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## Covid-19 and Civic and Democratic Space

# TANZANIA

Tanzania has taken limited measures to stop the spread of the Covid-19 pandemic. After the first case of Covid-19 was reported on 17 March 2020, the authorities banned large gatherings, closed schools, cancelled international flights and mandated the wearing of face masks in Dar es Salaam.

On 20 July 2020, the late President John Magufuli officially declared Tanzania free from the Covid-19 virus. Subsequently, the authorities denied the prevalence of the virus, stopped testing, re-opened schools, lifted the suspension on international flights and permitted large events.

Despite the lack of testing and public reporting, there was evidence of a surge in Covid-19 cases in early 2021, prompting the late President Magufuli to acknowledge the prevalence of a "respiratory illness" in Tanzania on 21 February 2021.<sup>1</sup>

Covid-19 exacerbated existing threats to civil and political rights in Tanzania, where the government has enacted increasingly draconian legislation to limit free media, silence human rights defenders, activists and curtail the right to protest.

## FACTS AND FIGURES



**509** positive cases and **21** deaths were reported before official reporting of Covid-19 statistics ceased in late April 2020.<sup>2</sup>



At least **120** civil society organisations undertook awareness raising programs to support the fight against the Covid-19 virus.



On 25 April 2020, the late President Magufuli pardoned **3,717 prisoners** to free up space in prisons and limit the spread of the Covid-19 virus.<sup>3</sup>

**A woman collects water from an ActionAid Tanzania hand washing station. ©Steven Benard, ActionAid Tanzania**



# HUMAN RIGHTS IMPACT OF COVID-19 MEASURES

## The Right to Information

Authorities in Tanzania failed to uphold **the right to information** during the Covid-19 pandemic. On 29 April 2020, the government stopped publishing official Covid-19 statistics. Only top government officials, including the Prime Minister and Minister of Health, were authorised to share information about the Covid-19 pandemic.<sup>5</sup> On 10 August 2020, the Tanzanian telecommunications regulator prohibited media organisations from publishing or disseminating news about Covid-19 without government approval.<sup>6</sup> In addition to failing to provide accurate information about the pandemic, the late President actively downplayed the severity of the Covid-19 virus, encouraging people to inhale steam as a remedy, before admitting the prevalence of the illness in February 2021.<sup>7</sup>

## Freedom of Expression

Authorities **censored information about the Covid-19 pandemic** by intimidating and arresting journalists and harassing media outlets. In April 2020, authorities suspended the license of Talib Ussi Hamad, a journalist with the Daima daily newspaper, for six months for his reporting on Covid-19.<sup>8</sup> Three media organizations – Star Media Tanzania Ltd, Multichoice Tanzania Ltd and Azam Digital Broadcast Ltd – were fined 5 million Tanzania shillings on 2 April 2020 and ordered to apologise for “transmission of false and misleading information” about Tanzania’s approach to managing the pandemic.<sup>9</sup>

Activists and ordinary social media users have also been **penalised for speaking out** about Covid-19. Albert Msando, a lawyer in the Arusha region, was arrested on 29 April 2020 and later charged with allegedly spreading Covid-19 misinformation after he noted the severity of the virus in Arusha and urged journalists to report truthfully.<sup>10</sup> In March 2021, social media users were arrested for stating that President Magufuli was ill after the President was reported by Kenyan media to be in hospital.<sup>11</sup>

In July 2020, the government passed amendments to the Electronic and Postal Communications (Online Content) Regulations which criminalise the online



The late President Magufuli **was re-elected** on 28

October 2020. No measures were taken to prevent the spread of Covid-19 during the election.



In the lead up to the 2020 election, the authorities **arrested several opposition politicians** and blocked access to some social media platforms and phone communications.



The government **expanded social security schemes by USD 32.1 million** to address the needs of people newly unemployed due to the Covid-19 pandemic.<sup>4</sup>

publication of “news, statements or rumors for the purpose of ridicule, abuse or harming the reputation, prestige or status of Tanzania” and information regarding “the outbreak of a deadly or contagious disease” in violation of the right to freedom of expression.<sup>12</sup> The regulations further **curtailed digital freedoms** and access to information in Tanzania.

## **Freedom of Association and Civil Society Organisations (CSOS)**

ActionAid Tanzania collected information from more than 20 CSOs and Human Rights Defenders (HRDs) in Tanzania and found that the Covid-19 pandemic had a detrimental impact on CSOs and HRDs. Activities undertaken by CSOs in response to the pandemic included capacity building, awareness raising, monitoring and the distribution of medical supplies. Although some CSOs were able to continue working from home, those in rural areas and those without the necessary tools, like computers and internet connection, found it harder to continue operating. Many CSOs reported being unprepared for the crisis and lacking in necessary contingency plans. At least 90% of registered CSOs in Tanzania rely on foreign aid, which was cut due to economic crises in donor countries.<sup>13</sup> The declaration by the President that Tanzania was free of Covid-19 and that all CSOs with Covid-19 programs should seek government approval for their work meant that CSOs struggled to continue Covid-19 related activities.

“...due to [the] financial crisis caused by Covid-19 in their respective countries, some donors have reduced our grant. For instance, our organization had a contractual agreement with donors on Covid-19 interventions but until today we cannot proceed because they are hesitating to release the funds given that Tanzania was declared by the President to be Covid-19 free.” – **CSO representative from Northern Tanzania (who wished to remain anonymous).**

“...when the President declared Tanzania free from coronavirus... it was not easy to get any authorization to proceed with Covid-19 activities... we are still struggling to get government authorization to distribute imported hygiene equipment.” – **Representative from a CSO supporting people living with HIV (who wished to remain anonymous).**

Only a minority of CSOs were included in government interventions to combat Covid-19, such as the Risk Communication and Community Engagement (RCCE) program. An independent Covid-19 initiative coordinated by the CSOs Director’s Forum (CDF) was not supported by the government. After presenting a position paper to the Ministry of Health, the CDF initiative was accused of undertaking activities under an unregistered entity.

“Our role of coordinating other CSOs and HRDs to come up with...joint initiatives for Covid-19 ...has negatively affected us as an organization. We came to realize some [few] government officials were not happy to see [that] local CSOs are well coordinated and supportive... We were intimidated as an organization.” – **Representative from a CSO in Dar es Salaam (who wished to remain anonymous).**

## **Access to Justice**

Access to justice was severely limited due to Covid-19 restrictions in courts and prisons. Women and girls who experienced gender-based violence struggled to access legal aid services and other support provided by CSOs due to Covid-19 restrictions. On 19 March 2020, prison authorities banned prison visits, including by lawyers, to prevent the spread of the Covid-19 virus in prisons. Lawyers were also unable to speak to their clients securely over the phone, leaving prisoners without access to legal representation.<sup>14</sup> Attempts to litigate claims for political rights in advance of the October 2020 election were obstructed by delays in cases and reduced court activity. In June 2020, Tanzania’s parliament passed legal amendments that restrict the ability of CSOs to challenge government laws or policies in court, further limiting access to justice.<sup>15</sup>

## Economic and Social Rights

Denial of the existence of Covid-19 in Tanzania and subsequent lack of testing and preventative measures, such as social distancing and mask wearing, has allowed the virus to spread unchecked in the population, undermining **the right to health**. On 15 February 2021, the Medical Association of Tanzania issued a statement about an increase in patients with respiratory difficulties but did not mention Covid-19 explicitly.<sup>16</sup> Doctors speaking anonymously have noted the negative impact on public health of the denial of Covid-19 in Tanzania.<sup>17</sup> On 2 February 2021, the Minister for Health announced that Tanzania has no plans to accept Covid-19 vaccines, meaning only Tanzanians who are able to travel outside the country can receive vaccinations, which exacerbates health inequality.



**Participants at an ActionAid Tanzania workshop to raise awareness of Covid-19 © Steven Benard, ActionAid Tanzania**

## NATIONAL POLICY RECOMMENDATIONS

The Tanzania government should:

- consult with and involve CSOs in its response to the Covid-19 pandemic and refrain from imposing unfairly restrictive measures on CSOs;
- respect, protect and fulfil the right to freedom of expression and the right to information in relation to the Covid-19 virus, including by refraining from arresting, suspending or harassing journalists and media outlets for reporting on Covid-19;
- unconditionally release all HRDs, journalists and other persons arrested or fined for simply speaking about the Covid-19 pandemic and;
- ensure access to justice and uphold the rights of prisoners and victims of human rights violations to access legal representation and legal remedies, including during the Covid-19 pandemic.

## Endnotes

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August 2021