



## **PRESS RELEASE ON THE CANCELLATION OF TANZANIA DAIMA'S LICENCE**

Tanzania Human Rights Defenders Coalition (THRDC) is saddened by the decision of the government to cancel the licence of Tanzania Daima which makes the newspaper stop its operations forthwith. The decision to cancel the said licence was made on behalf of the Director of Information in the Ministry of Information, Culture, Arts and Sports on 23<sup>rd</sup> June 2020. THRDC spoke to Tanzania Daima's chief editor, Mr Martin Malera who confirmed to have received the letter of the cancellation of the licence.

According to the letter issued on behalf of the director of information, Tanzania Daima's licence was cancelled allegedly for breaching different laws of the country and going against ethics of journalism. However, the laws that are alleged to be breached as well as the said ethical journalism were not disclosed in the letter. The cancellation was made pursuant to section 6 (b) of the Media Services Act, 2016. The section gives discretionary powers to the director of information to cancel the licence where the licensee fails to comply with the terms and condition prescribed in the licence.

The cancellation of Tanzania Daima's licence is a continuation of violations of the right to freedom of expression in Tanzania following the enactment of the Media Services Act, 2016. Ever since the enactment of the Media Services Act, 2016 we have witnessed newspapers such as Mawio, Mseto, MwanaHalisi, Raia Mwema, Mwananchi, The Citizen and Tanzania Daima being either banned for sometimes and others have their licences cancelled. For Tanzania Daima, this is the second time it is punished following its ban for three months in the year 2017. Media Services Act, 2016 is just one among the media laws that curtail freedom of expression in Tanzania. Other laws includes but not limited to; The Cyber Crimes Act, 2015, The Online Content Regulations, 2018 and the Access to Information Act.

In 2017, Media Council of Tanzania of Tanzania (MCT), Legal and Human Rights Centre (LHRC) and Tanzania Human Rights Defenders Coalition (THRDC) file a Reference at the East African Court of Justice challenging several provisions of the Media Services Act, 2016 for contravening the Treaty for the Establishment of the East African Community. The case was heard on merit whereby on 28<sup>th</sup> of March 2019, the EACJ decided in favour of the petitioners

### **Board of Directors:**

**Ms. Vicky Ntetema, Michael Kyande, Kenneth Simbaya, Deogratius Nsokolo, Maxence Melo, Christina Kamili, Jamila M. Juma, Hassan Kh. Juma, Edwin Soko.**

*Defending Human Rights is not a Crime!*



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and ordered that the government of Tanzania should take all necessary measures to ensure the MSA is in compliance with the Treaty. The court also went ahead declaring several provisions of the law as going against the EAC Treaty. Much as the government of Tanzania has not appealed against the decision, it has never taken any measure (s) nor amended the law since the promulgation of the judgment in 2019. Hence, the law continues to be used at the detriment of journalists and media owners.

Following the cancellation of the licence, Tanzania Daima is left with three available remedies, namely; to appeal to the responsible Minister of Information (under section 10 (1) of the MSA), apply for new licence or approach a competent court (specifically the East African Court of Justice) for redress.

We urge the government of Tanzania to honour the decision of the East African of Justice by taking necessary measure to ensure the Media Services Act is in compliance with the EAC Treaty. Remaining reluctant in heeding to the EACJ orders bring a bad image to the country given the fact that Tanzania signed the EAC Treaty in good faith.

Issued today, the 23<sup>rd</sup> day of June 2020

By,

Tanzania Human Rights Defenders Coalition (THRDC)

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Ms. Vicky Ntetema, Michael Kyande, Kenneth Simbaya, Deogratius Nsokolo, Maxence Melo, Christina Kamili, Jamila M. Juma, Hassan Kh. Juma, Edwin Soko.

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