ZIMBABWE

	2011	2012
INTERNET FREEDOM STATUS	Partly Free	Partly Free
Obstacles to Access (0-25)	16	17
Limits on Content (0-35)	15	14
Violations of User Rights (0-40)	23	23
Total (0-100)	**54**	**54**

* 0=most free, 100=least free

POPULATION: 13 million
INTERNET PENETRATION 2011: 16 percent
WEB 2.0 APPLICATIONS BLOCKED: No
NOTABLE POLITICAL CENSORSHIP: No
BLOGGERS/ICT USERS ARRESTED: Yes
PRESS FREEDOM STATUS: Not Free

INTRODUCTION

Despite the restrictive environment for the traditional media, internet and mobile phone usage in Zimbabwe is nominally free from government interference. However, there are indications that the government has a growing desire to curb speech transmitted through information and communication technologies (ICTs), as evidenced by the arrest of a man in 2011 for a comment he made on Facebook. There are also many practical obstacles that hinder citizens' access, including poor infrastructure in urban areas and an almost total lack of infrastructure in rural areas. Over the past decade, the country has experienced a major economic decline, contributing to severe power shortages and accelerated deterioration of the telecommunications system.[1] Low bandwidth has also made internet connections extremely slow in Zimbabwe; nevertheless, internet and mobile phone usage has increased in recent years.

Although the government does not have complete control over ICTs, there have been some worrisome developments over the past five years. For instance, the Interception of Communications Act[2] adopted in 2007 allows the government to monitor postal, telephone and internet traffic, and requires service providers to intercept information on the state's

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[1] Zimbabwe's economy contracted significantly between 1999 and 2009 due to a political crisis associated with President Robert Mugabe's controversial land-reform campaign, which entailed seizing white-owned farms and distributing them to black loyalists. Inflation shot to astronomical rates of several billion percent, and the exchange rate of the Zimbabwean dollar tumbled to more than 50 billion per U.S. dollar. See BuddeComm, "Zimbabwe—Telecoms, Mobile, Broadband and Forecasts: Executive Summary," http://www.budde.com.au/Research/Zimbabwe-Telecoms-Mobile-Broadband-and-Forecasts.html.
[2] The Interception of Communications Act is available at http://www.kubatana.net/docs/legisl/ica_070803.pdf.

behalf,[3] but no concrete evidence of systematic internet filtering has been reported.[4] Nevertheless, with the spread of mobile phones and use of text messages to disseminate information critical of President Robert Mugabe and his Zimbabwean African National Union–Patriotic Front (ZANU-PF) supporters, the authorities have imposed some content restrictions and registration requirements related to these technologies. Under Mugabe, the regime has committed rampant human rights abuses and exercised strict control over the traditional media, and with the presidential election expected to take place in 2012 or 2013, it is anticipated that the government's control of various ICTs will continue to grow.

OBSTACLES TO ACCESS

Internet access has expanded rapidly in Zimbabwe, from a penetration rate of 0.3 percent in 2000 to 15.7 percent by the end of 2011.[5] The mushrooming of cybercafes in most of the country's urban centers, coupled with the forced migration of many Zimbabweans to South Africa, the United Kingdom, Australia, and other countries as a result of the political and economic crisis, created a favorable environment for increased internet usage, as the new expatriates sought to stay in touch with friends and family in Zimbabwe. High prices and limited infrastructure put access to the internet beyond the reach of most of the population, particularly in rural areas. However, for those who want to communicate with friends and relatives abroad, the internet represents a faster, easier, and cheaper alternative to telephony and postal services. Furthermore, the restrictive traditional media environment, which is dominated by state-owned outlets, has made the internet popular among citizens seeking alternative information.

There is a vast divide between urban and rural areas with respect to internet penetration. Most rural communities are geographically isolated and economically disadvantaged and have consequently failed to attract the interest of commercial service providers. Telephone penetration in rural areas is minimal, with lack of electricity representing a major challenge; radio remains the main communication medium in such regions. Many rural telephone connections are still shared or "party" lines, leading to poor or unreliable transmission quality, slow connection speeds, and difficulty initiating dial-up internet connections.[6]

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[3] Nqobizitha Khumlo, "Zim Internet Service Providers Struggle to Buy Spying Equipment," Kubatana.net, August 10, 2007, http://www.kubatana.net/html/archive/inftec/070810zol1.asp?spec_code=060426commdex&sector=INFTEC&year=0&range_start=1&intMainYear=0&intTodayYear=2010.

[4] "Country Profile: Zimbabwe," Open Net Initiative, September 30, 2009, http://opennet.net/research/profiles/zimbabwe.

[5] International Telecommunication Union (ITU), "Percentage of individuals using the Internet, fixed (wired) Internet subscriptions, fixed (wired)-broadband subscriptions," 2011, accessed July 13, 2012, http://www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx#.

[6] Zimbabwe has one fixed-line telephone operator, the publicly owned TelOne (formerly the Posts and Telecommunications Corporation, or PTC), which has failed to provide universal access. TelOne boasts just 386,000 subscribers, 50 percent of whom are in the capital, Harare. Only 17 percent of the lines are in rural areas, and 92 percent of the total lines have been digitalized.

Even in urban areas, electricity is regularly rationed, and the penetration of both the internet and mobile phones is uneven. In practice, internet access is limited largely to the few Zimbabweans with formal employment or positions in institutions of higher learning. There is little, if any, internet penetration in the poor townships surrounding cities, where much of the population lives, as few township residents can afford it. Internet penetration is highest in the central business districts of the country's two major cities, Bulawayo and Harare. A Zimbabwe All Media Products and Services Survey (ZAMPS) released in February 2011 found that 24 percent of adults living in urban centers are using the internet, with 83 percent of users accessing the web at least once a month.[7] The survey also found Facebook to be the most popular website among Zimbabwean internet users.[8]

The prices for internet access in Zimbabwe are set by owners of cybercafes and internet service providers (ISPs), and the state has so far not interfered on this issue. Individual ISPs submit their tariff proposals to the Postal and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ), which approves proposals on per case basis. However, with the majority of Zimbabweans surviving on wages of around US$250 per month and the cost of most home internet packages costing US$50 per month not including installation fees, internet subscriptions are mainly for the affluent.[9] Further, the cost of a modem is US$60,[10] and an average computer costs a minimum of US$600.

Fast and reliable satellite connections to the internet are also very expensive. Even those who have access to the internet at work can only use it for a limited amount of time, as companies seek to contain the high monthly fees they pay for broadband. Increased competition is projected to significantly reduce the price of internet in the coming years. In 2010, only the ISP PowerTel[11] offered unlimited broadband at US$50 per month. By the end of 2011, other ISPs had introduced much cheaper internet bundle packages, ranging from US$70 connecting at 512 Kbps for the first gigabyte (and best effort thereafter) to US$18 for one gigabyte of usage. The price per megabyte of mobile broadband services for the country's operators was also reduced in 2011, compelling ISPs to push their prices further downwards.[12]

See "An Overview of Zimbabwe's Telecommunications—Potraz Presentation Download," *Technology Zimbabwe* (blog), March 5, 2010, http://www.techzim.co.zw/2010/03/zimbabwe-telecoms-overview/.

[7] "Zimbabweans look to the Internet for truth and freedom," The Zimbabwe Mail, March 14, 2012, http://www.thezimbabwemail.com/zimbabwe/7436.html.

[8] Ibid.

[9] "Zimbabwe – Telecoms, Mobile and Broadband," BuddeComm, August 2011, http://www.budde.com.au/Research/Zimbabwe-Telecoms-Mobile-Broadband-and-Forecasts.html.

[10] L.S.M Kabweza, "Review: PowerTel Mobile Broadband," TechZim, February 23, 2011, http://www.techzim.co.zw/2011/02/review-powertel-mobile-broadband/.

[11] PowerTel is a subsdiary of the state-owned national power company, Zimbabwe Electricity Supply Authority (ZESA).

[12] L.S.M Kabweza, "How much the price of internet connectivity can reduce in one year," Technology Zimbabwe, January 30, 2012, http://www.techzim.co.zw/2012/01/how-much-the-price-of-internet-connectivity-can-in-one-year/.

Voice over Internet Protocol (VoIP) is now also offered by a number of internet access providers and telephone companies, including Econet (through its broadband division), Gigatel, Telco, PowerTel, Africom, TelOne, Brodacom.[13] Consisting mainly of direct satellite connections through VSAT, other broadband access technologies include GSM, WiMAX, and fiber-optic or copper-wire ADSL.

Although the cost for broadband internet access has gone down due to competition, effective broadband for home and individual users has not been realized due to the poor infrastructure of the state-owned fixed-line operator, TelOne. Nonetheless, there have been efforts to expand coverage to other parts of the country. In December 2010, Econet (through its fiber subsidiary, Liquid Telecom) completed building a fiber link between the capital city Harare and the southern town of Beitbridge, which is connected to South Africa's fiber cable system. Other licensed data carriers are also starting to roll out fiber-optic networks across the country and establish links to international undersea cables.[14]

While broadband is available in major urban areas, particularly Harare and Bulawayo, the majority of Zimbabwean internet users still go online through a dial-up connection. The annual local telephone charges for dial-up access are between US$150 and $208.[15] The number of cybercafes in most of the country's urban centers grew dramatically between 2009 and 2010 due political stability and the dollarization of the economy; however, a number of internet cafes began to close down in 2011 as a result of high costs for both providers and users. For instance, in January 2011, one of the country's largest chains of internet cafes, Quick & Easy, was closed down by a Messenger of the Court for failing to repay a loan amounting to more than US$10,000.[16]

Mobile phone penetration in the country has continued to expand, increasing from 6.8 percent in 2006 to 72.1 percent by the end of 2011,[17] though this figure could be misleading since many people own more than one SIM card. Zimbabwe, like most countries in Africa, has seen an influx of low-cost imitation mobile phones from Asia that are internet-enabled. With the introduction of services like 3G and 4G technology in July 2009 and May 2010,

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[13] "Econent Wireless launches VoiP," TeleGeography, January 26, 2012, http://www.telegeography.com/products/commsupdate/articles/2012/01/26/econet-wireless-launches-voip/.
[14] BuddeComm, "Zimbabwe."
[15] ZOL dialup internet price webpage: http://www.zol.co.zw/index.php?option=com_content&view=article&id=99&Itemid=209; YoAfrica dialup price webpage: http://www.yoafrica.com/viewinfo.cfm?linkcategoryid=2&siteid=1.
[16] "Quick and Easy Internet Cafes shut by Messenger of Court," The Zimbabwean, January 17, 2011, http://www.thezimbabwean.co.uk/news/36771/quick-a-easy-internet-cafes-shut-by-messenger-of-court.html.
[17] International Telecommunication Union (ITU),"Mobile-cellular telephone subscriptions," 2011, accessed July 13, 2012, http://www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx#; A country's teledensity figure measures the number of active mobile phone SIM cards and landlines as percentage of the country's total figure. However, since many people own more than one SIM card, the real mobile phone penetration might be lower than 72.1 percent.

respectively, and Enhanced Data rates for GSM Evolution (EDGE) on mobile networks, internet access has increased as more people connect through their mobile phones.

Given the monthly subscription fee of US$25, the 3G service is still only affordable for the few who are still gainfully employed in a country where the jobless rate is estimated at 94 percent.[18] In fact, some observers fear that rather than enhancing access to the internet for the general public, advanced mobile phone service may sharpen the digital divide by improving access for the few who already have it. Because of inadequate infrastructural development, the current 3G internet is frustratingly slow, and 4G mobile internet access is even more expensive. A 3G monthly subscription costs US$40 per month through the state-owned mobile operator NetOne. It joins rivals Econet and Telecel Zimbabwe in offering 3G service. The rate for pre-paid mobile web access for Telecel, Econet and NetOne is US$0.11, $0.15 and $0.10 per megabyte respectively, making NetOne the cheapest.[19] All three mobile companies have rolled out a mix of 3G, EDGE and GPRS.[20]

There are currently 15 licensed Internet Access Providers (IAPs)[21] and 128 ISPs in Zimbabwe.[22] In Zimbabwe, IAPs offer only internet access, while ISPs may provide additional services, although ISPs must connect through the limited IAP infrastructure. Only two of the IAPs, CommIT[23] and Aptics, have a Class B license, which entitles them to offer internet-based voice services in addition to the normal services that the rest provide.[24] The Class B license fee as set by POTRAZ is US$2 million. Before the IAPs can install their equipment, it must be vetted and approved by the regulator. In addition, the Post and Telecommunications Act of 2000 requires ISPs to renew contracts with TelOne for access to its fixed-line network. There are no stringent regulations that hinder the establishment of cybercafes. According to POTRAZ, Zimbabwe currently has five international gateways for internet and voice traffic. There are also two trunk switches for the TelOne fixed network, and nine mobile switching centres setup by the country's three mobile operators.[25]

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[18] UN Central Emergency Response Fund, "CERF Allocates $5 Million for Protracted Relief and Recovery Operation in Zimbabwe," news release, January 14, 2010,
http://ochaonline.un.org/CERFaroundtheWorld/Zimbabwe2010/tabid/6430/language/en-US/Default.aspx.

[19] Alfonce Mbizwo, "NetOne 3G ready for launch," BizTech Africa, October 14, 2011,
http://www.biztechafrica.com/article/netone-3g-ready-launch/1278/.

[20] "Zimbabwe: NetOne opens mobile broadband to prepaid subscribers," Balancing Act, January 6, 2012,
http://www.balancingact-africa.com/news/en/issue-no-586/internet/zimbabwe-netone-open/en.

[21] Interview by L.S.M Kabweza with POTRAZ official in Networks Department, Bonnie B Mtengwa (cited in L.S.M Kabweza (2011) ICT Policy and New Media Cultures in Southern Africa – Zimbabwe Report, Internal report for the Department of Media Studies, University of the Witwatersrand, South Africa.

[22] Zimbabwe Internet Service Providers Association membership list, http://www.zispa.org.zw/members.html.

[23] L.S.M Kabweza, "POTRAZ Calls ICT Providers to Help Define IAP/ISP Roles," Technology Zimbabwe, May 6, 2010,
http://www.techzim.co.zw/2010/05/potraz-iap-isp-roles/.

[24] L.S.M Kabweza, "Aptics enters market with promise of affordable broadband and VoIP," TechZim, March 5, 2012,
http://www.techzim.co.zw/2012/03/aptics-comes-to-market-with-broadband-internet-and-voip/.

[25] An Overview of Zimbabwe's Telecommunications—Potraz Presentation Download," *Technology Zimbabwe* (blog), March 5, 2010, http://www.techzim.co.zw/2010/03/zimbabwe-telecoms-overview/.

In February 2012, the Transport and Communications Minister Nicholas Goche announced that the government had stopped Econet Wireless from installing a fiber-optic cable linking Zimbabwe to high-speed undersea cables in Mozambique to preserve the monopoly of the service by the state-owned fixed telephone operator, TelOne. The Minister stated that service providers must not compete for the provision of infrastructure, only on services, and highlighted the government policy that infrastructure such as the national backbone should be provided by the public sector. The Minister of Information and Technology,[26] from the Movement for Democratic Change (MDC) opposition party, challenged the government move by arguing that there is no such agreed policy that bans service providers from installing fiber-optic cable.[27] This incident demonstrates continued efforts by government, particularly by ZANU-PF officials, to control Zimbabwe's flow of information.

ISPs and mobile phone companies are licensed and regulated by the telecommunications regulatory body, POTRAZ, whose leaders are appointed by the president in consultation with the Minister of Transport and Communication. POTRAZ has been widely accused of partisanship and making politicized decisions, such as the cancellation of TeleAccess's operating license in 2005.[28] The regulator has not directly blocked the establishment of ISPs, but the exorbitant application fees it charges have hindered the proliferation of such businesses. The fees for IAPs and ISPs range from US$2-4 million, depending on the type of service to be provided. This is in addition to the 3.5 percent of annual gross income that the provider must pay to POTRAZ.[29] Application fees for operating a mobile phone service are equally steep.

LIMITS ON CONTENT

Despite reports of continued human rights abuses and government control over the traditional media, there has been no concrete evidence of systematic internet filtering in Zimbabwe, though some instances of surveillance and censorship have been reported. For example, in previous years, email messages to central bank employees were allegedly blocked if they contained references to the main opposition party, MDC, or its leader,

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[26] In April 2009, President Robert Mugabe announced a unilateral decision to reassign the ministerial administration of Acts of Parliament, which saw MDC ministers being stripped of much of their responsibilities, without consulting the other party of the Government of National Unity (GNU). The administration of the Posts and Telecommunications Act was formally reassigned to the Ministry of Transport and Infrastructure Development, under ZANU-PF. The MDC-aligned Minister of Information & Communications, Nelson Chamisa's control over parastatals such as Tel One, Net One, Transmedia and Zimpost and the regulator POTRAZ was taken away.

[27] Alfonce Mbizwo, "Why Zim blocked Econet line," BiztechAfrica, February 19, 2012, http://www.biztechafrica.com/article/why-zim-blocked-econet-line/2036/.

[28] "Potraz Just Playing Dirty Politics—Shumba," Zimbabwe Independent, November 18, 2005, http://www.theindependent.co.zw/business/13372.html.

[29] The POTRAZ website can be found at http://www.potraz.gov.zw/.

Morgan Tsvangirai. There have also been cases in which the authorities apparently traced antigovernment email content to its source and arrested suspected senders.[30]

Although online sources of information are not overtly manipulated by government or partisan interests, the government has from time to time exhibited a desire to control mobile phone communications, for instance by warning operators not to let subscribers use their networks for political purposes, especially during elections or in other potentially volatile situations. The authorities issued such a warning in response to the mass circulation of text messages castigating the ruling ZANU-PF party during its December 2009 party congress. Econet in turn warned all its subscribers that their service would be cut off if they sent political messages.[31] In June 2010, just days after a column in the government-controlled *Herald* newspaper threatened Econet with the loss of its operating license, the company complained to the MDC about its use of the network for political purposes and announced that it was installing software that would identify and block problematic messages.

A few months prior to this incident, in March 2010, the Broadcasting Authority of Zimbabwe (BAZ) tried to stop the Kubatana Freedom Fone's Interactive Voice Response (IVR) service from operating, citing that because IVR was a form of broadcasting, Econet was facilitating unlicensed broadcasting from Kubatana on their platform. Econet subsequently suspended the Kubatana service while their legal department was investigating the matter. The issue was settled a week later after Econet and Kubatana successfully argued that POTRAZ regulates the mobile phone industry, not BAZ, and "that Econet sells lines to individuals and organisations on a non-discriminatory basis, and has no control over their subscribers use of their lines."[32] Thus, Econet could not disconnect Kubatana's phone lines on this basis, leading BAZ to drop the matter.

Overseas-based independent news websites and other digital media have emerged as an important source of alternative information for those able to access them. Sites such as Newszimbabwe.com and Zimonline.co.ca publish independent information often obtained from stringers or other contacts based inside Zimbabwe, at times generating news later picked up by mainstream media outlets. There is no evidence of the government influencing or manipulating online content.

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[30] Open Net Initiative, "Country Profile: Zimbabwe," 2009, http://opennet.net/research/profiles/zimbabwe.
[31] "Zanu PF Texts Sent from Sweden: Econet," New Zimbabwe, December 17, 2009, http://www.newzimbabwe.com/news-1491-Zanu+PF+texts+sent+from+Sweden/news.aspx.
[32] Margaret Atwood and Bev Clarke, "New Media, Same Regime Politics: Resisting the Repression of Media Freedom in Zimbabwe," *New Media, Alternative Politics* Working Papers, No 1, December 2010.

In early February 2012, the Zimbabwe Media Commission, created by the country's power-sharing government in 2009 to lead media reforms, announced that it was enlisting the services of the police to bar unlicensed foreign newspapers from being distributed in the country.[33] Several newspapers would be affected should the ban become operational,[34] though it will not affect online versions of newspapers from being accessed by Zimbabweans with access to the internet.

While various social media platforms are available in Zimbabwe, low penetration limits the utility of the internet as a means of mass mobilization. Even within the fraction of the population that accesses the medium regularly, there is no coordinated use of social-networking sites to build support for political change. Nevertheless, during the hotly contested 2008 elections, Zimbabweans used mobile phone text messages and blogs to disseminate oppositionist and independent versions of events that were not addressed in the severely restricted traditional media. Civic organizations such as Kubatana, an online community of Zimbabwean activists and NGOs, have been using specialized software to disseminate bulk political text messages to their subscribers and receive feedback from them.[35] With the use of ICTs, Kubataba is growing as a platform for e-activism and self-expression. In March 2012, during the sentencing trial of six human rights activists who were arrested in February 2011 for watching a video about the uprisings in Egypt and Tunisia, social media were used to inform people of the progress of the trial and gather people at the courthouse. It is believed that the massive public turnout deterred the court from giving prison sentences to the six activists.[36]

In general, sites like Facebook are mainly used for friendly chats and renewing social contacts, as the lack of anonymity on such sites and fear of repercussions limit politically-oriented statements which can traced back to those expressing them. Although many journalists contribute to online news platforms, quite a number of them use pseudonyms when writing on sensitive issues for fear of harassment.[37] Debates on the country's political and socioeconomic issues and reactions to internet stories on Zimbabwe are mostly confined

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[33] Trevor Neethling, "Zimbabwe threatens to ban South African newspapers," Business Day, February 3, 2012, http://www.businessday.co.za/articles/Content.aspx?id=164155.

[34] Titles that could be affected include the *Sunday Times*, *Mail and Guardian*, *Business Day* and *Financial Mail* which are published in South Africa as well as *The Zimbabwean* which is published in the United Kingdom.

[35] Ken Banks, "Mobile Phones Play Role in Zimbabwe," PCWorld, April 14, 2008, http://www.pcworld.com/businesscenter/article/144535/mobile_phones_play_role_in_zimbabwe.html.

[36] Discussion with Zimbabwean media freedom activist and consultant, Rashweat Mukundu, March 23, 2012, Johannesburg.

[37] "What online news means for Zimbabwe," The Zimbabwe Mail, April 5, 2011, http://www.thezimbabwemail.com/opinion/7745.html; Tendai Chari, "Ethical challenges facing Zimbabwean media in the context of the Internet," *Global Media Journal - Africa Edition*, Zimbabwe, 2009, Vol 3 (1), globalmedia.journals.ac.za/pub/article/download/19/51; Committee to Protect Journalists, "Sweeping Surveillance Law to Target 'Imperialist-Sponsored Journalists,'" press release, August 9, 2007, http://allafrica.com/stories/200708090943.html; Barbara Borst, "African Journalists Struggle to Find their Role in Building Democracies," *Perspectives on Global Issues*, Volume 2, Issue 2, spring 2008, http://www.perspectivesonglobalissues.com/0301/borst.htm.

to chat rooms and feedback sections of online news sites. Even in those cases, the base of contributors is fairly narrow, and the quality of the discussion is often limited.

Due to the restrictive communicative space in the country, the number of blogs have grown and become critically important in Zimbabwe as an alternative platform for debate. Blogging has offered community organizations, minorities, individuals and online journalists the opportunity to express their views, although some bloggers use pseudonyms for fear of reprisals. Many new blogs hosted by Blogspot and WordPress appeared in 2011.

VIOLATIONS OF USER RIGHTS

Zimbabwe's constitution provides for freedom of expression, including freedom from interference with personal correspondence. However, Section 20(2) of the constitution places a number of limitations on these rights in the interests of national defense, public safety, public order, public morality, public health, and town or country planning.[38] Currently, there are no laws that specifically protect online modes of communication, and bloggers are not recognized as eligible for accreditation as journalists. Judicial independence is compromised by an appointment process that allows for high levels of executive interference. While, the judiciary has sometimes demonstrated a degree of autonomy through rulings that are not necessarily favorable to the state, including on freedom of expression, the government often ignores such decisions.

While most of the charges against journalists in the past few years have either been withdrawn or resulted in acquittals, continuous harassment of journalists by the authorities has often induced self-censorship, even among those writing for online publications. The country's civil and criminal defamation laws, the Interception of Communications Act (ICA), and the Criminal Law Codification and Reform Act (CODE) all apply equally to online journalists and reporters for traditional media. The CODE punishes anyone who publicly undermines the authority of or insults the president in any printed or electronic medium with up to 20 years in prison.[39] In one case, business executive John Norman Alfred Rusthon was arrested in March 2010 for allegedly circulating an email message with photographs purporting to show the lavish interior of the president's house. He was charged with undermining the office of the president under Section 33(2) (a)(i) of the CODE and was released on US$200 bail several days later.[40] The case never went to court.

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[38] The text of the constitution is available at http://www.parlzim.gov.zw/cms/UsefulResourses/ZimbabweConstitution.pdf.
[39] The law is available at http://www.kubatana.net/docs/legisl/criminal_law_code_050603.pdf.
[40] "Manager Arrested for Insulting the President," Herald (Zimbabwe), March 2, 2010, http://allafrica.com/stories/201003020057.html.

The ICA in conjunction with the Criminal Evidence Act was also used in July 2011 when the police (from the Criminal Investigations Department's Serious Fraud Squad) approached Econet for the call history details of Minister of Finance Tendai Biti, who is also the secretary-general of the MDC. The police requested this information as part of their investigation into suspected fraud against the minister who allegedly authorized several foreign trips for a female economist in the ministry and gave her travel and subsistence allowances at special rates.[41] The Minister applied for an injunction to bar the police from obtaining details of his cellphone records, and Econet stated that it would not release the Minister's records until the issue was finalized at the High Court. At the time of writing, the matter was still pending.

In March 2011, a man from Bulawayo, Zimbabwe's second largest city, became the first person in the country to be arrested over a comment he made on Facebook. Vikas Mavhudzi was charged "with subverting a constitutional government" after he posted a message on a Facebook page allegedly belonging to opposition leader and Prime Minister Morgan Tsvangirai that referenced the uprisings in Egypt.[42] The man was arrested on February 24, 2011, apparently after receiving an anonymous call that claimed he had sent a "security threat" via his mobile phone. The prosecutor Jeremiah Mutsindikwa accused Mavhudzi of "advocating or attempting to take-over government by unconstitutional means."[43] He spent more than a month in jail before being granted bail on March 31, 2011, and his case collapsed after no evidence of the message could be found.[44]

Mavhudzi's arrest coincided with the imprisonment of 45 individuals on February 19, 2011 who were charged with treason for discussing the Arab Spring events in North Africa. The group had been watching a video about the uprisings in Egypt and Tunisia when the police raided the closed-door meeting, arrested the group members—who included trade union leaders, students, and human rights activists—and confiscated computers and other equipment.[45] Although 39 individuals from the group were freed, the remaining six were imprisoned and tortured before being released on bail. On February 15, 2012, the court dismissed an acquittal application for the six individuals, and on March 21, 2012, the court

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[41] "Biti asks High Court to invalidate police phone records warrant," The Zimbabwe Reporter, July 12, 2011, http://zimbabwereporter.com/politics/3425.html; Tendai Kamhungira, "Econet won't release Biti's phone records," Daily News, July 14, 2011, http://www.dailynews.co.zw/index.php/news/34-news/3278-econet-wont-release-bitis-phone-records.html.
[42] The message read: "I am overwhelmed. I don't want to say Mr. or PM what has happened in Egypt is sending shockwaves to dictators around the world. No weapon but unity of purpose worth emulating, hey."
[43] Tererai Karimakwenda, "Bulawayo man arrested over Facebook message," SW Radio Africa News, March 4, 2011, http://www.swradioafrica.com/news040311/byoman040311.htm.
[44] "Zimbabwe Facebook subversion trial collapses," BBC News, Africa, September 21, 2011, http://www.bbc.co.uk/news/world-africa-15004244.
[45] "Activists arrested for watching video on Middle East unrest," IFEX, March 2, 2011, http://www.ifex.org/zimbabwe/2011/03/02/46_arrested/.

handed the activists a two-year suspended prison sentence, a US$500 fine, and 420 hours of community service.[46]

There have been no known cases of physical attacks against bloggers and online journalists, but there is concern that this could change as the country gears for elections in 2012 or 2013.

Website owners, bloggers, and internet users in general are not required to register with the government, though mobile phone users are required to register their SIM cards by submitting their personal identity details to the mobile operator, ostensibly to combat crime and stem threatening or obscene communications.[47] POTRAZ reported that around two million subscribers were disconnected in mid-2011 as a result of non-compliance.[48]

In September 2011, POTRAZ announced a ban of the popular BlackBerry messenger service (BBM) that enables users to send free messages. The ban was reportedly enacted for security reasons, blaming BBM for the mass uprisings in the Arab world at the beginning of 2011 and the violent protests in England in August 2011.[49] Moreover, the POTRAZ director-general announced in mid-2011 that the telecommunications authority was examining the impact of BlackBerry's Research in Motion (RIM) encryption technology and its compliance with the Interception of Communications Act (ICA), which requires that all telecommunication services should have the capability of being intercepted.[50] The ban came after POTRAZ clashed with Econet Wireless Zimbabwe over its subscribers' use of BlackBerry's heavily-encrypted services without prior licensing.[51]

The Post and Telecommunications Act of 2000 allows the government to monitor email usage and requires ISPs to supply information to government officials when requested in addition to report any email with "offensive or dangerous" content. The Interception of Communications Act of 2007 (ICA) enabled the establishment of a monitoring center to

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[46] Human Rights Watch, "Zimbabwe: Six Sentenced for Watching Arab Spring Video: Charges in Politically Motivated Case Should be Dropped," news release, March 21, 2012, http://www.hrw.org/news/2012/03/21/zimbabwe-six-sentenced-watching-arab-spring-video.
[47] "POTRAZ issues mobile phone registration reminder," Technology Zimbabwe, January 31, 2011, http://www.techzim.co.zw/2011/01/potraz-registration-reminder/.
[48] Tawinda Musarurwa, "Zimbabwe: Tele-Density Rate takes Dip," The Herald, May 10, 2011, http://allafrica.com/stories/201105110010.html, cited in L.S.M Kabweza, "ICT Policy and New Media Cultures in Southern Africa – Zimbabwe Report, Internal report for the Department of Media Studies" (South Africa: University of the Witwatersrand, 2011).
[49] "Mugabe vetoes Blackberry service," The Zimbabwean, September 28, 2011, http://www.thezimbabwean.co.uk/news/zimbabwe/53208/mugabe-vetoes-blackberry.html.
[50] Section 12 (1) (a) of the Act reads: (1) Notwithstanding any other law, a telecommunication service provider shall – (a) provide a telecommunication service which has the capacity to be intercepted.
[51] Kudakwashe Gwabanayi, "Potraz stops Econet project," Zimpapers, June 18, 2011, http://zimpapers.co.zw/index.php?option=com_content&view=article&id=3793:potraz-stops-econet-project&catid=41:business&Itemid=133.

oversee, among other things, traffic in all telecommunications and postal services.[52] In addition, the law requires telecommunications operators and ISPs to install the necessary technology at their own expense. Failure to comply can be punished with a fine of up to three years in prison. Furthermore, there have been unconfirmed reports that the government has received surveillance technology and training from China.[53]

Warrants allowing the monitoring and interception of communications are issued by the Minister of Information at his discretion, meaning there is no substantial judicial oversight or other independent safeguards against abuse. The frequency and extent of monitoring in practice remains uncertain. There are also reports that the government's Central Intelligence Organization (CIO) monitors all networks connected to the IP world's routing system through the Interception of Communications Unit, which is administered by a top ZANU-PF politician.[54]

The government has reportedly used Chinese assistance to hack into websites, although this cannot be confirmed. In December 2011, the website of the *Daily News*, one of the private newspapers in the country, experienced a series of attacks on its website. Although there is no concrete proof, the *Daily News's* information technology department blamed Chinese hackers working with some Zimbabweans for the hacking.[55] In February 2012, the website of the Finance Ministry (www.zimtreasurey.org) was hacked by a group calling themselves Absolution.[56] This followed a similar hacking of other government websites in December 2010 by a group of supporters working with Wikileaks.

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[52] The law is available at http://kubatana.net/docs/legisl/icb_070508.pdf.

[53] Lance Guma, "Too Much to Monitor for Snooping Squads," SW Radio Africa, August 7, 2007, http://www.swradioafrica.com/news070807/snoop070807.htm; Reporters Without Borders, "All Communications Can Now Be Intercepted under New Law Signed by Mugabe," news release, August 6, 2007, http://en.rsf.org/zimbabwe-all-communications-can-now-be-06-08-2007,17623.html.

[54] "Mugabe vetoes Blackberry service," The Zimbabwean, September 28, 2011, http://www.thezimbabwean.co.uk/news/zimbabwe/53208/mugabe-vetoes-blackberry.html.

[55] "Chinese cyber spooks intensify Zimbabwe media attacks, The Zimbabwe Mail targeted," The Zimbabwe Mail, December 30, 2011, http://www.thezimbabwemail.com/zimbabwe/10042-chinese-linked-ip-tries-to-hack-daily-news-website-attacks-on-th.html

[56] L.S.M Kabweza, "Zimbabwe finance ministry website taken down after hacking," Technology Zimbabwe, February 10, 2012, http://www.techzim.co.zw/2012/02/zim-finance-ministry-taken-down-after-hacking/.