



TANZANIA

National Overview 2008
by MISA Tanzania

National overview

By Attilio Tagalile, a media consultant and former managing editor of the Habari Corporation, publishers of The African, Rai, Mtanzania and Dimba newspapers



Tanzania

The year 2008 will remain indelible in the minds of most Tanzanians and, in particular, members of the media for one historic development: the arrest and appearance before the court of former Minister of Finance Basil Mramba; former Minister of Energy and Minerals Daniel Yona; and the permanent secretary in the Ministry of Finance and Planning, Gray Mgonja. All three are facing eight similar charges that include, among others, the misuse of power that led the country to lose US\$10 million.

Before the three appeared before the court, 20 other high profile personalities – including businesspeople; a treasurer of the ruling party, Chama Cha Mapinduzi (CCM), in the western Region of Kigoma; and former officials from the Central Bank – were arrested and appeared in court on charges of fraud and theft. The charges revolved around the embezzlement of US\$130 million from the central bank, the Bank of Tanzania, through the use of fake companies.

Tanzanian President Jakaya Kikwete has already warned that more high profile Tanzanians will appear before the court to answer various charges, including corruption. With the exception of Mgonja, who remained behind bars for less than 10 days, the two former ministers and 20 others were remanded in custody for not less than 15 days before they were later released under tough bail conditions.

An overview of the state of media freedom in Tanzania would have been incomplete without highlighting these high profile court cases. This is because the arrest of the 23 people was the culmination of excellent investigative reporting by a section of the Tanzanian media, which started almost immediately after the inauguration in December 2005 of President Kikwete.

The word ‘section’ of the Tanzanian media has been used deliberately, because less than half of the Tanzanian media was responsible for the crusade against grand corruption and other ills in society, with the rest of the media outlets either sitting on the fence or embarking on the dirty job of cleansing the culprits. This goes to explain why the Tanzania Media Workers’ Association (TAMWA) was very selective when it presented a handful of certificates to members of the media that helped in the fight against corruption and other ills.

The state of media freedom

The government’s position as far as freedom of the media is concerned has remained much the same as before: hostile. This is evident by the continued existence of the draconian 1976 Media Law that was borrowed from the British colonial government. That the Tanzanian media has been able to survive 16 years after the re-introduction of the multiparty system in the country, even in cases where they exposed scandals both in the government and the ruling party, has not been due to the protection of media freedom from the law, but rather political support, especially from former presidents Mwinyi, Mkapa and now Kikwete.

For instance, when the managing editor of the Swahili weekly, *Mwanahalisi*, Saed Kubenea, was attacked in his office and had acid thrown in his eyes, President Kikwete was one of the first people to console him at his bedside at Dar es Salaam’s National Muhimbili Hospital. The following day, the president called on the media to leave no stone unturned in exposing whatever ills they came across without fear. It was, however, due to the lack of legislation to protect media freedom in Tanzania that a few months later the Minister for Culture, Information and Sports, George Mkuchika, slapped a three-month suspension on the *Mwanahalisi*, through the use of the 1976 Media Law, on the grounds that the weekly had debased the president and his family. The minister’s act and argument revolved around a story which claimed that Kikwete’s son, Ridhwani Kikwete, was being used by others to ensure that his father does not

serve the second five-year term. The three-month ban on *Mwanahalisi* is expected to end on January 12, 2009. Interestingly, this time the president remained mum on the saga, giving rise to more questions than answers.

During 2008, a number of journalists went the extra mile to ensure that ills afflicting the nation were laid bare for everybody to see, thereby forcing the government to take action. Media reporting, for example, forced the resignation of Prime Minister Edward Lowassa and two energy and minerals ministers: the then-incumbent minister Nazir Karamagi and his predecessor, Dr Ibrahim Msabaha. The resignation of Lowassa and the two ministers in February 2008 followed their involvement in what has come to be known as the 'Richmond saga'. This involved their decision to force the Tanzania Electricity Supply Company, Tanesco, to enter into an agreement with a dubious company for hiring of gas-to-power generators. The deal was meant to solve power cuts caused by drought.

The Richmond saga would not have come to light had it not been for the media's persistence on the issue. A few months later, the then Minister for Infrastructure Development, Andrew Chenge, was forced to resign after a British corruption watchdog, the Serious Fraud Office (SFO), accused him of having stashed US\$1 million of corruption proceeds in an offshore account. The minister had earned the money as a kickback for the supply of Radar to the Tanzanian government during the administration of former President Mkapa.

Por Attilio Tagalile

Attilio Tagalile é um consultor dos media e um ex- Editor Geral da Habari Corporation - Proprietários dos jornais African, Rai, Mtanzania e Dimba.



Tanzânia

Introdução

O ano de 2008 permanecerá indelével nas mentes da maioria dos cidadãos Tanzanianos, e em particular, no seio dos profissionais de comunicação social por causa de um desenvolvimento histórico.

A comparência de dois ex-ministros titulares das pastas de Finanças, Energia e Recursos Minerais, Basil Mramba e Daniel Yona respectivamente e o Secretário Permanente do ministério das Finanças e Planeamento, Gray Mgonja perante o tribunal para responderem várias acusações. Todos três homens estão enfrentando mais ou menos oito acusações similares que incluem, entre outras, o abuso de poder que conduziu o país a uma perda na ordem de USD10 milhões. Antes dos três comparecerem perante o tribunal, outras 20 personalidades de alto perfil que incluíam empresários, um tesoureiro do partido no poder, CCM, na região ocidental de Kigoma e ex-funcionários do Banco Central compareceram perante o Tribunal Judicial de Dar es Salaam para responder as várias acusações de fraude e furtos. As queixas estão envolvidas em torno do desfalque de USD 130Milhoes do Banco Central (conhecido oficialmente como Banco de Tanzânia) através do uso de empresas fictícias.

O Presidente da República Unida de Tanzânia, Jakaya Kikwete já fez saber que mais Tanzanianos de alto perfil comparecerão perante o tribunal para responder às várias denúncias que incluem a corrupção.

À excepção de Mgonja que esteve detido menos de dez dias, os dois ex-ministros e os outros 20 foram colocados sob prisão preventiva sob custódia durante 15 dias no mínimo antes que fossem soltos sob severas condições de caução.

Em poucas palavras, o estado da liberdade dos media em Tanzânia em 2008 teria sido incompleto sem dar ênfase, embora breve, sobre a detenção e comparência perante o tribunal dos dois ex-ministros, um secretário permanente que estava de férias preste a reformar e os outros 20 Tanzanianos de alto perfil.

A importância de aflorar as detenções de 23 Tanzanianos de alta nomenclatura reside no facto de que este é o culminar do trabalho esplêndido realizado por uma secção dos media Tanzanianos que começaram quase imediatamente após a investidura em Dezembro de 2005 do Presidente Kikwete.

A secção da imprensa escrita dos media Tanzanianos é usada deliberadamente porque menos do que a metade dos media Tanzaniano era responsável pela cruzada de combate de grande corrupção e outros males na sociedade com os restantes órgãos de comunicação hesitando ou embarcando no trabalho sujo de purificação dos acusados.

Isto serve para explicar pois, uma das associações mais eficazes dos media no país, a associação dos profissionais de comunicação social da Tanzânia, Tamwa, foi muito selectiva quando entregou certificados aos media que tinham desempenhado um papel excelente na luta contra a corrupção e outros males.

Somente um punhado de órgãos de comunicação social recebeu os certificados.

É este desenvolvimento que nos traz agora a uma condição na qual possamos agora avaliar o estado da liberdade dos media em Tanzânia no ano em análise.

Estado da liberdade dos media em Tanzânia

Resumindo, a posição do governo no que refere a liberdade dos media no país permanece inalterável, hostil, conforme correctamente reflectido pela existência contínua da lei draconiana de 1976 sobre os media que foi herdada do governo colonial britânico.

Os media Tanzanianos puderam sobreviver 16 anos após o reintrodução do sistema multipartidário no país, mesmo nos casos onde expuseram escândalos tanto do governo quanto do partido no poder, não foram devido à protecção da liberdade dos meios da lei, mas ante o apoio político, especialmente dos ex-presidentes Mwinyi, Mkapa e o actual Kikwete.

Por exemplo seria de recordar que quando o Editor Geral de um semanário em swahili, Mwanahalisi, o Sr. Saed Kubenea foi atacado no seu escritório e lhe foi atirado ácido a sua vista, foi o Presidente Kikwete que foi uma das primeiras pessoas que foram o consola-lo internado no Hospital Nacional Muhimbili de Dar Es-Salaam.

No seguinte dia, o Presidente instou os profissionais de comunicação social a manterem-se firmes na divulgação dos males que apurarem. Entretanto, deveu-se a esta falta da legislação que assegura a existência da liberdade dos media em Tanzânia que alguns meses mais tarde o Ministro da Cultura, Informação e Desportos, Sr. George Mkuchika suspendeu por três meses o Mwanahalisi (com recurso a Lei dos media de 1976) argumentando que o semanário humilhara, no seu artigo de fundo, o Chefe d Estado e a sua família.

A acção e o argumento do ministro em torno da história do efeito de que o seu filho, Sr. Ridhwani Kikwete, estava sendo usado, aparentemente sem o seu conhecimento, por indivíduos (provavelmente prestes a enfrentar a intensidade extrema da lei por causa das suas práticas corruptas) com vista a assegurar que o seu pai não seja reconduzido ao actual cargo para mais um mandato de cinco anos.

Prevê-se que o banimento por três meses do Mwanahalisi tenha o seu termo no dia 12 de Janeiro de 2009. Curiosamente, desta vez o Presidente manteve-se silencioso na saga, suscitando mais questões do que respostas. Por conseguinte, se se tivesse que resumir o estado da liberdade dos media em Tanzânia ao longo de 2008, não seria uma distorção afirmar que o ano registou esforços adicionais empreendidos por vários jornalistas a fim de se assegurar que os males que afligem a nação fossem revelados de forma que todos vissem e desse modo forçar o governo a tomar medidas.

As reportagens dos media forçaram a exoneração do Primeiro-Ministro, Edward Lowassa e dois Ministros de energia e de Recursos Minerais (na altura ministro em exercício) Nazir Karamagi e o seu antecessor, Dr. Ibrahim Msabaha.

A exoneração de Lowassa e dos dois ministros ocorreu na sequência da sua participação no que veio sendo conhecido como a saga de Richmond.

Isto envolveu a sua decisão de forçar a Empresa de Abastecimento de Electricidade da Tanzânia, Tanesco, a celebrar um acordo com uma Empresa suspeita de aluguer de geradores de gás. O negócio visava resolver as interrupções no abastecimento de electricidade causados pela seca.

O saga de Richmond não teria vindo à luz se não fosse a persistência dos media sobre o assunto. Alguns meses mais tarde o então ministro para o desenvolvimento de infra-estruturas, o Sr. Andrew Chenge foi forçado a renunciar após um fiscal britânico de combate a corrupção, SFO, acusa-o de ter depositado um milhão dólares Norte Americanos, tratando-se de rendimentos de corrupção, numa conta bancária no exterior. O ministro ganhara o dinheiro como luvas pelo fornecimento do Radar ao governo tanzaniano durante a administração do ex-Presidente Mkapa.

• **ALERT**

Date: January 7, 2008

Persons: Saed Kubenea and Ndimara Tegambwage

Violation/issue: Beaten, assaulted/ threatened

On January 5, two editors of the weekly Kiswahili-language newspaper Mwanahalisi were attacked and beaten by three anonymous machete-wielding assailants in their media house in Kinondoni, Dar es Salaam. Saed Kubenea and Ndimara Tegambwage were beaten and disfigured when their assailants poured acid on their faces. Kubenea, was admitted to Muhimbili Hospital, lost his sight and was expected to be flown to India for further treatment. Tegambwage, one of the founding members of MISA Tanzania, sustained head injuries requiring 15 stitches. He was treated and discharged from hospital. Talking to the media from hospital, Kubenea said he understood that the event was directly related to their work as journalists. Kubenea said the attack came after a series of death threats sent by text message, and after his car was torched by unidentified individuals in June 2007.

• **ALERT**

Date: May 7, 2008

Person/institutions: Tanzania Broadcasting Corporation

Violation/issue: Legislation

The Coalition on the Freedom of Information and Expression, comprising nine media and legal and human rights organisations, held a press conference on May 7 expressing concern about statements by the Minister for Information, Culture and Sports, George Mkuchika, who attacked them for not understanding and appreciating the proposed Media Services Bill. Mkuchika argued that concerns by non-governmental organisations (NGOs) on government ownership of media outlets were misplaced. He stated that it was preposterous for the stakeholders to recommend that the Government should not own media, while even big western democracies like the United States and Britain owned them. The coalition countered that they consulted nationwide in a bid to get legislation that will be supportive to the growth of a free and vibrant media that would articulate the right of citizens to free expression and to get informed as articulated in Article 18 of the Constitution of the United Republic of Tanzania, 1977 as amended thereafter.

• **COMMUNIQUE**

Date: July 19, 2008

Person/institutions: Media

Violation/issue: Legislation

The stakeholders' proposed Media Services Bill, 2008 together with the proposed Right to Information Bill, 2008 were submitted to the Parliamentary Committee on Community Development for consideration and support. The two proposed bills were officially handed to the Chairperson of the Parliamentary Committee, Jenista Muhagama, and guest of honour, the Deputy Speaker of the Parliament of Tanzania, Anna Makinda, during a two-day workshop on sensitisation that was held in Dodoma from July 17 to 18.

• **ALERT**

Date: July 26, 2008

Person: Vicky Ntetema

Violation: Threatened

A Tanzanian journalist, who is the Bureau Chief of the British Broadcasting Corporation in Dar es Salaam, Vicky Ntetema, has gone in hiding after receiving threats because of her undercover work exposing the dangers faced by albinos from witchdoctors. In her article published in Tanzanian tabloids titled: "Albino killings: Journalist in hiding for exposing Tanzanian witchdoctors", Ntetema explained how she managed to enter the compounds of witchdoctors in Lake Victoria zones, especially the Mwanza, Shinyanga and Mara areas. She says that people living

with albinism are killed because their body parts are alleged to provide the potent ingredient for magic charms, which many local people use to bring about success in business and love.

• **ALERT**

Date: July 29, 2008

Person/institutions: Saed Kubenea/*Mwanahalisi* newspaper

Violation/issue: Threatened/censored

On July 18, Tanzania police detectives entered and searched Hali Halisi Media House and the residence of the chief executive and managing editor of *Mwanahalisi* newspaper, Saed Kubenea. The Police, who had a search warrant that was issued by the Resident Magistrates' Court of Dar es Salaam at Kisutu, were searching for information relating to banking information of government and some public figures. The Police did not find any information but took an office computer that Kubenea was using and copied personal information from his laptop. *Mwanahalisi* has exposed embezzlement and graft.

• **ALERT**

Date: October 8, 2008

Person/institutions: Media

Violation/issue: Legislation

On October 8, Tanzania's Freedom of Information Bill Coalition Campaign submitted a draft Media Services Bill proposal to the Minister of Information and Culture, George Mkuchika. The draft is part of efforts to push for media policy changes in Tanzania. The minister commended stakeholders' efforts, which he described as geared towards improving press freedom, professionalism and accountability. He urged both public controlled and privately owned media to take responsibility to train journalists in order to enhance professionalism and accountability in the sector.

• **ALERT**

Date: October 13, 2008

Person/institutions: Saed Kubenea

Violation/issue: Other

On October 12, the office of the Director of Criminal Investigations summoned the managing editor of the *Mwanahalisi* newspaper, Saed Kubenea, for an interrogation in a matter yet to be identified. The summons came four days after the Ministry of Information and Culture issued a strong warning to *Mwanahalisi* for allegedly publishing a false story. The warning issued on October 8 followed a story published by the newspaper's Kiswahili issue of October 7, which claimed that there was a plot within the ruling Chama cha Mapinduzi (CCM) party to oust President Jakaya Kikwete in the 2010 elections.

• **ALERT**

Date: October 14, 2008

Person/institutions: *Mwanahalisi* newspaper

Violation/issue: Banned

MISA Tanzania expressed concern at the suspension of the weekly privately owned *Mwanahalisi* newspaper for three months from October 13 on allegations of continually running stories with the ill intention of inciting public hatred against the country's president and thus contribute to the misunderstanding within president's family and the ruling party. MISA Tanzania strongly opposed the unconstitutional suspension because it violated the right of the paper to media and freedom of expression. MISA Tanzania also said the government criminalised the media story that should have been taken up by those who were not happy with the story as a civil matter. It urged those who felt aggrieved by the story to utilise the Media Council of Tanzania to remedy the situation

• ALERT

Date: October 15, 2008

Person/institutions: *Mwanahalisi* newspaper

Violation/issue: Banned

Tanzania journalists, editors and media associations on October 14 condemned the ban of the weekly privately owned *Mwanahalisi* newspaper and resolved from October 15 to boycott publishing all news concerning the Minister of Information, Sports and Culture, George Mkuchika. The government, through the Ministry of Information, Sports and Culture, banned the publication of *Mwanahalisi* newspaper for three months from October 13, allegedly for running false stories about President Jakaya Kikwete's family and the ruling Chama Cha Mapinduzi (CCM). During the press conference held in Dar es Salaam yesterday, the Tanzania Editors' Forum resolved to 'black out' the minister from privately owned print and electronic media. At the meeting, which was also attended by MISA Tanzania and the Tanzania Media Women Association, editors and journalists from various media outlets deliberated to go to court to challenge the ban; planned to stage a demonstration to the Ministry of Information, Sports and Culture head offices in Dar es Salaam to submit their concerns; and write a letter to President Kikwete conveying the disappointment of media professionals in relation to the incident. Another measure decided on was to inform the international community about the concerns of the stakeholders.

• ALERT

Date: October 30, 2008

Person/institutions: Media/ *Mwanahalisi* newspaper

Violation/issue: Banned

Journalists from various media houses demonstrated their displeasure at the suppression of press freedom in Tanzania during a protest march on October 29. Editors and reporters from various media organisations staged the protest against the recent three-month ban imposed on the critical *Mwanahalisi* newspaper by the government of President Jakaya Kikwete. For the first time in the history of Tanzania, local journalists expressed open outrage in the streets against the government, accusing it of trying to stifle media freedom in the country. The scribes held placards denouncing the "state's disrespect of media freedom" and sealed their mouths with tape to dramatise the authorities' bid to silence the press.