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Internet Shutdowns in Tanzania: A Needs and Capacity Assessment to Prepare, Prevent, Resist

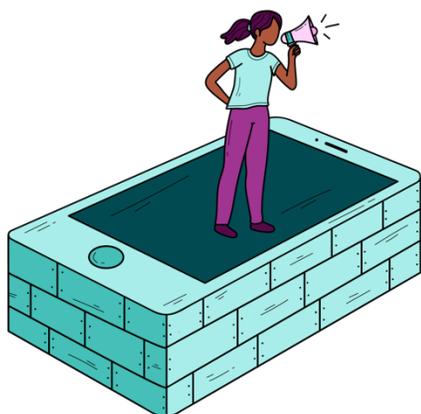


About the Report

Since 2019, Internews' OPTIMA project has been working with civil society organizations in countries around the world to better prepare for, prevent, and advocate against internet shutdowns. In 2022, Internews worked closely with the organizations Tanzania Media Women's Association (TAMWA), Zaina Foundation, and Change Tanzania, to engage in a comprehensive needs assessment process to understand Tanzanian civil society's capacity to engage in internet shutdown advocacy.

Through a survey of civil society stakeholders as well as a series of focus groups as part of a co-design workshop, this report examines how Tanzanian civil society views advocacy challenges related to internet shutdowns, perceptions on future internet shutdown risks, and the resources required to better prepare for and prevent shutdowns.

The full report, available at preparepreventresist.org, provides a detailed legal analysis as well as an extensive review of the survey findings, and focus group discussions. The report ends with recommendations for civil society actors, policymakers, and international organizations to support Tanzanian actors' capabilities to build sustainable long-term advocacy to prevent shutdowns.



DEFINING INTERNET SHUTDOWN

For the purpose of this report, an "internet shutdown" is defined broadly to include not only internet blackouts (when the government completely cuts off access to the internet) but also internet throttling (when the network is deliberately slowed) and major instances of blocking (when major social media platforms and messaging applications are blocked).

Executive Summary

When Vice President Samia Suluhu Hassan stepped into the presidency in March 2021 upon the death of President John Magufuli, civil society representatives reported feeling “cautiously optimistic” about the prospect for positive democratic change. Magufuli’s five years of authoritarian governance had included the passage of a collection of draconian laws restricting civil liberties and media freedom. That pattern escalated the day before the October 2020 elections, when the country experienced its first internet shutdown. WhatsApp, Facebook Messenger, Telegram, and Twitter were blocked, and remained blocked through the elections, for at least 11 days (Links to OONI data WhatsApp¹, Facebook Messenger² and Telegram³). But only a few months later, in one of her first speeches, President Hassan said media outlets should be reopened, and she pushed back against the notion of Tanzania’s “shrinking press freedom.”⁴

There have been some promising signs, including the lifting of a ban on four newspapers and occasional official statements promising a reform of the 2016 Media Services Act. Despite these small acts and rhetorical overtures, none of the major laws passed under Magufuli (including the Cybercrimes Act, the Media Services Act, and the Electronic and Postal Communications Act) have been amended or revoked. Journalists⁵ and activists⁶ have continued to be arrested for defamation, impersonation, and the publication of false information under the Cybercrimes Act. The Change Tanzania⁷ civic movement told us in the course of this research that there is also “a close relationship between privacy and censorship in Tanzania,” as the government uses the Cybercrimes Act to gain access to the private communications of key political figure and journalists, perpetuating a climate of fear and self-censorship. An online media outlet was refused its license renewal after it covered a protest in July 2022.⁸ As one activist noted, “media and activists have figuratively been taken out of “prison,” but the laws that put them in prison are still there.”⁹

Stuck in this democratic limbo, Tanzanian civil society faces significant hurdles in its push for serious and long-lasting policy reform. Yet, opportunities may open, if, after years of self-censorship and fear of reprisal, the Hassan government is even nominally more receptive to civil society operating openly and engaging the government on media and internet-freedom issues.

This is the context in which we conducted this research to better understand, during this moment of change and uncertainty, what is possible for Tanzania’s civil society to prepare for and anticipate future internet shutdowns and to engage in longer-term advocacy and coalition-building to prevent future

¹ https://explorer.ooni.org/chart/mat?probe_cc=TZ&test_name=whatsapp&since=2020-10-25&until=2020-11-30&axis_x=measurement_start_day

² https://explorer.ooni.org/chart/mat?probe_cc=TZ&test_name=facebook_messenger&since=2020-10-25&until=2020-11-30&axis_x=measurement_start_day

³ https://explorer.ooni.org/chart/mat?probe_cc=TZ&test_name=facebook_messenger&since=2020-10-25&until=2020-11-30&axis_x=measurement_start_day

⁴ <https://www.worldpoliticsreview.com/in-tanzania-magufuli-era-press-restrictions-prove-tough-to-undo/>

⁵ <https://cpj.org/2021/10/tanzania-police-arrest-cartoonist-journalists-on-cybercrime-and-illegal-assembly-allegations/>

⁶ <https://www.chronicles.rw/2022/10/23/tanzanian-man-jailed-for-5-years-for-defaming-president-suluhu-on-whatsapp/>

⁷ <http://changetanzania.org/>

⁸ <https://thechanzo.com/2022/08/15/darmpya-rebrands-to-zamampya-as-tcra-declines-to-renew-its-license/>

⁹ <https://www.csis.org/analysis/one-year-tanzanian-president-hassan-whats-changed>

shutdowns and censorship. According to experts and advocates who participated in this study, government leaders have not acknowledged the 2020 shutdown nor indicated any regret or desire to avoid such practices around elections in the coming years. With local and general elections in 2024 and 2025, now is the time to determine advocacy strategies, build coalitions, prepare vulnerable communities, and make the case to powerful actors that internet shutdowns are neither necessary nor proportionate.

Tanzania is also one of the countries in the world where the use of VPNs and circumvention tools is effectively banned. The Electronic and Postal Communications Act prohibits the “use or distribution of tools that allow people to access prohibited content.”¹⁰ In the context of internet shutdowns, especially those that target social media platforms, VPNs and other censorship circumvention tools are vital for staying online and are nevertheless used by many Tanzanian internet users. As discussed in the full report, fears and uncertainties related to the legality of VPN use complicate advocacy efforts.

This research seeks to provide an in-depth examination of how civil society assesses risk and how it plans for potential shutdowns. The full report (available online) outlines how civil society perceives the threat of internet shutdowns in Tanzania and how it understands the legal and technical mechanisms for such shutdowns, the social and economic impact of the 2020 internet shutdown on key communities, the key laws and norms enabling shutdowns in the country, and the resources required to prepare for and advocate against future shutdowns.

Key Findings from the Tanzania Internet Shutdown Needs Assessment

- **Awareness about internet shutdowns is high, but knowledge is low.** Despite having recently experienced a full network blackout during the 2020 presidential elections, there is still little understanding about internet shutdowns, even among journalists and civil society groups.
- **Internet shutdowns have a significant impact on democracy and the economy.** A large majority (74%) of respondents reported that businesses that rely on the internet are most affected by internet shutdowns. When asked specifically about how shutdowns impact their everyday lives, most respondents (74%) also reported that internet shutdowns prevented them from doing their jobs and about half (48%) directly stated that shutdowns prevented them from conducting business and making money online. A majority (67%) also reported that shutdowns personally impacted their ability to receive vital news and information, and an additional 20% reported that they were specifically prevented from working on campaigns or engaging in direct activism.
- **People are very uncertain about the potential for future shutdowns in light of changes in political leadership.** As the 2020 internet shutdown occurred around the election under the late President Magufuli, respondents and focus group participants were divided about the likelihood

¹⁰ <https://www.accessnow.org/internet-censorship-in-tanzania/#:~:text=The%20regulation%20also%20prohibits%20use,capacity%20to%20stay%20anonymous%20online>

of a future shutdown. Almost half (49%) of survey respondents reported that they did not know or were not sure whether Tanzania would experience an internet shutdown in the next three years. An almost equal amount indicated that it is likely or very likely (20%) vs. unlikely or very unlikely (19%) that a shutdown will occur in Tanzania in the next three years. Focus group participants stressed that this uncertainty is largely due to unknowns related to how President Hassan and her government will act around the next presidential election in 2025.

- **Advocacy remains constrained and legal strategy is unclear.** There is a great deal of uncertainty, even amongst legal experts, about the laws that allow for internet shutdowns. A majority (65%) reported that the laws in Tanzania make it easier for the government to shut down the internet and censor online content. Participants discussed the Electronic and Postal Communications Act (2020) and the Cybercrimes Act (2015) as legal frameworks that allow for broad censorship of the media and online spaces. Focus group participants also noted specific laws that were passed or amended in the last few years that inhibit civil society's ability to operate and engage in this kind of advocacy, namely the Non-Governmental Organizations (NGO) Act and the Statistics Act.
- **Key stakeholders lack the capacity to anticipate, prepare, and prevent internet shutdowns.** Most respondents (69%) report that civil society has little or no capacity to stop an ongoing internet shutdown that might happen in the future, and about half (52%) of the respondents assessed that civil society has little or no capacity to engage in preventative advocacy around internet shutdowns. Focus group participants reported a need for additional training, support, and resources in a variety of areas, including increasing public awareness about internet shutdowns, and gathering accurate and localized information on VPNs and circumvention tools, using strategic litigation and other advocacy strategies, gaining knowledge and hands-on experience in collecting and analyzing technical network data and using it in advocacy and reporting, and improving skills to document social and economic impact.
- **Use of circumvention tools is high, but uncertainty and fear remains about using these tools.** There is a need to understand more about local attitudes and fears related to the legal status of VPNs and other internet-shutdown circumvention tools. Tanzanian civil society has a relatively high level of awareness about VPN and circumvention tools, and many report using these tools. The majority (71%) of respondents reported that they have knowledge of these tools and have used them before. However, they also report little knowledge -- and some concern -- about issues such as the pros and cons of various tools and the legality of using them. Additionally, the most common tools reported to be used by respondents were those available in local languages, including Psiphon and the ToR browser, as well as paid VPNs that are heavily advertised. Despite relatively high levels of VPN use in Tanzania, almost half (48%) of respondents said they had fears/worries about using VPNs and circumvention tools. Focus group participants discussed their fears related to the legal ambiguity for circumvention tool use.

- **Few civil society advocates have technical knowledge about network measurement to document shutdowns and their impact.** More than half (56%) of respondents reported Tanzanian civil society’s network-measurement capacity as limited to nonexistent. Additionally, as part of the background research, the lack of consistent efforts to measure network performance was made apparent by the lack of data documenting the exact end of the shutdown on various platforms, a data deficit confirmed by major network measurement organizations. Advocacy related to internet shutdowns needs to be more evidence-based -- hence the need to train more people to collect and correctly interpret it. Focus group participants noted that media professionals especially need this knowledge to report potential future shutdowns effectively and in a more nuanced way.

Prepare, Prevent, Resist Tanzania: Recommendations for Supporting Advocacy Against Shutdowns

During the workshops organized for the Tanzanian Prepare & Prevent network, workshop participants were asked to reflect on the survey findings and establish goals and objectives to fill existing skill gaps and establish advocacy networks better able to prepare for, prevent, and respond to internet shutdowns. These goals include:

- **Provide training for key stakeholders so they can better anticipate, prepare, and prevent internet shutdowns.** This means additional training, support, and resources on topics including raising public awareness about internet shutdowns, collecting and analyzing accurate and localized information on VPNs and circumvention tools, conducting strategic litigation and other potential advocacy strategies, developing knowledge and hands-on experience in collecting and analyzing technical network data and using it in advocacy and reporting, and increasing skills and funding for documenting the impact of shutdowns.
- **Engage in research to better understand local attitudes and fears about using VPNs and other shutdown-circumvention tools.** This should include studying the current use of VPNs across key groups such as journalists, youth, and vulnerable communities. The results of this research should then be used to produce more localized guides on how to use these tools during different shutdown scenarios.
- **Support civil society in forming multi-stakeholder coalitions by reaching out to non-traditional partners such as ISPs, economic sectors, educational institutions, and health providers.** There is a need to bring lawyers, journalists, and technologists (such as software developers, network engineers, etc.) into this advocacy, to draw on their different strengths to fight shutdowns. ISPs, for instance, incur major financial losses during shutdowns, hold significant power to resist government shutdown orders, can provide information to make shutdown processes more transparent, and have insights into the economic impact of shutdowns on their customers. Such

information would be valuable for public-education efforts via news media and for lawyers to use as evidence in their advocacy or, if needed, litigation.

- **Train journalists, CSOs, and activists on collecting and analyzing network-measurement data for use in educating the public and in advocacy.** There is a need to ensure that measurements are collected more regularly, and especially before, during, and after censorship occurs.
- **Provide funding and training for CSOs on digital security tools and practices that they otherwise could not afford.** This will help them better prepare to cope with and reduce the impact of internet shutdowns. Tools should include VPNs, international SIM cards, and educational materials on alternative ways to communicate during a shutdown.
- **Offer support to vulnerable groups such as women, youth, and people living with disabilities, who often are disproportionately affected by internet shutdowns.** These groups must be equipped with an understanding of internet shutdowns, the circumvention tools they can use if applications are blocked, and resources that are useful for diverse literacy levels and languages.
- **Develop legal and strategic advocacy expertise.** Legal professionals need more knowledge about what internet shutdowns are and clearer understanding of the benefits of challenging government institutions involved in deliberate shutdowns in a court of law. Further, these professionals need training on how to work with groups collecting and analyzing network data, to incorporate the evidence in such litigation. Awareness of these issues also should be raised among the judiciary because judges in other countries such as Zambia have in the past held officials accountable over government-ordered shutdowns.
- **Help lawyers and researchers better understand the Electronic and Postal Communications Act.** This will enable them to better able to articulate risks, advocate for less ambiguous and restrictive laws, and engage in strategic litigation as needed. Additional efforts should be made to understand how other laws (such the NGO registration law) impact the operating environment for civil society and the ability of coalitions to engage in advocacy related to internet shutdowns. It also may surface strategic opportunities that might emerge to reform these laws during the Hassan presidency.
- **Ensure financial support for costs incurred in waging strategic litigation.** That should include the purchase of digital security tools for legal professionals.

These recommendations are currently being implemented through Internews' OPTIMA project and with the Prepare, Prevent, Resist Network in India, led by Change Tanzania and Internet Society Tanzania (ISOC Tanzania). We encourage interested parties to contact the authors to participate in coalition activities and to support this work.





Please reach out to us (lhenderson@internews.org, bwhitehead@internews.org) for more information on this and other OPTIMA internet shutdown advocacy needs reports, our methodology, and our Prepare & Prevent networks and resources.

