



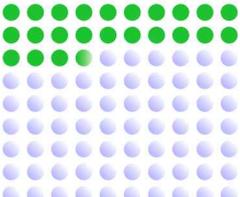
UPROAR

IHLANDLA 40 LE-UPR

ZIMBABWE

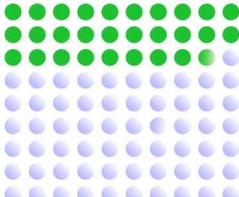
INKULULEKO YOKUTSHO OKUFUNAYO KANYE LENKULULEKO YOKUNGENA KU-INTANETHI

IMIZI ETHOLA I-INTANETHI



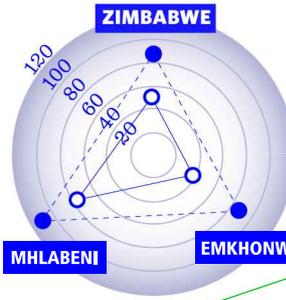
23.99%

ABANTU ABASEBENZISA I-INTANETHI



27.06%

INANI LABANTU ABAKU-INTANETHI NGAMAKHULU



- Omakhalekhukhwini
- Ibroband esebenzayo

Imithombo: Internet Telecommunications Union, Reporters Without Borders

INKULULEKO YABEZINDABA

Reporters Without Borders



IZimbabwe kumele yekele ukwephula imigomo yezokukhithwa kwezindaba ilungise imithetho kanye lengqubo zayo ukuze kuhambelane lemithetho yokunanzwa kwamalungelo emhlabeni wonke jikelele

IsiSekaMthetho seZimbabwe esomnyaka ka2013 sinikeza amalungelo agoqela elokuba lemfihlo, inkululeko yokutsho okufunayo kanye lenkululeko yokukhithwa kwemibiko, inkululeko yokufinyelela imibiko kanye lamanye amalungelo amqoka. Imigqa yomthetho le isebenza njalo lasekuvikelweni kwamalungelo afanayo ebulenjini. Phezu kwalokho, ilizwe leZimbabwe lilomlandu wokuvikela amalungelo wona la ngaphansi kwezivumelwano zamazwe omhlaba eziqondane lokwamalungelo oluntu, ezifana leSivumelwano sezokuvikelwa kwamalungelo kazulu lezombusazwe (*i-International Covenant on Civil and Political Rights, kumbe ICCPR ngamafitshane*) kanye leSivumelwano sezamalungelo oluntu lozulu e-Africa (*i- African Charter on Human and Peoples' Rights*).

Lobanje isisekamthetho kanye lemilandu yokulandela izivumelwano zamazwe omhlaba inika izibopho zokuvikela amalungelo lawa enkundleni zonke ezibalisela ebulenjini, ukwepulwa kwawo kuya kuqansa njalonje. Lokhu kugqela ukuhlaselwa kwentathelizindaba, ukuvalwa kwe-intanethi, ukulandelwa ngudlu zinhloli, ndawonye lentengo zokufinyelela i-intanethi eziqanse okwamagama - okwenza inengi labantu lehluleke ukungena ebulenjini.

Ngalokho-ke, sicela izizwe ukubana zinike inkuthazo eziqonde ukuvikela amalungelo aphyhelane lezebulenjini eZimbabwe ngehlandla lesithathu leUPR.

INKUTHAZO

- Kuyekelwe ukuhlaselwa intathelizindaba labagugquzeli, imithetho ekhona ephathelane lelungelo lenkululeko yokuba lemibono kanye lokutsho okufunayo ilungisiswe ukuze ihambelane lemithetho eqondeneyo emhlabeni.
- Kucinwe khona manje umkhuba wokucitsha i-intanethi mahlayana kanye lokuthatha amanye amanyathelo angekho emthethweni awokuphambanisa ukufinyeleleka kwe-intanethi.
- Kwehliswe intengo yokufinyelela i-intanethi njalo kubonwe ukuthi amaqembu abantu abavame ukungayifinyeleli ngokweneleyo, okufana labomama kanye labantwana besikolo, labo sebesenelisa ukuthola i-intanethi etshipheleyo.
- Kunanzwe ilungelo lokuba lemfihlo ngokusebenzisa ngokupheleleyo umthetho omutsha wokuvikelwa kolwazi.

INHLANGANISO EZIPHATHEKAYO¹



SMALL MEDIA



MISA ZIMBABWE CHAPTER



PARADIGM INITIATIVE



ZIMRIGHTS



APC



MEDIA ALLIANCE ZIMBABWE



ZLHR



ZCMIL

● Kuyekelwe ukuhlaselela intathelizindaba labagqunguzeli, imithetho ekhona ephathelane lelungelo lenkululeko yokuba lemibono kanye lokutsho okufunayo ilungisiswe ukuze ihambelane lemithetho eqondeneyo emhlabeni.

— Kumele kuguqulwe imithetho egoqela izigaba 31 lo33 zomthetho we *Criminal Law Code* oka2007; uSigaba 14 we*Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) Order*, oka 2020; izigaba 13 lo14 zomthetho we*Censorship and Entertainment Controls Act*, oka1967

Ngokutsho kogwalo olumayelana lesimo sokukhitshwa kwemibiko eZimbabwe, i*State of Media Report in Zimbabwe*, oluka2020, kube lezehlakalo ezingamatshumi amahlanu lambili (52) zokutshaywa, ukuhlukuluzwa, ukubotshwa kanye lokuvalelwa kwentathelizindaba ezimangaliweyo - zona eziqanse zisuka kwezingamatshumi amabili lasitshiyangalombili (28) ezimangalwe ngomnyaka ka2019.¹

NgoNtulikazi ka2020, intathelizindaba ezimeleyo, uGodfrey Mtimba, wabotshwa esetheswa icala lokweyisa uMongameli ngaphansi kweSigaba 33 somthetho we*Criminal Law Code*.²

Phakathi komnyaka ka2020 lo2021, intatheli esola amacala obugwelegwele, uHopewell Chin'ono, wabotshwa wamiswa phambi komthethwandaba kusetshenziswa iSigaba 31 somthetho we*Criminal Law Code* ebhekane lecala lokukhipha imibiko yamanga, ukugqunguzela udlakela emphakathini kanye lokuvimbela ukuqhutshwa kokwahlulela ngenxa yemibhalo yakhe ebulenjini.³

● Kucinwe khona manje umkhuba wokucitsha i-intanethi mahlayana kanye lokuthatha amanye amanyathelo angekho emthethweni awokuphambanisa ukufinyeleleka kwe-intanethi.

— Kumele kubonakale ukuthi imigoqo yonke efakwa ekufinyelelekeni kwe-intanethi, ekuvezeni imibono ebulenjini, ekubuthaneni kanye lekuhlanganyeleni iyahambelana lemithetho yamalungelo oluntu ekhona emhlabeni lasemkhonweni wethu.

Mhlaka 6 Ncwabakazi 2016, kuqhutshwa umkhankaso we *#ThisFlagMovement* enkundleni zokuxhumana ebulenjini, wona owawukhalaza ngokutshaphazwa kwengcebo zelizwe kanye lobugwelegwele, uhulumende weZimbabwe wavimba okwesikhatshana amagagasi enkundla yokuxhumana eye*WhatsApp*.⁴

NgoZibandlela ka2019, iZimbabwe yavalelwa njalo inkundla zokuxhumana ebulenjini kanye lamanye amakhasi amakhulu ebulenjini kulandela ukutshengisela okwenziwa nguzulu ekhalaza ngokukhwezwa okwakwenziwe intengo yamafutha ezimota ngesilinganiso sekhulu lamatshumi amahlanu ekhulwini (150%).⁵

Idale elikhulu leHigh Court yeZimbabwe ngokuya kwesikhatshi lanika isinqumo sokuthi ukuvalwa kwe-intanethi nguhulumende kwakungekho emthethweni.⁶ Kulandela ukuphanyekwa kwecala emthethwandaba yinhlanganiso ye*Media Institute of Southern Africa* (MISA) ndawonye le *Zimbabwe Lawyers for Human Rights* (ZLHR).⁷

INOMBOLO EZINGAPHANSI

- ¹ Media Institute of Southern Africa (MISA), 'State of the media report: 2020' <https://data.misa.org/en/entity/dgfc1wecg8f/>.
- ² MISA Zimbabwe, 'Masvingo journalist charged with undermining authority of President' <https://zimbabwe.misa.org/29/06/2020/masvingo-journalist-charged-with-undermining-authority-of-president/>.
- ³ NEWS24, 'Hopewell Chin'ono arrested for third time in six months' <https://www.news24.com/news24/africa/news/hopewell-chinono-arrested-for-third-time-in-six-months-20210108>.
- ⁴ Collaboration on International ICT Policy for East and Southern Africa (CIPESA), 'Zimbabwe Becomes the Latest Country to Shut Down Social Media' <https://cipesa.org/07/2016/zimbabwe-becomes-the-latest-country-to-shut-down-social-media/>.
- ⁵ NetBlocks, 'Zimbabwe Internet shutdowns amid fuel price protest' <https://netblocks.org/reports/zimbabwe-internet-shutdowns-amid-fuel-price-protests-OxAGDdBz>.
- ⁶ MISA Zimbabwe, 'High Court sets aside internet shutdown directives' <https://zimbabwe.misa.org/21/01/2019/high-court-sets-aside-internet-shutdown-directives/>.
- ⁷ Kubatana, 'The Internet shutdown: The High Court's ruling of 21st January - Court Watch 2019 / 1' <https://kubatana.net/31/01/2019/internet-shutdown-high-courts-ruling-21st-january-court-watch-2019-1/>.

● Kwehliswe intengo yokufinyelela i-intanethi njalo kubonwe ukuthi amaqembu abantu abavame ukungayifinyeleli ngokweneleyo, okufana labomama kanye labantwana besikolo, labo sebesenelisa ukuthola i-intanethi etshiphileyo.

— Izigaba 74 kusiya ku79 zomthetho wezeposo lencingo, i*Postal and Telecommunications Act*, zona ezithinta udaba lwesikwama se-*Universal Access Fund*, kumele zilandelwe ngokupheleleyo ukuze amaqembu angafinyeleli i-intanethi ngokweneleyo enlise ukuyithola ngenteng ephansi.

Izikolo eziyisilinganiso esingamatshumi amathathu ekhulwini (30%) phakathi kwezikolo zonke eziselizweni yizo zodwa ezenelisa ukufinyelela i-intanethi.⁸

NgonhloLANJA ka2020, intengo yokuthenga i-intanethi efonini yaqansa ngesilinganiso samatshumi amabili lanhlanu ekhulwini (25%), yabuye yaqansa njalo ngesilinganiso samatshumi amane lasitshiyangalombili ekhulwini (48%) ngoNkwenkwezi ka2020.⁹

Kusiyafika kuMpandula 2020, kungelani lokuthi abantu abanengi basebesebenzisa indlela zakulezinsuku zokuxhumana ngenxa yobhubhane lweCOVID-19, intengo yokuthenga i-intanethi efonini yaya ilokhu iqansa kokuphela ngesilinganiso sekhulu elilodwa lamatshumi ayisitshiyagalolunye ekhulwini (190%).¹⁰

Udlakela oluya ngokobulili olwenzakalela ebulenjini, olugogela ukuhlukuluzwa kanye lokukhahlanyezwa ezinkundleni zokuxhumana, selusiya luqansa njalonje - okuyinto esibangela ukuthi abantu besifazane bangangeni ebulenjini kangako. Ukuhlukuluzwa kanye lokukhahlanyezwa kwebulenjini kuvame ukuqondiswa kwabesifazane abadumileyo ezinkundleni zokuxhumana¹¹ lakwezombusazwe.¹²

INOMBOLO EZINGAPHANSI

⁸ NewsDay, 'Lack of internet connectivity affecting govt e-learning programmes' <https://www.newsday.co.zw/06/2021/lack-of-internet-connectivity-affecting-govt-e-learning-programmes/>.

⁹ Freedom House, 'Freedom on the net: Zimbabwe' https://freedomhouse.org/country/zimbabwe/freedom-net/2020#footnote4_16hpy8i.

¹⁰ Business Insider Africa, 'Internet, mobile call cost in Zimbabwe has gone up by almost 200% since September 1st 2020' <https://africa.businessinsider.com/local/markets/internet-mobile-call-cost-in-zimbabwe-has-gone-up-by-almost-200-since-september-1st/5694mwq>.

¹¹ The Standard, 'Cyber-bullying surges in Zim Lockdown' <https://www.thestandard.co.zw/19/04/2020/cyber-bullying-surges-zim-lockdown/>.

¹² Zim Metro, 'Linda becomes victim of cyber bullying, abuse' <https://www.zimetro.co.zw/linda-becomes-victim-of-cyber-bullying-abuse/>; Spiked, 'Women in politics must challenge cyberbullying' <https://spiked.co.zw/women-in-politics-must-challenge-cyberbullying/>.

¹³ NewsDay, 'Zanu PF breaks into Zec database' <https://www.newsday.co.zw/07/2018/zanu-pf-breaks-into-zec-database/>.

¹⁴ Citizen Lab, 'Running in Circles: Uncovering the clients of cyberespionage firm Circles' <https://citizenlab.ca/12/2020/running-in-circles-uncovering-the-clients-of-cyberespionage-firm-circles/>.

¹⁵ Biometric Update, 'Implementation of CloudWalk facial recognition technology in Zimbabwe progressing in stages' <https://www.biometricupdate.com/201805/implementation-of-cloudwalk-facial-recognition-technology-in-zimbabwe-progressing-in-stages>.

● Kunanzwe ilungelo lokuba lemfiHlo ngokusebenzisa ngokupheleleyo umthetho omutsha wokuvikelwa kolwazi.

— Kumele usigaba 5 womthetho omutsha wezokuvikelwa kolwazi, i-*Data Protection Act*, ukhangelisiswe ukuze kubunjwe inhlanganiso ezimeleyo ekhangela ngezokuvikelwa kolwazi, hatshi ukwethwesa inhlanganiso ye*Postal and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ)* omunye umthwalo futhi wokubona ngezokuvikelwa kolwazi.

Ngomnyaka ka2018, ibandla elibusayo lathumeza imilayezo kuzigidi zezizalwane zeZimbabwe lizikhuthaza ukuthi zivotele osengumongameli welizwe, u-Emmerson Mnangagwa. Imilayezo le yayibhalwe ukuthi iqondiswe kumnikazi wocingo ibhalwe langebizo eligcweleyo, inombolo yakhe ebhalisiweyo yokuvota kanye lesifunda sakhe sokuvotela, okuyinto eyakhathaza abantu abanengi malunga lokufinyeleleka mahlayana kolwazi lwabantu ababhalise ukuvota kudatabhesi yeNhlanganiso ye *Zimbabwe Electoral Commission*. Amankampani ezincingo zabomakhalekhukhwini ethweswa umlandu wokuveza ulwazi lwabanikazi ngaphandle kwemvumo esephula amalungelo abo okuba lemfiHlo kanye lokuvikeleka kolwazi lwabo.¹³

NgoMpalakazi ka2020, iZimbabwe yabhalwa kuluhlu lwamazwe asebenzisa inkampani ye 'Circles', okuyinkampani engumangena ngenxeba njengempethu ebona amathuba okugxumukela engoxweni zabantu abakhuluma encingweni, imibiko abayithumezelanayo, kanye lenkomba ezitshengisa lapho okulocingo oluthile emhlabeni wonke jikelele.¹⁴

Ngomnyaka ka2018, iZimbabwe yazinikela ukuthumela inkampani ye *CloudWalk Technology* eselizweni leChina inqwabanqwaba zolwazi lwabantu. Inkampani le yayithengisela ilizwe imitshina yokunanzeela ubuso babantu lokutsho ukuthi bangobani.¹⁵

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UPROAR Ikhokhelwa yinkampani yeSmall Media, isebenzelana ndawonye lezinhlanganiso ezibona ngezamalungelo ebulenjini emhlabeni wo ke jikelele.

Ukuze lazi okunengi, sibhaleleni kukheli ethi info@uproar.fyi