banning publications), the Prisons Act on 1967 (which prohibits journalists from interviewing prisoners), the National Security Act of 1970 ("a thorn in the side of the media") and the Prevention and Combating of Corruption Act of 2007. In addition, the recently passed Cybercrimes Act and the Statistics Act are seen by media stakeholders as not having "been made for the purpose of promoting media freedom, but of restricting it". The Cybercrimes Act grants the police broad powers of search and seizure, and criminalises the publication online of information that the state deems false or misleading, making it risky for anyone sharing information on social media

A panellist described the Statistics Act as "the 'election law' because its intentions appear to be to target, not statistics related to the economy or population, but political statistics".

Entry into the journalistic profession is not restricted by law in Tanzania. The Newspaper Act of 1976 makes no mention of minimum qualifications for journalists. However, journalists needing state access require press cards, which are issued to 'accredited' journalists by the Information Services department (accredited by a particular media house or with proof of relevant qualifications).

Panellists were unanimous that "anyone can become a journalist", regardless of their qualifications, and depending on the procedures of each media house. Some media outlets, however, do have strict hiring procedures.

Newspapers are known to commission inexperienced people to write for them in remote areas where there are no other options, while even urban-based newspapers hire unqualified journalists, usually on a freelance, not a permanent, basis, "because they can pay them less".

"Many people have no experience as journalists, but even they manage to get a press card just so they can get the 'brown envelopes' (cash handed out to journalists at press briefings)."

Restrictions in this regard are coming, however. The draft Media Services Act, which has not yet been passed by parliament, for example, stipulates that journalists will have to be accredited under the Act in order to practise and such accreditation will be carried out by the statutory Media Services Council, which is not yet in operation. Section 15 establishes a journalist accreditation board which shall consist of seven members appointed by the minister. The Chief Executive Officer of this board shall also be appointed by the minister. This composition makes sure that the majority on the board will always be government representatives.

Scores:

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator / / / / /
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator

Average score:

1.8 (2012 = n/a; 2010 = n/a; 2008 = n/a; 2006 = n/a)

1.4 The government makes every effort to honour regional and international instruments on freedom of expression and freedom of the media.

Although the Tanzanian government has ratified every regional and international instrument on freedom of expression, it rarely implements these by incorporating them into local laws and regulations; thus it fails to honour these instruments.

One example is the International Covenant on Civil and Political Rights, which protects all forms of expression and the means of their dissemination, and which the Tanzanian government has signed. In Tanzania, publications have been banned for speaking out against the government and the ruling party, thus the state does not honour this international instrument in practice. In addition, the African Charter on Broadcasting stipulates that broadcasting licences should be allocated transparently by well-funded independent regulatory bodies. This is not happening in Tanzania, where the granting of licences appears to be politically motivated and the commissioners of the Tanzania Communications Regulatory Authority (TCRA) are "riddled with political and economic corruption".

In the rare case where it does enact laws to protect rights related to these regional and international agreements, these rights are not guaranteed and can be taken away by other laws. This is the case with the Whistleblower and Witness Protection Act of 2015, which is ostensibly aimed at protecting those exposing corruption within the government. The Cybercrimes Act, however, makes it a criminal offence to publish information deemed incorrect by the state, meaning that whistleblowers could be charged.

"The criteria of these international and regional instruments is very clear, with regard to registration requirements, operation restrictions and resolving disputes. But in reality, we are in a bad situation. There is no real public broadcaster in Tanzania. And are commercial broadcasters doing what international guidelines stipulate? Also, community media has no support."

On a more positive note, mention was made of the opening up of the media sector in the past two decades. "Before 1992, there was only one radio station and a handful of media outlets in Tanzania, but today there are so many TV and radio stations and newspapers. We have not reached the ideal, but there has been a dramatic shift."

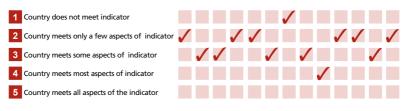
Other panellists criticised this praise, saying that one should not be blinded by the numbers of media outlets: what was important was the diversity, the quality and the freedom of the media. "In this country, if you criticise someone in power, you'll be shut out of business."

While the African Charter on Broadcasting divides the regulatory landscape into the three tiers of public, commercial and community broadcasting, no law in Tanzania sets this out, although all three of these different types of broadcasters do nevertheless exist in the country.

"In any civilised society, we need to perform according to laid-down regulations, which are not determined by any particular interest. In Tanzania, however, the future of any media outlet is determined by those people in authority who have the discretion of whether or not to register or suspend such an outlet. The media is at the mercy of the people in power, who are using laws which go against these international standards on freedom of expression and media freedom."

Scores:

Individual scores:



Average score: 2.5 (2012 = 3.3; 2010 = 2.2; 2008 = n/a; 2006 = n/a)

1.5 Print publications are not required to obtain permission to publish from state authorities.

A media outlet is required by law (the Companies Act of 2002) to register with the government as a company. Print publications are also required by law, under the 1976 Newspaper Act, to obtain permission to publish, in the form of a licence from the state body, the Registrar of Newspapers. Under this law, even newsletters and in-house publications should seek such permission.

"With the new Statistics Act, even research or non-governmental organisation reports will require permission from the government before they can be published. This will certainly change the climate in Tanzania, making it much more restrictive in general."

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator

Average score:

1.6 Confidential sources of information are protected by law and/or the courts.

In Tanzania, there is no statutory guarantee of the protection of confidential sources of information. The constitution and media-related laws are silent on this, while existing laws can compel the disclosure of sources, such as The National Security Act (1970), The Prevention of Terrorism Act (2001) and the Prevention and Combatting of Corruption Act (2007)

An early draft of the Media Services Bill contained a clause related to the protection of sources, following input from media stakeholders, but this was not in the subsequent draft Media Services Act, which was published in the Government Gazette in February 2015.

Until now, no one has ever been prosecuted for failing to divulge their confidential sources of information and as such no precedence in this regard has been set in a court of law.

Scores:

Individual scores:

1 Country does not meet indicator

2 Country meets only a few aspects of indicator

3 Country meets some aspects of indicator4 Country meets most aspects of indicator

5 Country meets all aspects of the indicator

1.2 (2012 = 1.3; 2010 = 1.8; 2008 = 2.3; 2006 = 1.6)

Average score:

1.7 Public information is easily accessible, guaranteed by law, to all citizens.

Access to information in Tanzania is not legally guaranteed and information held by state authorities and public institutions is not easily accessible to citizens. There is still no access to information law in Tanzania, although some steps have been taken in this regard and a draft Access to Information Bill exists. The draft has been beset by many failed promises on the part of the state and numerous delays. Almost a decade ago, in October 2006, the government published on its website a draft Freedom of Information Bill, which "they tried to rush through". This was rejected by stakeholders, however, because of its numerous omissions and deficiencies. Although stakeholders have been consulted on the content of the proposed freedom of information legislation, the current draft does not reflect their input.

The civil society-based Coalition on the Right to Information has been working to halt this bill from proceeding into legislation as in its current state it is, ironically, mostly restrictive.

"It is a mockery. The draft Access to Information Bill contains about two statements on the right to access information and 10 statements on why publicly held information cannot be disclosed."

The Public Service Act of 1962 restricts what public information civil servants, even those employed as information officers, can reveal.

This is despite the fact that the government, in September 2011, signed the Open Government Partnership (OGP) Initiative, showing its commitment to make government business more open to its citizens, and thus "improve public service delivery, government responsiveness, combating corruption and building greater trust", according to http://www.opengovpartnership.org. As a result, the web portal http://opendata.go.tz/ was set up to collect and publish data, and to date some information has been published here on what are largely considered to be non-sensitive or non-confidential issues such as health, water and education.

"With the OGP initiative, government has shown some commitment towards access to information, but it is still not law."

One of the biggest problems facing e-governance is the difficulty that even government officials face in obtaining information from their colleagues.

There was consensus that most civil servants are inefficient and will deliberately hide sensitive information from the public, while there is also an unspoken fear among many civil servants about the repercussions of disclosing such information.

"Even if you can get some information from the government, with the new Statistics Act and Cybercrimes Act you will probably be charged with a criminal

offence if you make this information public... Government stamps everything 'confidential', even routine correspondence."

In 2014, the Tanzanian chapter of the Media Institute of Southern Africa (MISA-Tan) awarded the judiciary, the "so-called soldiers of human rights", with the 'Golden Padlock' award for being the most secretive public institution in the country.

Scores:

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator

Average score:

1.6 (2012 = 2.5; 2010 = 1.6; 2008 = 1.3; 2006 = 1.1)

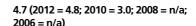
1.8 Websites, blogs and other digital platforms are not required to register with, or obtain permission, from state authorities.

While internet service providers (ISPs) are required to register with the state, websites and blogs are not. This is expected to change, however, with the recently passed Cybercrimes Act, which is not yet in operation.

Scores:

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- Country meets all aspects of the indicator



Average score:

1.9 The state does not seek to block or filter Internet content unless in accordance with laws that provide for restrictions that serve a legitimate interest and are necessary in a democratic society, and which are applied by independent courts.

There have been incidents where the state has sought to block internet content that was critical of the government and ruling party in general. No such cases have gone before the courts, however, and there is currently no requirement that a court warrant first needs to be obtained before a site is blocked.

"In other incidents where bloggers have been told by state officials to remove specific content, and they have been bold enough to refuse, these websites have subsequently been denied government advertising."

The JamiiForums website (previously known as JamboForums), which has become a very popular online forum for social debate in Tanzania, has also been a target of state ire. The site's founders, Maxence Melo and Mike KcKee, have been intimidated and threatened numerous times by state actors who have claimed that user-generated content on the site was defamatory. Because the website's servers are in the United States, the Tanzanian government could not actually shut down JamiiForums. Jamiiforums was targeted during a parliamentary session early 2015 when MPs warned the founders that the new Cybercrimes Law would "get them".

While panellists felt there was generally no obvious blocking of content by the state, and no judicial procedures or systems in place yet to permit this, "such blocking may take place without people even being aware of it".

It was noted that the TCRA apparently has a new monitoring device. In the past it used a device to filter key words in e-mails, SMSes and on websites, including social media such as Facebook and Twitter. "They cannot monitor WhatsApp and BBM though."

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator

Average score:



3.3 (2012 = 4.5; 2010 = 3.3; 2008 = n/a; 2006 = n/a)

1.10 Civil society in general and media lobby groups actively advance the cause of media freedom.

There are a number of active media support groups in Tanzania, which lobby for a more media-friendly legislative environment. These include the Media Council of Tanzania (MCT), MISA-Tan and the Tanzania Editors Forum. The MCT spearheaded the formation of the Tanzania Editors Forum and the regional press clubs, which are generally well supported.

The Coalition on the Right to Information, which comprises 11 civil society institutions, is headed by the MCT. Since 2006 the coalition has campaigned for access to information legislation and was involved in drawing up a draft bill. Unfortunately, the government does not appear to have taken on board the input of these stakeholders.

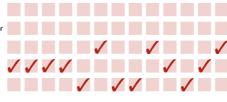
"They try to be effective, and they have certainly made efforts, but they are not getting the results they are looking for."

The coalition's members include the MCT, MISA-Tan, the Tanzania Editors Forum, the Media Owners Association of Tanzania, the Tanzania Media Women Association (TAMWA), the Legal and Human Rights Centre (LHRC), the Tanzania Citizen Information Bureau, the Tanganyika Law Society (the Bar Association of Tanzania Mainland), the National Organisation for Legal Aid and the Commonwealth Human Rights Institute. In terms of civil society groups, the nonmedia ones mentioned above are largely the only such groups actively supporting media freedom efforts.

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator

Average score:



4.1 (2012 = 4.1; 2010 = 3.2; 2008 = 2.7; 2006 = 2.8)

1.11 Media legislation evolves from meaningful consultations among state institutions, citizens and interest groups.

The government has generally engaged media stakeholders in consultations about pending media-related legislation. This includes public hearings to which stakeholders, non-governmental organisations and other civil society bodies are usually invited. Recently, however, particularly with the Access to Information Bill and the Media Services Act, the input provided by the stakeholders was largely ignored in the ensuing drafts. "Most laws evolve from consultations but, with it being an election year, the government is tightening up on the media, especially."

The meaningful participation of non-state stakeholders was highly questionable with the passing in parliament of the Cybercrimes Act, the draft of which was publicised online by the state for comment on a Sunday. This act was then rushed through "in a matter of hours" under a certificate of urgency, before interest groups and civil society had a chance to read the draft and provide any input.

"The government goes through the motions of appearing to consult citizens on laws but often relevant people are not invited to provide input and it is not well publicised by the state: you have to seek it yourself."

Again, the Cybercrimes Act is a case in point, where the government apparently conducted two meetings to discuss content of a draft bill, "but only state officials" had been invited to attend.

"Government hit the media on many fronts. And they distracted us by passing the Cybercrimes Act and the Statistics Act, while we were looking at the access to information legislation and the pending Media Services Act."

"It is a mockery. If it's legislation that the government wants, it will pass it because the ruling CCM has a majority in parliament."

Mention was made that the University of Dar es Salaam's Faculty of Law usually receives a copy of each draft to peruse, but in the cases of the Cybercrimes Act and the Media Services Bill, this process was not followed. "Even the Bar Association was caught off guard."

"Freedom of expression and information are still largely seen as media issues and urban ones at that. People don't realise that these issues affect everyone. The media could be a voice for citizens but because the environment is not free, the media doesn't necessarily represent citizens' views accurately. The media should be a platform for freedom of expression, not control... Media freedom is about citizens' freedom."

Scores:

Individual scores:

Average score:

1 Country does not meet indicator

2 Country meets only a few aspects of indicator

3 Country meets some aspects of indicator

4 Country meets most aspects of indicator

5 Country meets all aspects of the indicator

1.7 (2012 = 3.8; 2010 = 2.6; 2008 = n/a;

2006 = n/a)

Average score for sector 1: 2.5

ISION SATELLITE NEWS SATELLITE NEWS BROADCAST RADIO
LAST RADIO PAPER MAGAZINES PAPER MAGAZINES SATELL
LITE NEWS REPORTS THIRD REPORTS THIRD PAPER
MAGAZINES DEGREE DOCUMENTS DEGREE DOCULEGISLATION MENTS LEGISLALEGISLAQUESTIONS LAWS TION QUESTIONS LEGISL
QUESTIONS FREEDOM ANSWERS TION FREEDOM PUBLICAQUESTIONS FREEDOM ANSWERS PRESS FREEDOM
REPORTS THE PRESS P

SECTOR 2:

The media landscape, including new media, is characterised by diversity, independence and sustainability.

| INC 2 KC- | PUBLICATION | DEGREE DOCU- | MOEZIT |
|-------------------|------------------|--------------|-----------------|
| THIRD | | | PUBLIC |
| LEGISLA- | | | FREEDO PRESS |
| SUESTIONS | | | MEDIA |
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| INFORMA- | | | PAPER |
| COMMUNICA- | | | REPORT |
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| rELEVI- | | | -LEGISL |
| BROADCAST | | | QUESTI |
| SATELLITE | | | PUBLIC |
| PAPER ENES RE- | | | FREEDO |
| THIPD | MEDIA EFFICIENCY | DEGREE DOCU- | MEDIA |

The media landscape, including new media, is characterised by diversity, independence and sustainability.

2.1 A wide range of sources of information (print, broadcasting, internet, mobile phones) is accessible and affordable to citizens.

There is a wide choice of media, particularly print media, in Tanzania, but it is not necessarily affordable to the majority of the population. Nevertheless, in the past 15 years there have been a lot of improvements in communication infrastructure, transport and electrification, which have improved citizens' access to broadcast and print media, as well as mobile phone communication and the internet.

Print

In June 2015, 854 newspapers, magazines and journals were registered with the Registrar of Newspapers. The majority of these publications are privately owned. The government owns four newspapers: *Daily News, Habari Leo*, Zanzibar Leo and Sunday News. At an average cost of Tsh1 000 (US\$0,44), newspapers are out of reach for most of the 44.9 million citizens, 68% of whom live below the international poverty line of US\$1.25/day, according to Unicef statistics.

The long distances and poor road infrastructure in Tanzania also results in the delay of newspapers reaching commercial centres timeously, while there are many outlying areas that the print media never reaches at all.

"Even on Zanzibar, you won't get the newspapers before noon, while in Kigoma you are reading yesterday's news."

As an indication of the great distances involved, the far north-western parts of the country are 1,800km away from the capital Dar es Salaam, which is 560km north of Mtwara near the south-eastern border. The penetration of newspapers remains low, with one possible reason being that "people living outside the capital cannot relate to a Dar es Salaam newspaper".

In an effort to address these shortfalls, *Mwananchi* set up a printing press in Mwanza in 2014, from where the newspaper is distributed to the regions, instead of only from Dar es Salaam. This means that newspapers take one to two days to reach the far northern parts of the country, compared to the four or five days previously. *Mwananchi* has also tried to improve accessibility by bringing out different editions for rural areas

Broadcasting

According to the Tanzania Communications Regulatory Authority - TCRA, there are 26 and 84 licensed television and radio stations respectively which are commercial and non commercial. Their coverage varies from the national, regional and district level.

Mention was made that most television stations do not cater for deaf people by providing on-screen sign-language interpreters, making television largely inaccessible to people with hearing impairments.

In 2010, digital terrestrial television (DTT) was launched, providing citizens with more than 100 channels offered by the three licensed multiplex operators/signal distributors: Agape Associate Limited, Basic Transmission Limited and Star Media Limited. There are higher costs associated with DTT, making it less affordable than before, as citizens need to buy their own set-top boxes as these are not yet subsidised by the government (although this is reportedly in the pipeline), and there are fees to pay to the multiplex operators, ranging from TSh5,000 to TSh7,000 per month. The price for set-top boxes can range from TSh100,000 to TSh250,000. According to TCRA figures, there were 700,000 decoders as at December 2014.

"The digital migration is a positive development for accessibility, and it has opened up the bandwidth, but there are extra costs involved so it is not that affordable to the majority, only really for the middle class. Rural people, especially, will suffer."

Prior to the introduction of DTT, most rural areas without analogue television reception were using satellite decoders to receive the analogue signals of local television stations. Currently, there is still a dual broadcast of digital and analogue signals, although analogue television signals reach only part of the country. Panellists estimated that in rural areas, there is one television for every eight households. The owners of televisions will commonly charge neighbours to watch programmes on his or her TV set.

Radio remains the most accessible and affordable media in the country. There are no licence fees for owning a radio and, even in rural areas, the majority has access to radio. Televisions are less common but in rural and poor urban areas, community members share TV sets.

Mobile phones

Mobile telephony has really taken off in Tanzania in the past few years, and most adults own at least one. "Even those who can't afford a meal a day will have a mobile phone."

Mobile phones have become affordable with a flood of cheap Chinese handsets, selling at about Tsh10,000 (US\$4.38) each.

AFRICAN MEDIA BAROMETER TANZANIA 2015

Figures from the TCRA for December 2014 showed that mobile penetration was 67% of the population, taking into account the fact that many people have multiple mobile phone lines, with 31.8 million mobile telephone contacts officially registered. The number of fixed lines was only 10,000 and dropping.

"Mobile money (transferring money using mobile telephones) is one of the reasons mobile phones are so popular in Tanzania – people are using their phones as banks. In rural areas, mobile phones are a necessity, not a luxury."

Internet

In the past few years, access to the internet has increased in Tanzania. By the end of 2014, 11 million people had access, comprising 3.4 million via organisations and institutions and 7.7 million households. There were 239,000 internet cafes in Tanzania in December 2014.

The internet is still largely inaccessible in rural areas, which are hampered by the lack of electricity and poor infrastructure. Although mobile telephones are very popular in Tanzania, these are used more to facilitate financial transactions than for access to news or information through the internet. Data is also prohibitively expensive for the majority of citizens, with the cheapest 1GB data-only bundle retailing for anything between US\$ 2 and US\$ 5.

Scores:

Individual scores:



2 Country meets only a few aspects of indicator

3 Country meets some aspects of indicator

4 Country meets most aspects of indicator

5 Country meets all aspects of the indicator

3.6 (2012 = 3.3: 2010 = 3.0: 2008 = 2.8:

Average score:

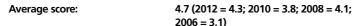
2.2 Citizens' access to domestic and international media sources is not restricted by state authorities.

2006 = 2.9)

The state in general does not restrict citizens' access to local or foreign media. Apart from a ban on the print version of *The EastAfrican* in January 2015, no other printed international publication has been banned by authorities. This publication is still available online, however, and those people who could previously afford to buy this print version can probably afford internet access.

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator



2.3 The editorial independence of print media published by a public authority is protected adequately against undue political interference.

In Tanzania, there is no legal protection of editorial independence from political interference.

The consensus among panellists was that the state does not interfere directly with the editorial content of private media but, except for the newspapers in the Mwananchi Communications stable, all the other privately owned media houses "have their own political and economic interests", which dictate their editorial stance. This is despite the fact that most members of the private media have subscribed either to in-house codes of conduct, or the MCT code of conduct, which stipulate editorial independence.

State-owned media outlets, in practice, are not truly public media institutions, although they are legally classified as such, and are funded by taxpayers' contributions with a budget approved by parliamentarians, who in turn have been elected by the people. Their content tends to reflect the narrow interests of the ruling CCM party, rather than the broader interests of the public. The senior staff of these state-run media entities are also government appointees, while their boards are appointed by the Minister of Information, Youth, Culture and Sports. Both the managing director (MD) and the editor-in-chief of the state-owned *Daily News* are appointed by the president, for example. Editorials in the state newspapers are "definitely controlled" in practice by the state and are often blatant government propaganda.

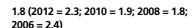
Panellists noted that interference in editorial content is not always direct, through the editor-in-chief, for example, but as a result of self-censorship "by people in the newsroom who want to keep the powers-that-be happy".

The legal structure within Tanzania also does not allow for the separation of state entities. "Everything is connected: the Tanzania Broadcasting Corporation (TBC), the *Daily News*, *Habari Leo*. Ministers can interfere in the operation of the state-owned media because there is no separation, no clear-cut law or policy to ensure that these 'public' entities operate independently."

Scores:

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator



Average score:

2.4 Transparency of ownership of media houses in print/broadcasting is guaranteed by law and enforced.

The ownership of media houses is meant to be transparent although some media owners find legal loopholes to circumvent this so they are not immediately identified with a specific publication or broadcaster. This can be done by hiding ownership under multiple companies or by hiding behind family members who are listed as the owners.

Publications are required by law to register their ownership with the Registrar of Newspapers, and this should be made public. Ultimately the owners can be traced, however, through due diligence, which will ultimately reveal the names of the directors.

The policy with broadcast media is stricter, through the TCRA, as greater transparency is required with regards to the company's directors.

"The print media falls under the Newspapers Act of 1976, which was a socially oriented law, and the government is not well-versed in monitoring this ownership. The electronic media, governed by the TCRA Act, is more robust and the state is tasked with enforcing the transparency of ownership."

"People generally know who owns what, although certain newspapers are clearly party-political mouthpieces, but when you look into their ownership, an unknown company is listed, not an individual."

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator



Average score:

3.8 (2012 = n/a; 2010 = n/a; 2008 = n/a; 2006 = n/a)

2.5 Adequate competition legislation/regulation seeks to prevent media concentration and monopolies.

There is no legislation in Tanzania that prohibits media concentration and monopolies. The TCRA regulations do not cover the issue of multiple ownership, although in terms of radio, there is a regulation stipulating the maximum number of frequencies that one entity can own.

Electronic and Postal Communications (Licence Procedures) Rules 2014, together with Electronic and Postal Communications (Radio Communications and Frequency Spectrum) provide for the following:

Community Radio

- 1 frequency with a limited transmitter

District Licence

- 1 license with slightly more radius of coverage

Regional Licence

- 10 frequencies which you can use in half of the country

National Licence

- 20 frequencies which you can use national wide

There is also no legislation relating to cross-ownership.

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator

Average score:



2.8 (2012 = 2.7; 2010 = 1.7; 2008 = 2.4; 2006 = 1.6)

2.6 Government promotes a diverse media landscape with economically sustainable and independent media outlets.

The Tanzanian media is diverse in terms of its ownership, although not in content, which the state allows in terms of registering many media outlets. Most media outlets are not economically sustainable, however, and the government does little to promote such sustainability, apart from providing the 30% tax break for Zanzibari broadcasters, waiving VAT for newspapers and making television cameras tax-free. Even that is being challenged. The government also does not specifically promote independent media outlets.

"It's one thing to remove the taxes from cameras, but for the electronic media our biggest cost is the equipment and we have lots of other expensive equipment on which we must still pay tax."

The state does not provide tax breaks for community media on the mainland and community radio stations do not benefit from the Rural Access Fund.

The International Telecommunication Union's Fund to Increase Access is specifically for laying fibre-optic networks and erecting transmission towers.

"Not even people within the Information Ministry seem to know about this Fund to Increase Access, which is in the building of a parastatal, Airtel."

A participant noted cynically: "If you can get a local councillor involved in a media enterprise, then you may get some state money..."

Mwananchi newspaper has turned the normal order of advertising on its head. Instead of having 60-70% of its advertisements from the state, the

private newspaper has managed to secure that percentage of advertisements from the private sector.

Scores:

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator



Average score:

2.8 (2012 = 1.3; 2010 = 1.8; 2008 = n/a; 2006 = n/a)

2.7 All media fairly represent the voices of both women and men.

Men continue to be much more visible in the Tanzanian media than women. They are mostly the sources for stories, the authoritative voices that get heard. Newsmakers, especially political sources, tend to be men in Tanzanian society, so most reporters operate within this context without making a deliberate effort to seek out comments from women.

A report commissioned by the MCT in 2013 ('A Contrasting Case Study of Mwananchi Communications Limited against the Yellow Press') focused on the under-representation of women in the country's media and the stereotypical negative and degrading representations of women. If women are featured in the media, it is often as 'soft news' (issues of health, 'women's issues', entertainment or something sensational), rather than the hard news of politics, which remains a very male-dominated arena.

"Even in articles about agriculture, where women are the primary producers, and articles about the environment, water and the cutting down of trees, women don't feature as sources."

The most recent Gender and Media Baseline Study, conducted by Genderlinks in 2003, showed that women appeared as sources in only 17% of news items in the print and electronic media. More than half of the media professionals in television (presenters and reporters) were women, but only 21% of print reporters were women. Panellists felt that little had changed in the past 12 years.

Most media houses have introduced a women's page or programme to profile women. Some panellists saw this as a positive development, while others felt that this practice of compartmentalising women continued to marginalise them. "We are all affected by politics and economics, so when covering these issues journalists should look at both perspectives."

"Unfortunately, the sensational news of a politician being caught in some scandal will always take precedence always over issues such as domestic violence, female genital mutilation, the marriage of young girls or maternal mortality."

However, the MCT's media monitoring project, conducted in 2011, showed that while there was definite gender blindness in news coverage, particularly by the 'yellow press'/tabloids, there was also a small amount of gender-transformative reporting. The MCT research showed that in *Mwananchi*, *The Citizen* and a tabloid, *Uwazi*, women represented only about 20% of all sources, while in two other tabloids, *Ijumaa* and *Risasi*, this percentage was over 30%. In 40% to 80% of the 1,066 articles analysed overall, only single sources were used. Interestingly, even in supplements published by *Mwananchi* and The Citizen, which were specifically aimed at women, men appeared as sources more often than women. The research showed that women were especially marginalised in the sports section (10%), business (20%) and politics (24%).

Advertisers and potential sponsors of NGO broadcast programmes are also guilty of negatively stereotyping women by only wanting to be associated with 'soft' programmes like beauty pageants instead of those about issues such as maternal health.

Panellists felt that because culturally men are more dominant in Tanzania than women, the media reflected this. In addition, about one-third of the population is Muslim: "Culturally, a Muslim woman cannot speak in front of men, so this inhibits women from having a higher profile."

The media in Tanzania is still not gender-sensitive and panellists noted that gender training for media staff was critical.

On a positive note, women's empowerment has created an emphasis on girls' education to the degree that many more women than before are attending tertiary training institutions. "There are more women journalists now and most of the staff on community radio stations are also women. There is a definite shift."

Panellists noted, however, that on television talk shows, most of the presenters and those attending debates and being interviewed are men. Most top-level media positions are also held by men in Tanzania.

"There are more women in the media in Tanzania but the 'glass ceiling' is still there. Women may become news or features editors but they rarely go beyond that "

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator

Average score:



2.6 (2012 = 3.4; 2010 = 2.7; 2008 = n/a; 2006 = n/a)

2.8 All media fairly represent the voices of society and its minorities in its ethnic, linguistic, religious diversity.

There are more than 120 ethnic groups in Tanzania, each with its own language and cultural traditions. From 1961, when the country became independent from British rule, the government actively promoted unity by encouraging just one of the country's African languages, Kiswahili, to be spoken officially. The official national linguistic policy, announced in 1984, declared Kiswahili and English to be the country's official languages and these are the only languages the media is allowed to publish and broadcast in, although there is some leeway in this regard for community radio stations. Kiswahili was the language of primary education and that of the social and the political sphere, while English was for secondary school education, universities and higher courts. In 2015, however, the government announced that English in school education would be discontinued.

Minorities – in terms of ethnicity, language and religion – are not fairly represented in Tanzania. "We don't look at it that way. The media respects the dominant culture. Swahili is our national language so most newspapers are published in Swahili."

The predominantly pastoralist Maasai from northern Tanzania are considerably sidelined. There is no local-language media for them, apart from community radio. Orkonerei Radio Service (ORS) is only allowed to broadcast the news in the Maasai language, while the remaining programming is broadcast in Kiswahili.

Homosexuality is criminalised under the Sexual Offences Special Provisions Act of 1998, which makes homosexual acts between men punishable by a prison term of at least 30 years and, at the most, life. As such, it is a socially taboo topic and homophobia is common. As a result, homosexual issues are ignored by the media.

"Tanzanian society is very conservative. Because the law prohibits homosexuality, we can't write about it or we would be seen to be promoting it... The government is really focussed on looking good for the donors, so the homosexuality issue is hushed up. It exists, but no one talks about it. If we did, it would put the country in a bad light and there would be funding repercussions."

An example was given in which a newspaper article about homosexuality was withdrawn by the editor-in-chief at the last minute for reasons of "morals and to safeguard the interests of society".

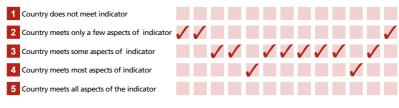
"The systematic suppression of issues related to sexual minorities is because homosexuality is considered morally unacceptable in Tanzania. Because there is no discussion about it, there is no understanding."

In terms of religion, panellists described the tensions between Christians and Muslims in the country as a "ticking time-bomb".

"The Muslim agenda wasn't taken up at independence. This simmering tension is not discussed but it exists."

Scores:

Individual scores:



Average score: 3.0 (2012 = 2.8; 2010 = 2.6; 2008 = n/a; 2006 = n/a)

2.9 Media cover the full spectrum of economic, cultural, political, social, national and local perspectives and conduct investigative stories.

While there are many players in the Tanzanian media market, the actual diversity of content within the media is limited.

Politics is a primary focus for most of the media; culture is normally covered as sport or traditional dancing; while economic analytical journalism and investigative journalism are rare.

"Investigative journalism is almost buried in Tanzania, because the media laws are so restrictive and because there is fear. Most people don't have the guts to do it... If those being investigated by a journalist don't kill you, they'll threaten to go after your family."

"When a story attacks top people in the government, it often won't even surface. The editor-in-chief will use self-censorship for fear of the personal repercussions this may have."

Nevertheless, there are still brave souls in the media fraternity. A number of big corruption scandals have been broken by the local media, including the Tanzanian energy/escrow scandal, after which senior government officials, including Housing Minister Anna Tibaijuka and Attorney General Frederick Werema, were forced to resign.

"Every day, these journalists put their lives on the line."

The Tanzanian Media Fund was established 2008 specifically to assist journalists to write investigative pieces on various topics, from corruption to maternal health. Through this fund, reporters were also sent to rural areas to cover stories.

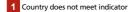
"When it comes to content, the electronic media has the biggest problem because of the costs involved in producing content. Broadcasters also generally refuse to pay for independent producers' content and instead ask the producer to pay for it to be aired. So the independent producer must find funds to produce the content and broadcast it!"

Because of these high local production costs, many television broadcasters purchase cheap content from other countries, such as telenovellas from South America. As such, there is very little local content being broadcast.

Local TV stations do make some effort to broadcast local music, including the popular 'bongo flava' (Tanzanian hip hop music).

Scores:

Individual scores:



2 Country meets only a few aspects of indicator

3 Country meets some aspects of indicator

4 Country meets most aspects of indicator

5 Country meets all aspects of the indicator



Average score:

3.9 (2012 = 3.3; 2010 = 3.2; 2008 = 2.3; 2006 = 3.1)

2.10 Private broadcasters deliver a minimum of quality public interest programmes.

Most private broadcasters do not provide public-interest programming, and most of their content is instead "cheap, foreign trash". This is despite the fact that broadcasting regulations stipulate that they have to broadcast some public-interest programmes. The level at which this is being done, however, is questionable.

ITV has been the exception to this rule, however. "ITV is doing a great job. They are the de facto public broadcaster and are doing more in this regard even than TBC. ITV is very bold in broadcasting debates on constitutional issues and the work being done by human rights organisations, which TBC won't cover, unless a public official is speaking.

Some of these programmes are made by independent producers, rather than ITV staff, and, as mentioned previously, sometimes these producers have to pay to air their programme.

Community radio stations are sometimes approached by listeners to rebroadcast specific ITV programmes on radio, and sometimes these are rebroadcast three or four times and elicit many phone-ins as a result, indicating a definite public interest in such programming.

Some panellists felt that while some private broadcasters may air public-interest programming, the quality of such programming was generally poor.

Scores:

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator





3.1 (2012 = n/a; 2010 = n/a; 2008 = n/a; 2006 = n/a)

2.11 The country has a coherent ICT policy and/or the government implements promotional measures, which aim to meet the information needs of all citizens, including marginalised communities.

The 2003 Information Communications Technology (ICT) Policy of Tanzania encourages citizens to use the internet more to broaden their knowledge by gaining health and educational information, for example. Ironically, the Cybercrimes Act, and the other draconian anti-media freedom legislation mentioned earlier, does just the opposite by tightening the online space and criminalising just about everyone who uses the internet.

"The Cybercrimes Act curtails freedom of expression. The entire Act is not bad, though – the provision about child pornography is important – but some of the other provisions have the effect of criminalising human rights."

Access to adult pornography, for example, is considered a basic human right, according to international standards, but the Cybercrimes Act criminalises this and lays down extremely harsh punishments for anyone found in possession of it.

"There is no definition of pornography in this Act, however, and something that the government sees as pornography may be educational material."

Panellists noted that JamiiForums continues to exist, despite the intimidation its staff have faced, because the ICT environment has been very conducive to internet freedom of expression up until the Cybercrimes Act was passed. Jamii Forums is Tanzania's number one most visited website and the most popular destination for Kiswahili speakers. "JamiiForums is unique in Africa in terms of the openness of the platform, and the site has a moderator to try to keep by validating claims."

In 2011, the Tanzanian Commission for Science and Technology established a technology hub called Buni, to "foster innovation and technology entrepreneurship through capacity building, mentoring programmes and community empowerment".

Individual scores:

5 Country meets all aspects of the indicator

- 1 Country does not meet indicator
 2 Country meets only a few aspects of indicator
 3 Country meets some aspects of indicator
 4 Country meets most aspects of indicator
- Average score: 3.5 (2012 = 3.3; 2010 = 3.6; 2008 = n/a; 2006 = n/a)

2.12 Government does not use its power over the placement of advertisements as a means to interfere with editorial content.

Panellists were unanimous that the government does use its power over the placement of advertisements to interfere with the editorial content of media houses.

"The media will generally buckle under such pressure."

The government is the biggest advertiser in the country, followed by mobile telephone companies and breweries, but some media outlets that are overtly critical of the government or those that publish outspoken opinions get little or no advertising from the state. JamiiForums is a case in point: it gets no state advertising at all, while out of all the advertising that the privately owned newspaper *Mwananchi* gets, only 30% of it is from the state, despite its large circulation. For most newspapers in Tanzania, government advertising comprises 70% of the total amount of advertising obtained.

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator 🗸 🏑
- 2 County meets only a terr depects of managers of
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
 5 Country meets all aspects of the indicator
- Average score: 1.6 (2012 = 2.2; 2010 = 2.1; 2008 = 2.0; 2006 = 2.4)

2.13 The advertising market is large enough to support a diversity of media outlets.

The advertising market is too small to support the many media outlets in Tanzania. *Mwananchi*, for example, has about 30% advertising per edition, compared to 70% content, while the standard ratio to ensure sustainability is 40% advertising to 60% content. The newspapers can also not count on a significant amount of income from circulation due to the small number of newspapers sold. For example, the combined circulation of the two biggest newspapers in the country, *Mwananchi* and The Citizen, is barely 50 000, while in neighbouring Kenya, which has a smaller population, the combined circulation of the two largest newspapers, *The Nation* and *The Standard*, is about 600 000.

"There is very little reading culture in our country, which impacts on the number of pages newspapers have and on their circulation figures."

Panellists noted that because there are very few manufacturers in Tanzania, there is less advertising. "Advertising levels are very low because most businesses are reselling goods made in China."

The fact that there is little competition in the commercial sphere in Tanzania also means that there is less advertising.

Accessing corporate sponsorship from multinational companies is also problematic in Tanzania. "Our proposals will be referred to the company's head office and we can wait months to hear if our submission has been successful. The whole of Tanzania gets less budget than Nairobi."

In addition, it is believed that 50% of companies' marketing budgets is directed towards brand activation, like road shows, rather than traditional forms of advertising in newspapers, or on radio and television.

"There are too many newspapers in Tanzania, mostly with similar content, and so advertising in these publications is seen as a waste of money."

Scores:

Individual scores:

1 Country does not meet indicator

3 Country meets some aspects of indicator

4 Country meets most aspects of indicator

5 Country meets all aspects of the indicator

2 Country meets only a few aspects of indicator / / / / / / / / / / /

2.2(2012 = 2.5; 2010 = 2.0; 2008 = 1.9;Average score:

2006 = 2.1)

Average score for sector 2: 3.0 ESION SATELLITE NEWS SATELLITE NEWS BROADCAST RADIO
LAST RADIO PAPER MAGAZINES PAPER MAGAZINES SATELL
LITE NEWS REPORTS THIRD REPORTS THIRD PAPER
MAGAZINES DEGREE DOCUMENTS DEGREE DOCULEGISLATION MENTS LEGISLALEGISL

SECTOR 3:

Broadcasting regulation is transparent and independent; the state broadcaster is transformed into a truly public broadcaster.

| FINE 7 KE- | PUBLICATION | DEGREE DOCU- | MOEZIT |
|------------|-----------------|----------------|------------|
| THIRD | FREEDOM ANSWERS | MENTS LEGISLA- | PUBLIC |
| E DOCU- | | | FREEDO |
| LEGISLA- | | | PRESS |
| SNETTIONS | | | MEDIA |
| PUBLICA- | | ANSWERS PRESS | HONEST |
| FREEDOM | | | BOOKZ |
| RESS PRESS | | | TION T |
| \IEM2 | | | OF VIE |
| EFFI- | | | MATION |
| Y HONESTY | | | CATION |
| Z BOOKZ | | | TION T |
| _ATION | | | BROADC |
| POINT OF | | | SATELL |
| INFORMA- | | | PAPER |
| COMMUNICA- | | | REPORT |
| -UTITZNOI | | | DEGREE |
| TELEVI- | | | -LEGISL |
| BROADCAST | | | "QUESTI |
| ZATELLITE | | | PUBLIC |
| PAPER | | | FREEDO |
| INES RE- | | | PRESS |
| THIPD | | | PARTY TO A |

Broadcasting regulation is transparent and independent; the State broadcaster is transformed into a truly public broadcaster.

3.1 Broadcasting legislation has been passed and is implemented that provides for a conducive environment for public, commercial and community broadcasting.

The Broadcasting Services Acts of 1993 enabled the establishment of commercial radio stations, while the Tanzania Communication Regulatory Authority (TCRA) Act of 2003 provided for the division of broadcasting services into public, commercial and community broadcasters.

"The structure is there, but the implementation is problematic."

In Tanzania, community broadcasters are not clearly defined and do not meet the requirements of the African Charter on Broadcasting, in terms of being community owned and controlled, with the community's interests at heart. The term 'community broadcasters' seem to refer to broadcasters with coverage only within a specific geographical area – usually limited to a district.

In Tanzania, community radio stations are often owned by local government, while community television stations are either owned by a faith-based organisation or local government. Community based organisations struggle to source sufficient funding to be involved in this sector.

In a way, the local government-run community broadcasters function as public broadcasting should, at a community level, while the 'public' radio and television stations, under TBC, are more state- than public-owned, with the ruling party's interests at heart

"The former director general of the TBC Tido Mhando was very keen to transform TBC into a truly public broadcaster, but his contract was not renewed. This happened soon after the ruling party criticised TBC in 2010 for having made its election candidates look bad. Religious stations, like the Catholic Charge Radio, are registered as community stations, and have limited district coverage although strictly they should be national in terms of their broad target. The Maasai radio station, Orkonerei Radio, is not comparable to those targeting small, rural communities but they are registered in the same way as those with a limited focus.

The TCRA is seen less as a regulatory 'policeman' and more as a partner in the media. The body's licensing procedures have become more lenient in the last three years, granting community broadcasting licenses even to politicians, which was not previously allowed.

There is the fear that these 'community' stations are just building the power of parliamentarians with their invested interests, rather than those of the community concerned.

Scores:

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator

Average score:

3.3 (2012 = 3.8; 2010 = 2.1; 2008 = 2.8; 2006 = 2.6)

3.2 Broadcasting is regulated by an independent body that is adequately protected by law against interference and whose board is not dominated by any particular political party and is appointed – in an open way – involving civil society and not dominated by any particular political party.

Broadcasting is regulated by the TCRA, which is protected by law through the TCRA Act, but not in practice. The appointment of its board is not done in independent or transparent manner and does not involve input from civil society.

In terms of the actual functioning of the regulatory body, panellists were unsure about its practical independence. It was noted that the TCRA's current Director General (DG) John Mkoma "has been resisting government pressure" and has been producing results in the process. However, he retires at the end of June 2015. "The independence of the TCRA really depends on the integrity of the individual DG."

In 2011, a clause was introduced into the TCRA Act saying that the Information Minister must approve the registration of broadcasters. This has introduced a political element to the registration process, which previously depended on the

financial status of the prospective broadcaster and the content it was planning to air.

"If a license is not approved, such as the case with *Mwananchi* Communications' application for a frequency since 2011, the TCRA is quite clear that the problem lies with the ministry, not the regulator."

While the TCRA Act states that the minister cannot interfere with the issuing of licences, the TCRA regulations, which are made by the minister, give him the power to approve licences, thus eroding the independence of the regulator. This gross inconsistency has so far not been challenged in the High Court through the judicial review process, although some of the community stations have formed the Community Media Network of Tanzania to lobby for policy change.

"The process has become political. A politician can get a broadcasting license in six months, while private groups can wait five years."

Scores:

Individual scores:

1 Country does not meet indicator
2 Country meets only a few aspects of indicator
3 Country meets some aspects of indicator
4 Country meets most aspects of indicator
5 Country meets all aspects of the indicator

Average score: 2.6 (2012 = 3.1; 2010 = 1.1; 2008 = n/a; 2006 = n/a)

3.3 The body, which regulates broadcasting services and licences, does so in the public interest and ensures fairness and a diversity of views broadly representing society at large.

Panellists felt the TCRA did its best under these circumstances to be fair in its regulatory role. The recently released TCRA code of conduct for election reporting is an indication of this.

"There are flaws in the licensing process but no radio station has actually been closed by the TCRA or had its licence revoked."

However, because the chairman of the TCRA is appointed by the president, there is a sense that it is not possible for the body to operate independently from the state, with society's interests, rather than those of the ruling party, at heart.

Scores:

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator



Average score:

3.2 (2012 = 3.5; 2010 = 3.4; 2008 = 2.8; 2006 = 3.0)

3.4 The state/public broadcaster is accountable to the public through an independent board which is representative of society at large and selected in an independent, open and transparent manner.

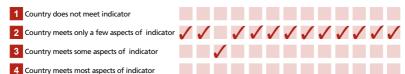
Legally there are no provisions to guarantee the independence of the two public broadcasters: the Tanzania Broadcasting Corporation (TBC) and the Zanzibar Broadcasting Corporation (ZBC). Because their boards are appointed by the state through the President and the Minister of Information, they are not independent. The chairmen of the Boards are appointed by the President but the criteria for this appointment is not transparent and there is a strong suspicion that nepotism and political favouritism are involved. The eight members of these boards are appointed by the Minister of Information.

However, under the establishment of the government of national unity, the President is from the ruling party and the Minister of Information is from the opposition party, there is a sense that the TBC and the ZBC are not as unaccountable to the public as many think and that there is actually some diversity on the boards, with board members, "experts in their field", being drawn from academia, government and media institutions. "There are very few members directly linked to political parties."

But other panellists disagreed, saying that there is sufficient political influence in the boards' appointment to make them political bodies as all the TBC and ZBC board appointments are done by government, while the staff are all employed as civil servants.

Scores:

Individual scores:



2006 = 1.5)

5 Country meets all aspects of the indicator

Average score: 2.1 (2012 = 2.3; 2010 = 1.9; 2008 = 1.7;

3.5 The editorial independence of the state/public broadcaster from political influence is guaranteed by law and practised to ensure balanced and fair news and current affairs programmes.

While the regulations that establish the two state/public broadcasters are seen to be quite good on paper in that they stipulate their editorial independence, in practice they are not free of political influence. Because the chairmen and directors-general of the two state broadcasters are appointed by the president, the broadcasters are forced to operate in such a way as not to shed negative light on the ruling party/government. DGs that were unsympathetic to this biased approach in the past have not had their contracts renewed and the content, especially of the news and current affairs programmes, is not balanced and fair, but with a distinct bias towards the ruling CCM party, which receives more, positive coverage than opposition parties, which are sidelined.

Individual scores:

5 Country meets all aspects of the indicator

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator

2006 = n/a

Average score: 2.2 (2012 = n/a; 2010 = n/a; 2008 = n/a;

3.6 The state/public broadcaster is adequately funded in a manner that protects it from political interference through its budget and from commercial pressure.

The two state broadcasters are not considered to be adequately funded, particularly due to political interference in their budgets. In practice, the broadcasters draw up budgets and present these to the Ministry of Information. The minister routinely slashes these budgets in half before they go before a parliamentary committee, where they are cut further.

In this way, the amount required from government for these broadcasters to operate optimally is drastically reduced. It is also common practice for the state not even to provide the budget that it finally agreed to. As a result, the state broadcasters are left running around trying to source sufficient funding for the running costs, making them susceptible to economic pressure from commercial interests. Fortunately for the staff, as civil servants, they are paid directly by the government.

"Not only is there political interference with the state broadcasters' editorial content, but there is also economic dependence."

Individual scores:

5 Country meets all aspects of the indicator

- 1 Country does not meet indicator
 2 Country meets only a few aspects of indicator
 3 Country meets some aspects of indicator
 4 Country meets most aspects of indicator
- Average score: 1.5 (2012 = 2.5; 2010 = 2.1; 2008 = n/a; 2006 = n/a)

3.7 The state/public broadcaster offers diverse programming formats for all interests including local content and quality public interest programmes.

While the state broadcasters' political programming is definitely biased towards the ruling party, with political opposition voices rarely being aired, other programming formats – on health or environmental issues, for example – offer more diversity and focus on issues of public interest. The state radio stations – TBC Fm, TBC Taifa and TBC International – are particularly effective in this regard.

Although the TBC is known to try to provide crews to go out and cover news in outlying areas, certain non-governmental organisations, such as the Legal and Human Rights Centre (LHRC), have been blacklisted by the state broadcaster. "Human rights and constitutional issues are generally suppressed by TBC. These issues are considered by the state to be politically dangerous and are, as such, controversial in the ruling party's eyes.

The state broadcasters have to meet a quota of 60% local content, which they do, although the quality of these programmes is often very poor. "The enforced 60% local content quota is one of the reasons these stations are branded 'boring'."

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator



2006 = n/a

Average score for sector 3: 2.5

| ISION LAST RADIO LITE NEWS MAGAZINES TS THIRD LOCU- LEGISLA- QUESTIONS PUBLICA- REEDOM | BROADCAST RADIO SATELLITE NEWS PAPER MAGAZINES REPORTS THIRD DEGREE DOCUMENTS LEGISLATION QUESTIONS LAWS PUBLICATION FREEDOM ANSWERS PRESS INTERVIEWS MEDIA EFFICIENCY | BROADCAST RADIO SATELLITE NEWS PAPER MAGAZINES REPORTS THIRD DEGREE DOCU- MENTS LEGISLA- TION QUESTIONS LAWS PUBLICA- TION FREEDOM ANSWERS PRESS INTERVIEWS | BROADC SATELL PAPER REPORT DEGREE LEGISL QUESTI PUBLIC FREEDO PRESS |
|--|--|---|--|
| ZZ 389 ZS | HEDIA CHICICINCI | TIMICKATEMZ | MEDIA |

SECTOR 4:

The media practise high levels of professional standards.

| FIAE? VE- | PUBLICATION | DEGREE DOCU- | MOFZIT |
|-----------------------|------------------|----------------|--------------------|
| THIRD | FREEDOM ANSWERS | MENTS LEGISLA- | BUBLIC |
| E DOCU- | | | FREEDO |
| LEGISLA- SUESTIONS | | | PRESS |
| PUBLICA- | | | HONEST |
| REEDOM | | | BOOKZ |
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| INFORMA- | | | PAPER |
| COMMUNICA- | | | REPORT |
| :ONSTITU- | | | DEGREE |
| BROADCAST | | | -LEGISL 'QUESTI |
| SATELLITE | | | PUBLIC |
| PAPER | | | FREEDO |
| INES RE- | | | PRESS |
| THIPD | HENTA ELLICIENCI | DEGREE DOCU- | MENTA |

The media practise high levels of professional standards.

4.1 The standard of reporting follows the basic principles of accuracy and fairness.

Most reporting in Tanzania is not considered to be of a high professional standard for a number of reasons, all of which impact on its accuracy and fairness. One of the factors responsible for biased reporting is the "brown envelope" syndrome. With up to 80% of the country's journalists working as freelancers who earn very little for the media work they do, many will only write reports about organisations or events if they are paid to do so by their sources: thus, the "brown envelope".

Even those journalists who are employed full-time at media houses are susceptible to this syndrome because their working conditions and remuneration are poor.

"If you want to get your news reported and get attendance at press conferences, you must pay the journalists. This will usually quarantee coverage."

Often non-issue stories take precedence for publication over the coverage of more important issues because the journalists have received these kinds of bribes.

"Fair reporting also depends on the subject matter and if it is in a particular media house's interests to report on it in an unbiased way, or even to report on it at all."

The generally low level of journalistic skills also impinges on the professionalisation of the media. If journalists attending press conferences are not provided with notes or press releases, often reports about the event will not appear or will be inaccurate.

Many reporters go for the brown envelopes and 'cheap' coverage, without taking the time to conduct proper research and write balanced reports. The result is reporting with very little depth or analysis.

There is also a strong tendency for newspapers to cover only sensational news or to make ordinary events sensational in order to boost sales. Television and radio stations are reportedly better at reporting the news accurately than newspapers, which "use any means to sell their papers".

The newspapers that arise shortly before elections are often guilty of reporting inaccurately and unfairly. Politicians are allowed to establish media houses and in the event that they do, their reporting is unlikely to be unbiased.

The political atmosphere also affects the media's impartiality as some journalists are used as public relations agents for particular political parties. "It is hard to be

impartial when you are paid to do a report. Some politicians even write the news for the journalists... Journalists should be influencing the politicians, but it often happens the other way around."

An estimated 70% of private media houses lack the skills and standards of ethical reporting. "Most of their staff are not even high school graduates. Because of the low salaries, some are even picked from the street just because they can write, and they are easily influenced by politicians and money. Even many of the owners of media houses are not professional media people."

In addition, the gate-keeping process in newsrooms is not as it used to be. Many newspapers have cut costs by doing away with sub-editors and the fact-checking that they do.

Not all media houses suffer from these shortcomings, however, and a few do make an effort to report fairly and accurately, according to internationally accepted professional standards. Particular mention in this regard was made of *The Citizen* and *Mwananchi* as being among those media houses with a high level of professionalism, which adhere to ethical codes of conduct and aim to get both sides of a story.

"If newspapers want to survive, they can't afford to be inaccurate or unfair because they will lose credibility. If we make mistakes, we make sure we publish an apology and a correction."

Scores:

Individual scores:

1 Country does not meet indicator

2 Country meets only a few aspects of indicator

3 Country meets some aspects of indicator

4 Country meets most aspects of indicator

5 Country meets all aspects of the indicator

Average score:

2.9 (2012 = 3.3; 2010 = 3.2; 2008 = 2.3; 2006 = 2.1)

4.2 The media follow voluntary codes of professional standards, which are enforced by independent/non-statutory bodies that deal with complaints from the public.

The non-statutory, self-regulatory body, the Media Council of Tanzania (MCT), has a code of conduct for both the print and the broadcast media, to which most media houses reportedly adhere. The MCT also encourages newsrooms to have their own codes of conduct to prevent journalists from being sent to the council. The MCT's complaints committee is used by aggrieved members of the public to complain about ethical shortcomings in the media. The council received about 30 to 40 such cases each year, "but twice this number in an election year".

"There is a 90% compliance rate from media houses accused of inaccuracies or unfairness, and they are normally very quick to apologise and publish retractions. We are doing well on self-regulation."

The MCT usually orders defaulting media houses to publish an apology, a retraction and a right to reply of the aggrieved party. It is very rare for the MCT's complaints body to order a fine. If this is done, it is usually not so much as a penalty but to compensate the aggrieved party. Cases brought to the MCT are settled within three months.

If people do not agree with the council's decision, they can take their cases to court, although this can be a very costly and lengthy process, sometimes taking up to five years. Media houses that are taken to court for defamation and found guilty are usually punished severely with very high damages.

"In one case, a court ordered a media house to pay damages of Tsh1.3 billion (US\$1 million). Because of these stiff penalties, the compliance rate with MCT decisions is very high."

Section 4 of the draft Media Services Act proposes the establishment of a statutory media council, which could impact severely on the media. Sanctions listed in the draft for erring media houses and journalists have created a chilling effect among media practitioners. The penalties range from fines of up to Tsh20 million and journalists' licences being revoked. "This could kill the industry."

"The government wants to control the media completely. The MCT's self-regulatory system is working effectively, but the state has no control in this area. If there is a statutory media council, a parallel structure, this will make the MCT's existence superfluous. There won't be room for both."

A concern for media practitioners is who would be nominated to such a statutory media council. "According to the draft, the chairman will be appointed by the President, while the other members will be appointed by the Minister of Information. It is clear where their allegiances will lie."

Scores:

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator



Average score:

4.1 (2012 = 3.8; 2010 = 2.9; 2008 = 2.9; 2006 = 3.4)

4.3 Salary levels and general working conditions, including safety, for journalists and other media practitioners are adequate.

As discussed in indicator 4.1, salary levels and working conditions for most journalists in Tanzania are very poor. This is exacerbated by the fact that up to 80% of active journalists in the country work as freelancers with no fixed contract or job security. This makes media practitioners particularly susceptible to corruption in the form of brown envelopes.

"Members of the press in Tanzania are the most exploited class in the country. They are exploited by the media houses which do not pay well, by society in general and by politicians, so they find any way to survive that they can."

Many freelancers are paid below the monthly minimum wage of TZS 150.000 and may earn just TSh20 000 for one story.

"Journalists can work for one media house for 10 years without a contract. This turns them into scavengers."

Because of the low levels of remuneration, many qualified journalists leave media houses to seek better-paid positions as public relations practitioners, resulting in a reduction of skills in the media industry.

Editors at the private newspapers *Mwananchi* and *The Citizen* earn between Tsh1.5 million and Tsh2 million a month, while a journalist with a diploma who is taken on a retainer straight from college earns around Tsh500 000 a month and

full-time journalists will earn at least Tsh800 000 a month. Other private media houses pay Tsh350 000 for entry-level journalists, while full-time, experienced journalists earn about Tsh1 million before deductions. Members of the press working for private publications are also not always assured their pay, as it is dependent on the capacity of consumers to buy the product.

Those working for state-run newspapers and broadcasters are at least assured of their salary at the end of each month, as they work as civil servants. They have security of employment and the option to take paid study leave to boost their skills and qualifications.

The poor salaries and rarity of full-time employment for most journalists are a result of media houses struggling to survive in a highly competitive environment with a small advertising market and low circulation levels.

In terms of their safety, media houses generally do not provide journalists with protection. Some investigative journalists are reported even to carry their own firearms for self-defence purposes. The Tanzania Human Rights Defenders Coalition reported that during 2014, 60 members of the press were harassed, intimidated and mistreated, usually by law enforcement officials. In 2013, 20 such incidents were reported. "The same people who are meant to protect them are attacking them."

Sexual harassment by colleagues or superiors in the workplace is also a common occurrence for young female journalists. "Editors may not publish your article if you don't agree to their sexual demands... When you are dependent on your income on someone who makes these kinds of demands, you are very vulnerable."

Scores:

Individual scores:

1 Country does not meet indicator

Country meets only a few aspects of indicator
Country meets some aspects of indicator

4 Country meets most aspects of indicator

5 Country meets all aspects of the indicator

2.2 (2012 = 1.8; 2010 = 2.5; 2008 = n/a; 2006 = n/a)

Average score:

4.4 Journalists and other media practitioners are organised in trade unions and/or professional associations, which effectively represent their interests.

Private media practitioners in Tanzania do not belong to trade unions, although there is awareness among journalists that they may be exploited to a lesser degree if they had the support of a union. Those working for state media houses belong to the Research Academics and Allied Workers Union (RAAWU).

The Trade Union for Journalists (TUJ) ceased to operate in 2011, after numerous attempts to revive it. State media professionals were not members of TUJ.

"It was difficult to recruit members of the media, partly as a result of the attitudes towards such a union by owners of media houses. But mainly, because most journalists don't have permanent contracts or job security, they are so busy hassling for their daily bread that they don't have time to think about organising themselves."

The country's media owners have since signed a code of conduct, according to which they are not allowed to restrict their staff from joining unions.

Fresh attempts to revive the TUJ have recently begun with the writing of a new constitution. The Trade Union Congress of Tanzania (TUCTA) recently held a meeting in Morogoro to this effect. "To become a recognised union, there need to be at least 500 members, something which the TUJ failed to achieve."

The Media Council of Tanzania (MCT) has stepped in and tried to resolve issues, which are not in its mandate, such as low pay and poor working conditions.

Journalists do have the right to be protected by law through the Employment and Labour Relations Act of 2004, although this is rarely taken up.

Other active media associations include the MCT; the Editors Forum, which was an MCT initiative; the Media Owners Association; and the Union of Tanzania Press Clubs.

Individual scores:

5 Country meets all aspects of the indicator

- 3 Country meets some aspects of indicator
- Country meets some aspects of indicator

 Country meets most aspects of indicator

2006 = 2.2)

Average score: 2.5 (2012 = 2.3; 2010 = 2.2; 2008 = 2.3;

4.5 Journalists and media houses have integrity and are not corrupt.

As discussed previously in indicator 4.1, the environment in which the Tanzanian media operates is conducive to encouraging corrupt practices, particularly in the form of cash bribes, or "brown envelopes". As a result, journalists are generally not considered to have integrity.

"This practice is so common among journalists and sources that there is a sense that it is not corruption, not grand corruption anyway. It is also known as business or political 'facilitation'. The practice does not only happen in the media: corruption is endemic to Tanzania, and it doesn't just emanate from the state. You could write a book about it!"

An agreement among members of the Media Owners Association stipulates that if a journalist is proven to be guilty of corruption by one media house and fired, they will not be employed by another member of the association. Panellists could not agree on whether this was enforced, however, as there were reported incidences of television reporters being found guilty of corrupt practices and then being hired by another television station.

Individual scores:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator

Average score:



2.3 (2012 = 1.5; 2010 = 2.0; 2008 = n/a; 2006 = n/a)

4.6 Journalists and editors do not practise self-censorship in in the private broadcasting and print media.

With threatening laws, like the Newspaper Act of 1976, hanging over the media, self-censorship is widely practised in most media houses in Tanzania.

Most editors fear being closed down by the government. As a result, self-censorship is usually an unwritten policy of most media houses, so there is rarely critical reporting about the state. Fear of losing advertising, especially from big advertisers, also results in self-censorship around negative reporting of these companies.

"Politicians who own newspapers set their own agenda through the publication and there are certain topics that just won't be reported on."

While many media houses have their own codes of conduct or are signatories to the MCT's code of conduct, when it comes to self-censorship, many don't stick to these ethical blueprints. While some media owners may influence editorial content, most are not aware of what will be published on a daily basis, and it is the senior staff and the editors who most practise self-censorship.

"Even in The Citizen, and market-leader *Mwananchi*, you won't find negative reports about the owner and his other businesses. It is just an unwritten rule to which all the staff subscribe."

Individual scores:

1 Country does not meet indicator
2 Country meets only a few aspects of indicator
3 Country meets some aspects of indicator
4 Country meets most aspects of indicator
5 Country meets all aspects of the indicator

Average score: 2.3 (2012 = 1.8; 2010 = 1.5; 2008 = 2.0; 2006 = 2.1)

4.7 Media professionals have access to training facilities offering formal qualification programmes as well as opportunities to upgrade skills.

There has been a blossoming of media training institutions in Tanzania in recent years, most of which are centred in the capital, Dar es Salaam. It is more difficult to access similar training in rural areas. The School of Journalism and Mass Communication at the University of Dar es Salaam, which offers degree programmes for a Bachelor of Arts (BA) in Journalism, BA in Mass Communication, BA in Public Relations and Advertising and Master of Arts (MA) in Mass Communication. The Journalism and Media Studies Department at the Open University in Zanzibar offers a BA in Journalism and a BA in Mass Communication, as well as the post-graduate MA in Mass Communication and MA in Journalism. The Open University has a number of branches across the country and also offers certificate and diploma courses. The Kilimanjaro Film Institute offers excellent training for camera people. Many institutions also offer in-house training to media houses.

There are four other universities and many colleges in Tanzania that offer some form of journalism training, fellowships and scholarships, and there are also online courses. A handful of journalism schools have had their licences revoked by the government for not offering credible training.

Some media houses, such as the Clouds Media Group or the publishers of *Mwananchi* and The Citizen, encourage their staff to improve their qualifications with further studying. The media house and the staff member each pay 50% of the tuition costs.

"Not all media owners are willing to allow their staff to take time off work to study full-or part-time."

The MCT, MISA-Tan and Deutsche Welle also offer short skills-enhancing workshops to practising journalists. The Tanzanian Media Fund was set up in 2013 to assist media houses in improving their investigative journalism offerings by providing in-house training to staff. The Tanzanian Women's Media Workers' Association has also been spearheading a campaign to help female journalists attend higher-education institutions.

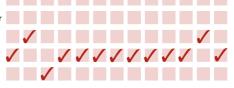
"Emerging issues, such as corruption and terrorism, require specialised training for reporters, and this should be included in the curriculum of journalism schools."

Scores:

Individual scores:

Average score:

- 1 Country does not meet indicator
- 2 Country meets only a few aspects of indicator
- 3 Country meets some aspects of indicator
- 4 Country meets most aspects of indicator
- 5 Country meets all aspects of the indicator



3.9 (2012 = 3.7; 2010 = 3.3; 2008 = 2.3; 2006 = 3.2)

4.8 Equal opportunities regardless of race or ethnicity, social group, gender/sex, religion, disabilities and age are promoted in media houses.

Tanzania generally has a very tolerant culture with regard to people with disabilities, but panellists were not aware if media houses had specific policies to cater for people with disabilities.

In terms of religion and faith-based community radio stations, there are elements of discrimination. Christians, for example, would not get a job on a Muslim station.

Some owners of media houses are also very restrictive in terms of their staff's religious freedom of expression and prohibit the wearing of a *hijab* (a Muslim veil that covers a women's head, face or body) at work.

In terms of the television industry, there appear to be sexual biases in terms of specific professions. Newsreaders are mostly women, but current affairs and 'hard talk' shows that discuss burning topics are usually hosted by men. Camera people are usually men, and it is a real challenge to find women to do this.

In the print media, the newsrooms are generally diverse, ethnically; ("We don't deal with ethnicity in Tanzania") although there also appear to be certain jobs that are gender-stereotyped. Editors and photographers are usually men, while most of the reporters are women.

"A problem for women employees in the Tanzanian media is that it is hard for them to advance in their careers because they usually have family responsibilities, which mean they will leave their work to have children or won't be able to work the long hours that their male counterparts often can because they need to be at home looking after the children."

Scores:

Individual scores:

1 Country does not meet indicator

2 Country meets only a few aspects of indicator

3 Country meets some aspects of indicator

4 Country meets most aspects of indicator

5 Country meets all aspects of the indicator

Average score: 3.5 (2012 = 4.0; 2010 = 3.5; 2008 = n/a;

2006 = n/a)

Average score for sector 4: 3.0

The way forward

1. What were the developments in the media environment the last 3-4 years since the last AMB panel discussion?

Positive

- 1. The uptake of social media by journalists and civil society activists has provided them with a new platform for free expression.
- 2. Digital broadcasting will boost accessibility; increase viewers' choices and open up the bandwidth.
- 3. Expose by the media of the Tegeta/escrow multi-million-dollar corruption scandal, which resulted in the ousting of senior government officials. "It's a wake-up call that we in the media can effect change!"
- 4. The registration of new print publications.
- 5. SIMO TV, an online television app.
- 6. Heightened interest from citizens in the constitutional review process, which could be used to leverage more public involvement in legislative changes in future.

Negative

- 1. Excessive use of open force towards the media by security officials in the last three years; the increase in state hostility towards journalists.
- Lack of meaningful consultation on new media-related legislation, which appears intent to clamp down on media freedom and freedom of expression.
- 3. Temporary suspension of *Mwananchi* and *Mtanzania* newspapers for allegedly publishing seditious articles.
- 4. The continuing existence of draconian, media-unfriendly legislation.
- 5. Digital set-top boxes are not subsidised by the state, making citizens' access to digital television more costly than before.
- 6. Reduction in funding from state to public broadcasters.
- 7. Increasing political interference from the state in the public broadcaster's editorial content
- 8. The delay in the constitutional review process, which became dominated by politics.

2. What kinds of activities are needed over the next 3-4 years?

- Protection of journalists: Campaign for the safety of journalists by feeding into international resolutions taken to increase the safety of journalists and end impunity in crimes against journalists; sensitisation campaign of government and law enforcement officials.
- Media law reform: Continue campaigning for the draconian and media-unfriendly laws to be reformed. Invite Pansy Tlakula, the African Commission on Human and People's Rights (ACHPR) Special Rapporteur on Freedom of Expression and Access to Information in Africa, or David Kaye, United Nation Special Rapporeur on Freedom of Expression, to do a mission to Tanzania to pressure the government to reform the legislation.
- Protect internet rights and freedoms: build bridges to, rather than demonise, the technocrats; generate an international outcry about the Tanzanian situation by talking to internet freedom activists in donor countries, so the activists can put pressure on their governments, which can put pressure on the Tanzanian government.

The panel discussion took place from the 5th to the 7th of June 2015, at Travellers Lodge in Bagamoyo, Tanzania

Panellists:

Media:

- 1. Fatma Almasi, private broadcast journalist
- 2. Absalom Kibanda, editor
- 3. Hassan Mitawi, state media director
- 4. Pili Mtambalike, media advocate/journalist
- 5. Henry Muhanika, media owners organisation/columnist
- 6. Joseph Sekiku, community radio representative

Civil Society:

- 7. Siham Ahmed, trade unionist
- 8. Natasha Issa, community activist
- 9. Judith Kapinga, lawyer
- 10. Damas Ndumbaro, lawyer/academic
- 11. Rose Ngunangwa Mwalongo, human rights advocate
- 12. Maria Sarungi, social activist
- 13. Salim Abdallah Zagar, interfaith organisation representative

Rapporteur:

Edetaen Oyo

Moderator:

Sarah Taylor

| Notes: | |
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