

**Ethical Journalism Network (EJN) in collaboration with the International Association of Women in Radio and Television - Tanzania Chapter (IAWRT)**  
**Workshop Title: Turning the Page of Hate**

**Theme: A Media Campaign for Tolerance in Journalism**

**12<sup>th</sup> - 13<sup>th</sup>, May, 2015**

**Venue: Peacock Hotel in Dar es Salaam, Tanzania.**



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## 1.0 Introduction

The International Association of Women in Radio and Television (IAWRT) Tanzania Chapter and the Ethical Journalists Network (EJN) on May 12<sup>th</sup>, 2015, convened a 2 days' workshop titled *Turning the Page of Hate in Africa; Putting Tolerance on the News Agenda*.

The two days session took place at Peacock Hotel in Dar es Salaam on May 12<sup>th</sup> - 13<sup>th</sup> 2015 and brought together 60 members of the press from Tanzania, Malawi, Kenya, Uganda, Nigeria, Rwanda and the UK. The main objective of the training was to carry out in the context of the Africa a wide campaign against Hate-speech in media - and the question of media coverage of gender issues and the upcoming elections in Tanzania.

The move meant to help the journalism community push back against editorial practice that can reinforce stereotypes, ignore the reality of violence against women at work and home that restricts progress towards genuine respect for gender equality at all levels of society. The workshop came as a continuation of the Turning the Page of Hate Campaign initiated in Kigali in April last year, and followed up in Kampala in May 2014.

In recent years, Tanzania has had some incidences indicating that the culture of political and religious tolerance is fading away amid threats to the media fraternity where members of the press have been under siege while on duty. The past three years have seen several journalists injured, with one killed while on duties by law enforcing organs. Thus, the session came timely ahead of the General elections slated for October 2015.



**Picture 1: Participants follow the proceedings during the conference**

### **On IAWRT:**

- A global organization formed by professional women working in electronic and allied media with a mission to strengthen initiatives towards ensuring women's views and

values are an integral part of programming and to advance the impact of women in media.

- Is managed by international board, which approves growing number of local chapters.
- Collaborates with media organizations, organizes conferences, implements projects and undertakes activities. It is in consultative status with the United Nations Economic and Social Council (ECOSOC).

**Vision:**

- To provide opportunities, share strategies and contribute towards the development of women in broadcasting by exchanging professional and technical knowledge and experiences.
- To offer professional skills in training with a focus on gender perspective in programs, development issues and management.

**1.1 Welcome Remarks: Madam Rose Haji Mwalimu- Local Chapter IAWRT (AWRTT)**



**Picture 2: Madam Rose Haji Mwalimu**

The presenter began her speech saying the title for the conference spoke millions by itself, and shed light on reasons for the gathering.

“Tanzanian is heading for a very important and sensitive period due to the coming elections slated for October 2015. I say sensitive owing to the nature of tension in this year’s election

where several people have shown interest to vie for the higher post. There is a saying that politics is a dirty game, and indeed it may be true, but I still believe that the media as the mouthpiece for the public can play a great role to ensure that the game does not turn dirty but rather mitigate it for the best interest of this good nation of ours.

I have a strong conviction that the two days discussion will enable members of the press in the country to share experience with the rest of the participants who have gone through turmoil times and managed to pass through it through not only ethical reporting, but also shunning away from hate speech.

Kindly feel free to share your experience and let us understand that whatever other countries may have gone through did not come deliberately but rather due to things going out of the way. Let us borrow a leaf from others by learning a hard lesson while knowing that peace is very expensive, and hate speech can make it even more expensive.

Lest we forget that this time, we have a daunting task ahead of us with draconian media laws in place to hold us accountable. The Statistics Bill, The Newspaper Act of 1976 as well as the Cyber Crime Act are more than enough for members of the press in the country. Let us move cautiously and know that the situation is very delicate.

Once again, thank you for your attendance and I wish all of you some good deliberations for the betterment of all our countries.”

## 1.2 Speech by Madam Racheal Nakitare IAWRT



**Picture 3: Madam Racheal Nakitare makes a speech**

Madam Racheal Nakitare began by shedding light of IAWRT as a global organization formed by professional women working in electronic and allied media with a mission to strengthen

initiatives towards ensuring women's views and values are an integral part of programming and to advance the impact of women in media. Key points:

- IAWRT is an international global chapter with 12 chapters which looks on gender stereotype in media especially on the programs.
- Only 25% of women are used as sources in the media with the remaining being men.

### 1.3 Speech- Aidan White, Director EJN



**Picture 4: Mr. Aidan White makes his opening remarks**

Mr. Aidan White began by highlighting that the EJN African network was established after the Genocide in Rwanda that saw thousands of innocent people massacred as a result of hate speech aired by a radio station. He said that the two organizations had convened the session to enable journalists to understand the role of the media during elections and come up with solution over what can be done to overcome hate speech, terrorists and propaganda in democracy. He said hate speech such as those used during the democratic process in Kenya can cause genocide, adding that the public tend to pay attention to the press information.

**1.4 Speech:- Elisabeth Sewabe- Hansen- Counsellor- Political Affairs, Royal Norwegian Embassy, Dar es Salaam.**



**Picture 5: Elisabeth Sewabe-Hansen addresses delegates of the 2 days conference in Dar es Salaam**

Madam Hansen said Tanzania had made stride when it came to addressing hate speech against women. She said there ought to be a way where issues on gender can be balanced citing the example of her country which was faring well when it came to gender issues.

She raised questions for participants to ponder over how the media solved these issues when it came to vulnerable people.

**Highlights:**

- Check on balance of women in democracy
- How do countries use the media for good rather than destruction
- In Darfur a research was conducted on how materials can be reached through hate speech.
- Safety of journalists as well as how to mitigate it is very important.

- Journalists have a role to be responsible and to exercise integrity.

### 1.5 Key Note Speech- Mohamed Garba: President, Federation of African Journalists (FAJ)



**Picture 6: Mohamed Garba: President, Federation of African Journalists (FAJ)**

Mr. Garba began by paying tribute to organizers saying the session was a good platform where participants can look on the media especially on issues of gender and security issues of journalists.

**Key points:**

- Hate speech has been an obstacle in the media especially insults, which incite discrimination, fear and intimidation.
- The African Continent is battling against hate speech especially in countries which are perpetrated against it.
- What took place in Rwanda during the 1992 genocide was perpetrated through hate speech in the media
- Politicians are placing force mechanism in the media and this leads to hate speech (political instability).
- A school of thought – African countries are settling much on violence characterized by ethnicity, religion, racism
- Politicians are a source of spreading hate speech around many countries.
- On social media:
- Hate speeches are spread through Facebook, twitter while as journalists use written papers containing it.



- Hate speech through internet is spread by people who are not journalists but rather those who still don't know anything on journalism ethics.
- It is about time journalists were entrusted to write and post speeches on social media.

**Way forward:**

- African media should be more vigilant
- African media should put measures and restrictions on hate speech
- Respect should be guaranteed.
- Journalists and media owners should make sure that hate speech come to an end.
- The media should understand about sensitivity of issues.
- The Association of Journalists should pioneer the move against hate speech.

**2.0 1<sup>st</sup> Presentation: Advocate Imelda Urrio- The Director of Empowerment and Accountability at the Legal and Human Rights Centre (LHRC)**



**Picture 7:Adv. Imelda Lulu Urrio the Director of Empowerment and Accountability - LHRC**

Advocate Imelda Urrio gave an overview of her organization as human rights NGO with legal mandate to operate within the Tanzania mainland. She gave an overview of the country's legal status in terms of freedom of expression saying the country had ratified conventions and instruments.

She said the Freedom of Expression is provided for in a number of international conventions citing them as

- The Universal Declaration of Human Rights ( 1948),
- Article 19 of the International Convention on Civil and Political Rights ( ICCPR)

- Article 18 of the Constitution of the United Republic of Tanzania, 1977 where the freedom of speech without interference has been guaranteed.
- She said Tanzania had also ratified the African Conventions on Human Rights (1981) adding however that hate speech is not explicitly mentioned as there is no provision on it.
- According to Urrio, Tanzania has in recent years began to experience problems on hate speech issued by political as well as religious leaders with the situation getting worse due to lack of tolerance.

**Key points:**

- There have been cases where Tanzanians began to count leaders on their tribal or religious lines
- In 2012, several worshipping places and bars were burnt in Zanzibar due to hate speech.
- There have been some animosities over who should or should not slaughter cattle between Muslims and Christians. The situation led to the death of a pastor.
- Urrio then went further to highlight the 8 signs of genocide saying something ought to be done to avert the situation.

**2.2 Presentation: Turning the Page of Hate: Defining the Challenge of Journalism- Aidan White**

Mr White's presentation highlighted over EJN as a coalition of professionals groups from Europe and around the world committed to building trust in media and promoting principles of ethical journalism, good governance, and self regulation in digital age. He said the media must cause no harm and ensure that they exercise under the cornerstone of what journalism is made of adding that combating hatred is about telling the story in Context according to ethical obligations which are: Truth , Independence, Impartiality, Humanity and Accountability.

Mr. White said the Media in Rwanda played a critical role in instigating genocide. According to Mr. White there are people who want to use the media to relay their propaganda adding that generators of hate speech are in the community and religion world.

Hate speech he said is used to encourage reproduction in the media challenging upon members of the press to avoid people who want to use them to spread violence. He said journalists must always know what the limits of hate speech saying its International definition is a speech designed to promote hate, a definition he stressed needed a more rational definition to what hate speech is. He faulted the rush to publish saying it has threatened the civility of good journalism "*Good journalism is taking time before you can publish the news,*" said Mr. White. Mr. White raised concern over the safety of journalists saying he found no excuse of someone executing members of the press just because one doesn't agree with what they do. He said Journalists must challenge hate speech wherever it may come from be it from a minister, imam, and cleric and should never publish it. He said a question was over the limits and who to draw the red lines which define the frontiers of tolerance.



**Picture 8: Participants pay attention during the presentations**

**Key points:**

**Hate Speech and Free Expression**

- Context in which journalists report information is everything.
- Hate Speech can be a way of mobilizing public support for actions that threaten the lives of others
- Propaganda has always been an important strategic aspect of making war.
- People are entitled to free speech even if they hold offensive and hurtful opinions.

**Challenges of Combating Hate in Media:**

- Hate speech being a matter of international concern since 1945
- International legal prohibition over hate speech related to race and ethnicity
- Lack of clear definition
- Need for informed, careful and inclusive journalism

**Elections; A test of Journalism and Democracy, Journalists must ensure they:**

- Provide information on the election process
- Provide information on Political Choices
- Give Voice to All
- Promote Civility in Public Discourse
- Expose Corruption.

**On Accuracy and Humanity journalists were reminded to:**

- Make fact based communications
- Be careful, sensitive reporting
- Give information people need
- Challenge hate speech
- Avoid Rush to Publish

## Hate Speech in the Media Focus

Islamaphobia  
Anti-Semitism  
Genocide  
Religion  
Race relations  
Migration  
Gender equality  
Homosexuality



### 5- Point Test for Hate Speech for journalist to take heed of:

- (I) **The Position or status of the speaker:** saying something outrageous does not make it newsworthy.
- (II) **The reach of the speech:** private conversation in public does little harm, but speech to large public audiences and through internet can have widespread impact.
- (III) **Intention of the speech:** A journalist must ponder over the objective of the speech, whether it targets marginalized groups, incites violence and who stands to suffer or benefit from it.
- (IV) **Content and form of speech:** on whether words, pictures, gestures and manner of the speech is likely to generate intense hatred and incite violence.
- (V) **The Economic, Social and Political Climate:** Inflammatory speech is particularly dangerous at times of political tension, the threat of war and of public anxiety over social and economic conditions.

### Recommendations: Media Solidarity, an election manifesto

- Conduct a dialogue with other media to Combat Common Threats.
- Demand Respect from Political Community over Right to Report and Hate Speech
- Work Together to Protect Safety of Journalists.

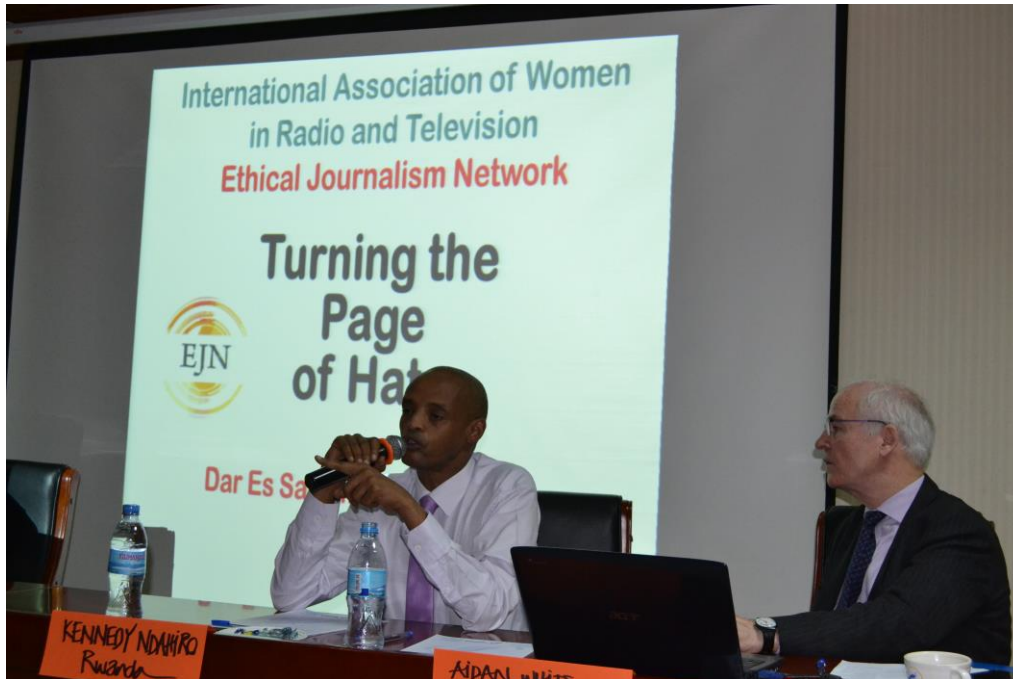
## **Today Everyone can Tell Their Story**



**It's only Journalism if it's ethical**

### **2.2.1 Panel Discussion: Kennedy Ndahiro- Rwanda**

Mr. Kennedy Ndahiro said most people don't recognize hate speech cautioning however that once the word gets out of the mouth, it can never be returned back. "People should not take lightly over what is happening in Tanzania. Leaders have an obligation to mitigate the situation beforehand. If journalists report each and everything, they would be doing exactly what the perpetrators want. Journalists should not do so. Most African media circulate a lot of reports that have been circulated by a lot of people," said Ndahiro wondering over why the African media did not depend on own stories instead of those from outside the continent to minimize harm and be fair to everyone. The media want things that are on the extreme or sex reporting and this, could be instigating hate. Journalism is not a game; their responsibilities should not be taken light as they are people's lives on line, cautioned Ndahiro.



**Picture 9: Kennedy Ndahiro from Rwanda shares his country's experience**

**2.2.2 Panel Discussion: Lucy Ekadu**



**Picture 10: Lucy Ekadu sheds light on hate speech**

Madam Lucy Ekadu began by posing a question over whether the public posed challenges to journalists or scribes were their own monster. She wondered over why journalists should take the centre stage on issues to the society while they were uninformed about it. Madam Ekadu

displayed a picture of a woman and her baby on the back who had been killed in South Africa due to xenophobia attacks. She said the said attacks had resulted from the media carrying it irresponsibly by spreading a single hate speech from a Zulu leader.

In another note, Ekadu mentioned some of the worst scenarios of gender based violence attacks citing one as a case involving a prominent woman judge who was killed after she had prosecuted a very high terrorist case.

According to Ekadu, the challenge is over how informed and objective journalists are, as it does not matter on whether one is female, male, Christian, Muslim or pagan for that matter, as they ought to remember that they are the fourth state as well as the mouthpiece for the voiceless,.

Ekadu told participants that a radio station in Uganda was once shut down because someone made a statement on an attack calling upon the Baganda to rise up and attack. She said Kampala went in chaos as a result adding that the subjectivity went overboard the objectivity.

“A journalist ought to stay away from emotions. It is the role of the media, to tell a story, one is as good as the story they tell, how do they become dynamic in the society. They ought to get a wakeup call. There are some cases where female mental patients were found to be getting pregnant. Mentally ill patients are considered vulnerable, their rights are being violated, but journalists ought to ask what is going on. Media report a lot on battery, rape and don't go with a story to a conclusive end, over how the victim is coping or the role played by the government and organizations. Journalists must go beyond that and see how they can change the situation,” said Ekadu. She stressed upon members of the press to understand how to report on violence against women, saying their role is to make sure that the story is reported objectively and accurately.

Another experience shared was on bad reporting in regard to the Ugandan Pornography Act which was reported to have been branded by the media as the Mini- Skirt Bill. She said the brand name and misreporting seemed to suggest that the Bill was there to ban short attire a situation which led men to start undressing Ugandan women who were clad in miniskirts. She said a single Bill can cost lives and not only one life adding that Members of Parliament can be very challenging and can only be good when they need journalists but at times be min. According to Ekadu, the Ugandan president monitors what the international world says about his country.

On the power of the media, Ekadu said at one point journalists in Uganda campaigned against press muzzling and within 24 hours MPs spoke a different language. She said Journalists tend to discriminate over who reports on what, some may come from affluent media houses and may not want to associate with others. “Discrimination is bad be it mentally or not,,” said Ekadu while challenging , journalists to know that violence against women is one of the things they ought to mainstream and should take it at a personal level.”

**2.3 Building a Culture of Tolerance in Journalism through Media Education: Dr. Ayoub Rioba- Lecturer, School of Journalism and Mass Communication, University of Dar es Salaam.**



**Picture 11: Dr. Ayoub Rioba makes a point during his presentation**

Dr. Ayoub Rioba began by suggesting that journalists ought to read the page of hate before they can turn it. He said he had been making a close follow up of Africa where he realized that the continent fought wars using weapons that they don't even manufacture, but do so by selling mining resources. He said Rwanda may have done well in terms of its economy, but its horrifying account will not go away

“When hate goes into madness, it goes into genocide. Malnourished children are more likely to misuse the freedom of speech into hate speech due to that. The gap between the poor and the rich makes the continent prone to hate speech,” said Dr. Rioba.

He said not every difference was an efficient and wondered on whether the media deliberately plan violence or genocide or they are merely used by some people. According to Dr. Rioba, a particular group of people tend to include media people who share historical memories to collude with. He cautioned that there are no journalism principles which teach journalists to propagate hate and violence.



“People tend to take it for granted that people would understand what democracy is. They think it is brought by developed countries in the container. It is brought by struggle. The challenge is on how the media can help to manage conflict, and gender issues.

### 2.3.1 Questions /rejoinder/ clarification/comments

**(a) Question: Are media laws in Uganda, Rwanda, and Kenya as draconian as is the case in Tanzania or is the situation any different?**

**Rejoinder -Ugandan Journalist Union:** draconian media laws seem to be a continent situation. Overregulation of the media, is in all cities in Uganda where there are some people monitoring all newspapers, radio and television stations. Resident commissioners are president’s representatives and more often they tend to go as far as to seek details of all journalists, addresses and, where they live. There have been times where we were forced to say we can never reveal it unless it was under the court order. The Broadcasting Council in Uganda regulates the media also, and laws are always adjusted when there is terrorism, act. Legislators, once in a while send members of the media out of their way while as police also tend to mistreat journalists when they report on crime. Some are mishandled, injured and equipment destroyed. The Ugandan press has tried to hold a dialogue with the police to keep a harmonious relationship. Uganda has an independent Media Council which is very redundant and was told there was only media council in the country. Self-regulation is a way to go the Media Council’s offices has been closed. We managed to challenge a law on sedition and eventually it was repelled. There are however other laws in courts of law to be challenged, it is a hard task. Some laws are redundant until the government decides to use it depending on the season.

**Rejoinder from Kenya-** the Kenyan Constitution offers press freedom and guarantees that the government cannot ban a media outlet. The media fraternity in Kenya is however concerned by statements issued by the President. There are times when he tells the public to ignore media and use it on chips and meat. The Media council is not as independent as it should be and there are regulations which can put journalists out of business for good if they violate the code of conduct.

**Rejoinder from Rwanda:** the media has been free than never before. The government doesn’t regulate the media, but controls frequencies. Rwanda has a Media Commission and there is access to information and anyone with it must ensure they reveal it. The government can close newspapers. The media fraternity in Rwanda is still trying to fight libel, decriminalization.

**(b) Question for Rwanda: Does the Nation Regulatory Authority cooperate with the media and do they show support?**

**Rejoinder from Rwanda:** Rwanda has two regulatory authorities and the Rwandan regulatory, is elected and comprised of journalists. The other agency, deals with frequencies of broadcasting and content. Needless to say, BBC was shut off from Rwanda.

**(c) Question: What is the effect of Brown envelope syndrome and does it have any significant impact to the media?**

**Rejoinder from EJN:** most journalists exercise journalism in precarious situations and thus prone to exploitation. In Pakistan there are some journalists who are not even paid a single penny and work in newspapers, and thus use their press cards and receive money from people who can pay for the publication of stories. In Latin America people are given half an hour in radio and they have to get advertisers to pay for the space. Journalists must first make a happier line with politicians and accept payment. In china it is called red packets; it is a form of disguised corruption. It is very challenging; talk of democracy, ethics and on other hand work in dirty business. One cannot divorce ethical journalism from the social lives including working in a safe environment. It is a reality- (corruption) ethic and standards doesn't mean putting their lives on bottom, we have to put it from every layer from down or way to top. Need to build a culture of transparency between the government and the media parameter. Ethical journalism cannot be guaranteed when they are elements of corruption at the higher level; it has to do with all levels. We have to have all levels in the media declare no to hate speech just as is the case of corruption.

**Rejoinder from Tanzania:** The media should work to ensure that everyone is satisfied with it or else there will be hate. Poor pay, working conditions, owners' interest; threats are some of the challenges facing the media fraternity in Tanzania. The country has so many media outlets, thus getting adverts is another issue. Some editors are forced to sensationalize to sell or else be fired. The question is how to balance, as more often hate tend to produce a very good selling point. There is also creativity where news is now produced in comedy and at times bad jokes go with it. If people are not careful, propaganda and hate speech can slip in.

**(d) Observation from Uganda: There is no definition of hate speech; hope at the end of the session delegates can come with it.**

**Rejoinder from EJN:** We have to be careful and we are going to find it very difficult to find a formal definition but it does not have to show blood. A picture may be beautiful with no violence but may be full of hatred due to the context over how it is used. The most important thing is to create freedom for journalists to be able to decide over what ought to go or not due to being related to hate. Any person intended to incite violence against another group is hate speech and no matter what it is, hatred causes humiliation, causing one to take own lives is hate speech. It is vital for journalists to be keen on pictures used when dealing with vulnerable groups such as children and youths and what it can do to them is tantamount to violence. The most important thing is for journalists to make the decision freely without being told or instructed to take these decisions that is challenging.

**(e) How have vernacular stations affected the training of journalism in Tanzania as they look on gender taking into consideration that there is a lot of infiltration in it?**

**Rejoinder: IAWRT Tanzania Chapter:** There are isolated cases where radio stations use vernacular language. There is only one radio station in Tanzania mainland namely Okonorei in Loliondo. It has a 10 minutes news bulletin broadcasted in Maasai language but the rest of the programs are aired in Kiswahili language due to the country's policies. Other radios stations which use vernacular language are Micheweni in Pemba, and Makunduchi in Zanzibar. This is due to their Kiswahili lacking conformity as it is not well articulated by people in the mentioned areas. Thus, they have some programming on social issues to be aired in their Makunduchi and Kimicheweni. Needless to say, there is always danger over hate speech.

**Rejoinder from Uganda:** the president promised to promote press freedom. The prevalence of several media outlets does not necessary mean press freedom. There are community based radio stations in Uganda but they are mainly owned by politicians and are at times crude in ethics and are always busy making money. There is no minimum wage for members of the place in Uganda and non-professionals relatives head media stations instead of journalists. One is employed due to family affiliation rather than anything. At least 150 counties in the country have some media institutions and the latter are trying to modernize media ethics.

**Rejoinder from Kenya:** Vernacular media outlets are ground for hate speech. The ICC case is one of such example and the only journalists charged there used vernacular language and it was aired to tell other members to eliminate others. Tanzania should be grateful that it has few radio stations which use vernacular language in its coverage.



## 2.4 The Role of Law and Constitution in dealing with Free Expression and Hate Speech: Pasience Mlowe, Lawyer and Researcher from the LHRC



Picture 12:Mr. Pasience Mlowe makes his presentation

- *Definition of “Hate Speech” according to the Council of Europe’s Committee of Ministers*

*“Hate speech” shall be understood as covering all forms of expression which spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance, including: intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against minorities, migrants and people of immigrant origin.”*

- *Therefore; in this sense, “hate speech” covers comments which are necessarily directed against a person or a particular group of persons*
- *Grounds that constitute hate speech include;*
  1. Firstly, incitement of racial hatred or in other words, hatred directed against persons or groups of persons on the grounds of belonging to a race
  2. Secondly, incitement to hatred on religious grounds, to which may be equated incitement to hatred on the basis of a distinction between believers and non-believers;

3. Lastly, incitement to other forms of hatred based on intolerance “expressed by aggressive nationalism and ethnocentrism”.
- Conflicting Rights and Interests; “The right to freedom of expression can thus be limited by the right to freedom of thought, conscience or religion.”

For instance; “*balancing the conflicting interest that result from exercising those two fundamental freedoms: on the one hand, the applicant’s right to communicate his ideas on religious beliefs to the public, and, on the other hand, the right of other persons to respect of their right to freedom of thought, conscience and religion.*”

- Identification Criteria; The identification of statements that could be classified as “hate speech” seems all the more difficult because this kind of speech does not necessarily manifest itself through expressions of “hatred” or emotions. “Hate speech” can be concealed in statements which at a first glance may seem to be rational or normal.
- The Constitution of URT guarantees freedom of religion under Article 19 Tanzania is a secular state and its Constitution guarantees for protection of the right to freedom of worship.
- The Constitution prohibits discrimination of any kind and encourage equality for all *Article 12*
- **Section 129 of the Penal Code provides:**  
Any person who, with the deliberate intention of wounding the religious feelings of any person, utters any word, or makes any sound in the hearing of that person, or makes any gesture in the sight of that person, or places any object in the sight of that person, is guilty of a misdemeanor, and is liable to imprisonment for one year.
- The Newspaper Act, Cap 229, under s. 31 provides for the definition and elements of ***Seditious intention***

(1) A “***seditious intention***” is an intention–

- (a) To bring into hatred or contempt or to excite disaffection against the lawful authority of the United Republic or the Government thereof; or
- (b) To excite any of the inhabitants of the United Republic to attempt to procure the alteration, otherwise than by lawful means, of any other matter in the United Republic as by law established; or
- (c) To bring into hatred or contempt or to excite disaffection against the administration of justice in the United Republic; or
- (d) To raise discontent or disaffection amongst any of the inhabitants of the United Republic; or
- (e) To promote feelings of ill-will and hostility between different categories of the population of the United Republic.

\* The Evidence Act

Section 34 provides that; No person shall be convicted of an offence under section 32 on the uncorroborated testimony of one witness, *proves that, prior to publication,*

*he took such measures to verify the accuracy of such statement, rumor or report as to lead him reasonably to believe that it was true.*

#### **2.4.1 Discussion/ Observations/ questions and Answers/ Rejoinder/ Clarification**

**(a) Questions: The Tanzania Communication Regulatory Authority regulates TV and Radio but how can the country deal with social media to guide online journalists especially since they can also be used to promote hate speech?**

**Rejoinder from the LHRC on social media:** The country recently came with the CYBER Crime Act to deal with that although it doesn't tally with international standards as it has been packed into together. It leaves little to be desired for as it seems as if it is meant to monitor how people socialize and social media rather than the cybercrime as mentioned.

**(b) Question from Tanzania Editors Forum: The media was at cross roads with the Christian council calling its followers to vote against the Proposed Constitution. Can you term that hate speech or freedom of expression as they claim that they have the right to air their views? It was reported to have been unconstitutional on account those religious leaders are not supposed to issue such a stance as it is out of their mandate. On the other hand, Muslims were reported to have been supporting the proposed Constitution, how can editors report this one?**

**Rejoinder from the LHRC:** hate amounts to anything against a group of people but this was towards the government. The very same clerics were once quoted to have said that the incumbent President was a choice of God and the latter promised to come up with a Kadhi Court and there is still no sign of it. The move has brought a lot of controversy. Religious issues have been jumbled up with political agenda. It is dangerous as there are more other groups rather than Muslims and Christians. Polarization is deadly we now have people identifying one another. Journalists were identified to have clad into some political party's jackets during the 2010 general election. Neutrality for members of the press is very important.

**Observation:** the analysis of laws gives a clear indication over how the media or the government could use it to promote hate speech. It is also in the Constitution, one wonders the challenge over such reporting, with freedom comes responsibility. It is upon us journalists to use their tools right. They should stick to their journalism ethics. Journalists need to be critical and ensure nothing happens under their watch ahead of the general elections. They should know where to draw a line

**Rejoinder from Kenya:** it is always tricky to work on as an editor. When it comes to religious issues, one must treat it with sensitivity. Understanding and appreciating the import of one's editorial policy as well as that of your conduct is vital. An editor ought to invite a balanced debate. In Kenya the media did so in regard to the Kadhi court and at the end it was incorporated in the Constitution and has caused no harm. Needless to say, journalists in Kenya still make mistakes anyhow. A TV journalist picked a story online and aired it, and all of the sudden Muslims came marching wanting to destroy our offices. We had to beg a Muslim leader to pull

out the mob. We had to come with an editorial policy. I don't understand why anyone calling themselves journalists would want to take sides. Journalists should always leave their personal interests at the door way of the newsroom and pick them when they get out.

**Rejoinder from Rwanda:** An editor must know how to read between the lines to control the tone.

## **2.5 How to Limit Hate with Respect for Free Expression: A Five Point test to isolate hatred in religious and political speech- Aidan White- EJM**

Mr. Aidan White told participants that elections are part of the process of moving towards the democratic process adding that they are also tests of not only democracy but also to journalists. He called upon members of the press to give information to citizens over where and how to vote, what one has to do to qualify to vote.

*"It is essential information that journalists have to make it available. The media has an obligation to give voice to everyone, majority and minority party,"* stressed White.

### **Highlights:**

- Tanzanian journalists must report under the Tanzanian perspective
- The Media has to promote civility in public discourse.
- Media must expose corruption as it is everywhere. During elections, journalists are bribed openly in some areas; adverts are placed and pretend it was news. One can also place an advert negatively and it goes; positive publicity and negative making the media make money.
- The nature of media ownership- sometimes there are hundreds of media outlets, the question is over who pays for it? Big businesses group buy a media outlets to promote the company's interest. If one is to be elected, they simply pay for a newspaper or radio. There are political candidates with ownership at the media.
- Safety of journalists is not something that should go unattended. The media fraternity should press the government to sign a manifesto that elections will go about without journalists being attacked.
- A story on a rural pastor planning to burn a Quran became an adorable media sensation causing chaos where Muslims began to boycott all over the world. The media must be very careful and decide on whether something is newsworthy. Sometimes journalists hate one another than they hate the rest. Journalists need to join hands
- It is only journalism if it is ethical, if not it is not

### **2.5.1 Discussion: question, rejoinder, observation/ clarifications/ recommendations**



**Picture 13: Section of participants during the discussion**

**(a) Question:** it is one thing to be a journalist but it is another to become female journalists, where do women journalists come in terms of the gender perspective when it comes to safety issues:

**Rejoinder:** we are all guilty of the impulse of stereotype and think we know every day. Journalists need to know it, the truth is not picked from the street, it is something you have to find underneath, ask questions. Anti- women sentiments on the internet is extraordinary high. We live in a world which is divided and full of gender discrimination. We need to look into the eyes of people who are victims. There are men who pretend to be women or elders pretending to be teenagers. It is a very dangerous thing; everyone has the right to privacy. Anonymity helps to protect people who are vulnerable. Victims of sexual violence need to be protected and have to do so as an ethical thing to do.

**(b) Observation from Kenya:** It is safer for journalists to use an amateur as it deletes the chance of being judged as journalists based on tribal lines.

**(c) Question:** people tend to put disclaimer on the news. Such instances are in finding allegedly terrorists, some brand them. How do you handle such situations?

**Rejoinder:** Anonymity is a right which has to be granted to protect the right of vulnerable people and not to be used as an advantage to exploit people. Journalists must do whatever is necessarily except to exploit others.

- On disclaimers: it is important when publishing information to say that it is not something that you endorse it. It is not enough; a media outlet must ensure it has control and doesn't create mayhem.
- The internet makes people believe that they are not in the real world. There are millions of people who are idiots in the internet. Nevertheless, it is no excuse for hate speech.



**(d) Observation from Tanzania on giving voices to all:** during the last general elections Mwananchi newspaper decided to give voices to all political parties and its plan was to send a reporter and a photojournalist in all rallies. In one instance, a journalist went to a certain meeting and found only kids around and covered a story which was published with a picture. The person complained the following day over placing a picture that only children were at his campaign rally. Give us an experience on that:

**Rejoinder:** Point test for hate speech

- You may have a good intention yet viewers may decide over how they feel.
- It is hard during elections to come up with something neutral as it depends over who sees it and how they translate it.
- There is a point that the media is used like toilet paper by politicians, and they use it to incite violence.
- Everybody interprets everything in their own way. We cannot neutralize it in any way. We have to report issues which are very strong; it is the duty of the media to report things objectively. Journalism should be sensation but should not encourage people to kill one another.
- Political exploitation is a major problem in the media; cartoons did no harm in Denmark, but only became an aggressive form when it was exposed out of that country.
- On giving voices to all: there are some politicians who don't understand the notion of democracy at all. It is never reduced in any way. It takes time to build democracy; it is at an infancy stage.



**Picture 14: A participant makes a point during the session.**

**(e) Observation Tanzania Editors Forum:** it is hard to know on whether politicians are angry or not, it is very challenging to decide in reporting information on election process, where the responsible bodies are not giving it out. Tanzania has only five months ahead of the general elections yet the National Electoral Commission as well as the Zanzibar National Electoral Commission is still mum. Players in the elections are also mum, ruling and oppositions as well as in terms of its candidates. The media in the country has tried to pop again to provoke them yet to no avail. Share your experience over what you would do:

**Rejoinder:** It should be part of the elections manifesto where the media can demand over information on elections matters.

- One of the ways to depict democracy maturity is about the people who run the country, those who don't want it
- Never allow social media to dominate the news but rather journalist's story should come first.

## Recommendations:

- Journalists should draft common things that can help in elections in Tanzania, one that is free from corruption, and rights of journalists to be protected against violence.
- All media houses should be aware of all particular rights of vulnerable groups and must respect the crucial role to adhere to ethical practice in journalism and refuse to deal with hate speech.
- The Tanzania Editors' Forum should take this agenda, as is the case with Ugandan media owners who tend to force their agenda. The Media Owners of Tanzania should also try so or else let editors take the matter ahead.



**Picture 15: Mr. Garba shares experience from Nigeria.**

**(f) Observation from Nigeria:** The issue of media coming together is very pertinent. In Nigeria, they formed a committee and started with election reporting code under UNESCO and came with insurance coverage for all reporters in 2015 elections and it was very successful. They made sure there was a committee that monitored all journalists on field on security and safety to ensure that they were safe. Hate speech was contained and ethical journalism was adhered to. We were aware of issues on adverts; there were a lot of threats from Niger militant who said if the president would not win the elections, they will blow the oil plant. There ought to be a lot of sensitization on issues of elections coverage. The media is very fundamental.

**(g) Question from Tanzania:** experience indicates that hate speech has been used by aspirants as a weapon to win elections. Advise Tanzanians how to go about?

**Rejoinder EJM:** media owners should come up with a statement upon the need for civil political discourse throughout elections. It will be very important; it doesn't have to be very formal. That will reinforce the media to acquire the right to be treated with respect. The change of stability, loss of employment, causes anxiety and fear tends to make people pick a group to blame. Journalists should be careful not to turn people into anxiety or fear that could take people to the street. People will always be looking for people as scapegoats. Journalists should not provide any one the chance to do so. Media should not be drawn to become instruments of political instability.

## 2.6 Final Evaluation

- Learnt over elections and how my colleagues deal with political parties
- Objectivity is not absolute
- Learnt on hate speech as something forbidden as it may incite violence
- Confirmed critical role played by the media to achieve democracy
- It is about time journalists learnt about hate speech and be careful
- Learnt that journalists are a very important people to build peace in the world
- Learnt as journalists have to research and read to combat hate speech
- Learnt how the media can tackle hate speech
- Journalists are in a rush to break the news, as we need to filter it before publishing it.
- We must deliver this message to all editors so that we can engage them before elections. Learnt that tolerance is very important. Cultural tolerance, our dilemmas and the bottom line in journalism is about carrying the truth.
- Five points on hate speech
- There are a lot of similarities in the African media. Increase collaboration. We need it in African context.
- Being a veteran journalist, especially when I came around the five points, learnt there are a lot of challenges in the coming elections, they have to tolerate, investigate before reporting and have to cooperate.
- Learnt over how to report effectively and solidarity among media houses.
- Media personnel need this session as journalists in the country set agenda
- Ethics is a pillar of good reporting. Most media focus on business
- I learnt how to write and to report without copy and paste.
- Whatever I learnt is very powerful and we are heading for the general elections and feel as if I should split it to share with the rest in the radio. There were some powerful agenda and I wish there were more people to be here. I feel like I should take it to the radio and make things better.
- Sometimes we may have the best intentions but doesn't make it right, at times we manipulate them and take them for granted and do things that hurt others.

- Learnt on unity and diversity , learnt if it is not ethical it is not journalism
- The session was very productive; we will translate it in Kiswahili for our community radio ahead of the general elections.

## 2.7 CLOSING OF DAY 1

The session was adjourned at 5.09.

## DAY TWO:

### 3.0 Voting for Tolerance: Free Speech without Hate at Election Time- Pilli Mtambalike-MCT

The Regulations and Standards Manager from the Media Council of Tanzania (MCT) made her presentation on the important role of the media towards the coming general elections in Tanzania.

#### Highlights:

- Made a linkage between media and election: the importance of the media to continue monitoring every stage of the electoral process in the country to enhance democracy.
- Forecast for the general elections 2015: the ruling party (CCM) was reported to have had 12 presidential aspirants while as opposition parties had now come with a coalition termed as UKAWA.
- The presenter told journalists to adhere to the Media Code of Conduct in order to observe professionalism. The Media Code of Conduct requires journalists to adhere to objectivity, truth, response to the needs of voters, encourage free speech, confidentiality of sources, to avoid hate speech and incitement and promote democratic values.
- The role and obligation of media owners: they should maintain impartiality throughout, should promote peace and commitment to ensure that there is free and fair election
- Encouraged journalists to venture into investigative journalism
- Lastly, she talked about hate speech scenarios in the country citing the Uamsho episode in Zanzibar, Radio broadcasting religious intolerance in Mwanza and Morogoro, Reportage on the Constituent Assembly deliberations.

### 3.1 Reporting Safely in Times of Tension: Gladness Munuo- TAMWA

Madam Munuo began by giving a highlight over what the Tanzania Media Women Association was and then made her presentation.

Key points:

- Radio is the most listened media outlet by women in rural areas.
- Every media has its own language in reporting sensitive stories on rape, and GBV matters.
- Journalists should be humane and courteous and use a sensitive language in reporting such incidents.
- The media should be keen on reporting Health issues- such as HIV and should not be biased.

### 3.2 Keeping Journalism Safe in Tanzania - Boka Melkisedeck Lyamuya

The media in Tanzania is under siege.

Highlights:

He said journalists in the country had been victims of kidnapping, killings, and threats citing a case of the killing of Daudi Mwangosi.

- Torture and abduction & beatings of Journalists by unknown assailants such as the attack of the Tanzania Editors Forum Chairperson Absalom Kibanda.
- Journalists face legal harassment: sedition charges, filed under the draconian laws including the Newspaper Act of 1976
- State of impunity
- Initiatives on the part of the government to investigate and prosecute several cases involving the violations of journalists' rights. The judiciary has a role to dispense justice, but it works in complementarily with the investigation and prosecution machinery. If one agency fails to perform its work properly then the depicted picture relieved is that there is a state of impunity. The office of Director of Public Prosecutions under the office of Attorney General has the responsibility to prosecute cases. All in all the Police force has the role to investigate and collect evidence.
- Banning / or suspension of Newspapers : Tanzanian authorities have suspended newspapers for sedition, For example, the government once issued a statement to suspend *Mwananchi* and *Mtanzania for 14 and 90 days respectively*. There was also the banning of the *East African Newspaper and Mwana Halisi*.
- Existence of anti-media laws such as the Newspaper Act of 1976 that allows responsible ministry to ban media outlets at own discretion.

### 3.4 Closing Remarks The President – Rachel Nakitare

Madam Nakitare thanked all participants for the session calling upon journalists to not lose track on the gender perspective as they try to encourage women to embrace technology. “Women journalists have also been affected under the way as we tend to become targets of social media. We all agree that we need to collaborate well and need to learn from one another especially on post-election violence as the media played a very important role. None of the media houses run a scoop without seating together to verify it in Kenya. The Media in Kenya has identified their place and came up as one entity to reject or oppose some of the pieces they feel are draconian.

The electoral commission met with all media editors and at the end of the session, the latter thought they had the media under their pocket. However, the following day came with headlines telling the story on the electoral commission of Kenya. Media practitioners in Kenya explained that the media was about the truth no matter how good they are treated by the sources they ought to report objectively. The relationship between the media and the commission in Kenya has now been strengthened and there is more respect. We hope our brothers and sisters in Tanzania will pioneer for a manifesto in the country. We will take it forward with all journalists associations in Africa and will pay attention to all coordinators. IAWRT and EJA will continue with partnership. Let us keep the fire burning as the time couldn't be more perfect owing to coming elections.

### **Annexure**

A: List of Participants

B: Presentations made during the workshop