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Freedom House

Freedom on the Net 2018 - Zimbabwe

Key Developments:

June 1, 2017 - May 31, 2018

- A military intervention led to President Robert Mugabe's resignation in November 2017, ending his 37-year rule. Former Vice President Emmerson Mnangagwa stepped up as president and was formally elected on July 30, 2018 (see Introduction).
- There were no connectivity disruptions or social media blocks during the coverage period. The National Policy for Information and Communications Technology, launched in March 2018, includes a plan to centralize control over the country's internet backbone (see Restrictions on Connectivity).
- False information online became more prevalent during the military intervention in late 2017. ZANU PF under President Mnangagwa is believed to pay progovernment commentators on social media to defend the new administration and attack opponents online (see Media, Diversity, and Content Manipulation).
- The draft Computer Crime and Cybercrime Bill gained momentum in 2018 and, if passed, will place restrictions on freedom of expression online (see Legal Environment).
- Several individuals were arrested for criticizing government officials, including Pastor Evan Mawarire, who had been previously arrested for leading a largescale anti-government protest movement in 2016 (see Prosecutions and Arrests for Online Activities).
- Concerns of unchecked government surveillance heightened in the face of revelations that the government partnered with Chinese company CloudWalk Technology in March 2018 to implement a nationwide facial recognition program (see Surveillance, Privacy, and Anonymity).

Introduction:

Internet freedom in Zimbabwe improved slightly in the past year due to a lack of restrictions to connectivity and social media platforms compared to the previous year. Nonetheless, false and manipulated information proliferated online during both the military intervention in late 2017 and elections in July 2018.

In November 2017, then-94-year old President Robert Mugabe was compelled to resign under pressure from the military after spending 37 years in power. Former Vice President Emmerson Mnangagwa stepped in as interim president, promising to hold elections in mid-2018 as scheduled. While the end of Mugabe's rule was largely welcomed by Zimbabweans and the international community, there have been no meaningful changes to the rule of law or the human rights situation under Mnangagwa's new tenure. The same political party, the Zimbabwe African National Union – Patriotic Front (ZANU PF) remains in power.

Conversely, Mnangagwa followed through on a few of Mugabe's initiatives to restrict internet freedom in the past year. In March 2018, he launched the National Policy for Information and Communications Technology (ICT), first introduced by Mugabe's administration in 2015, which sets out to centralize control over the country's internet backbone. Throughout the year, Mnangagwa's government continued to push for the draft Computer Crime and Cybercrime Bill, which will place restrictions on freedom of expression online if passed. And a new partnership with Chinese company CloudWalk Technology in March 2018 to implement a nationwide facial recognition program heightened concerns of growing government surveillance.

In a positive reversal, Mnangagwa's administration dropped the new Ministry of Cybersecurity, Threat Detection and Mitigation created by Mugabe in October 2017, which observers believed was aimed at curbing freedom of expression online. There were also no reported arrests or prosecutions for online activities under Mnangagwa in 2018 during the coverage period of this report; arrests recorded were under Mugabe's tenure.

ecoi.net summary:

Report on digital media and internet freedom (reporting period June 2017 - May 2018)

**Country:**

Zimbabwe

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Obstacles to Access:

There were no disruptions to connectivity during the coverage period compared to previous years. The National Policy for Information and Communications Technology launched in March 2018 includes a plan to centralize control over the country's internet backbone.

Availability and Ease of Access

Access to the internet in Zimbabwe stood at 52 percent as of mid-2018, according to official government data from the telecoms regulator POTRAZ, which incorporates mobile broadband access.¹ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote1sym>) By contrast, latest available data from the International Telecommunications Union (ITU) reported a much lower rate of 23 percent in 2017.² (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote2sym>) Mobile phone penetration was much higher at 88 percent per official government data, though millions of Zimbabweans remain virtually disconnected due to poor network coverage in remote areas or the lack of affordable services. Growth in mobile penetration coincides with the increase in mobile base stations around the country.

The rising popularity of free over-the-top (OTT) communications apps such as WhatsApp and Viber over the past few years has increased competition in the data internet market among service providers. Internet data costs have remained largely unchanged with leading mobile network, Econet offering access to the social media apps Facebook, WhatsApp, and Twitter for US\$ 1 for up to 250MB of use and daily social media access at US\$ 0.30 in mid-2018. State-owned NetOne offered social media data access of 40MB daily for US\$ 0.27 and 250MB for US\$ 2.80 per month. Home fiber from Liquid Telecom (owned by Econet) cost US\$ 29 for 25GB/month.

In June 2018, the regulator POTRAZ reduced the cost of internet access data by from US\$ 0.125 per megabyte to US\$ 0.05 per megabyte exclusive of all taxes. POTRAZ also reduced mobile voice interconnection fees from US\$ 0.04 to US\$ 0.02 per minute. The tariff reduction was largely welcomed, with POTRAZ stating that the changes were based on a 2017 cost research exercise.³ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote3sym>)

Laptops have maintained a steady average price of US\$ 300, while refurbished desktops and laptops can cost US\$ 50 and \$150, respectively. Internet cafes remain popular especially among youths for playing video games and downloading music. There remains a significant urban-rural divide among Zimbabwean internet users.

Restrictions on Connectivity

There were no disruptions to internet or mobile network connectivity during the coverage period.

Previous restrictions occurred in 2016, when the government made apparent efforts to restrict access to WhatsApp during antigovernment protests in July 2016. The platform was inaccessible for several hours, which observers believe was a deliberate move to cut off access to the popular mobile messaging app used by protestors to mobilize. Later in August 2016, mobile data prices reportedly increased by 500 percent overnight after the regulator directed mobile operators to suspend cheaper Facebook and WhatsApp data bundles, leading to suspicions that the government was deliberately curtailing access to mobile internet by making it unaffordable.⁴ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote4sym>) The minister of ICT later reversed the directive.

Zimbabwe has five international gateways for internet traffic: state-owned TelOne and Powertel; and privately owned Dandemutande, Econet, and Africom. State control over two of the country's gateways gives the government some ability to restrict access to internet and mobile networks, if desired.

In March 2018, President Mnangagwa launched the National Policy for Information and Communications Technology (ICT), which sets out a plan to centralize control over the country's internet backbone.⁵ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote5sym>) In the 2016 version of the policy, Section 7 on "ICT Infrastructure" details plans to establish a single national ICT backbone to be owned by various public and private shareholders but ultimately controlled by the government.⁶ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote6sym>) The section also mandates infrastructure sharing among telecoms, which private telecoms that have invested heavily in their own infrastructure have decried as a form of "backdoor nationalization."⁷ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote7sym>) Most troublingly, Section 23.3 creates "The National Backbone Company," defined by the document as "one Super Gateway which shall be the entry and exit point for all international traffic."⁸ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote8sym>)

ICT Market

The ICT market in Zimbabwe is diverse, with 12 licensed internet access providers (IAPs) and 27 internet service providers (ISPs) registered with the Zimbabwe Internet Service Providers Association (ZISPA) in 2017.⁹ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote9sym>)

As set by the regulator, license fees for ISPs range from US\$ 2-4 million, depending on the type of service, and must be vetted and approved by the regulator prior to installation.¹⁰ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote10sym>) Providers must also pay 3.5 percent of their annual gross income to the regulator. In 2017, the aspiring ISP, TeleContract (Private) Limited, initiated legal proceedings to challenge the regulator's high fees in court, calling them “unreasonable.”¹¹ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote11sym>) As of mid-2018, the matter is pending in the High Court. In general, there is a sense among private telecom players that the regulator favors state-owned entities and sets onerous license fees and conditions to disadvantage private companies.

Zimbabwe has five mobile service providers: privately-owned Econet and Africom, and state-owned TelOne, Telecel, and NetOne. Econet dominates the mobile data traffic holding 65 percent of the customer market share as of early 2018.¹² (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote12sym>) Telecel had partial state-ownership until November 2016, when the government reportedly paid US\$ 21 million for its acquisition,¹³ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote13sym>) a move that was seen as an effort to consolidate the government's control of the telecommunications sector.

Meanwhile, license fees for operating mobile phone services in Zimbabwe are also steep at US\$ 137.5 million,¹⁴ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote14sym>) hindering new players from entering the market. By contrast, neighboring South Africa charges a telecom license fee of 100 million RAND (approximately US\$7 million).¹⁵ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote15sym>) According to privately-owned Econet, the only operator to have paid the fee in full, license fee requirements have been used to undermine the private players and push business toward the state-owned operators, NetOne, TelOne, and Telecel, who have not been forced to pay the full fees.¹⁶ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote16sym>)

Regulatory Bodies

ISPs and mobile phone companies are regulated by the Postal and Telecommunications Regulatory Authority of Zimbabwe (POTRAZ), whose leaders are appointed by the president in consultation with the minister of information communication technologies and courier services. POTRAZ is expected to operate independently, but in practice, its independence has eroded over the years, becoming increasingly subsumed by security organs of the state. In October 2016, for example, a former director within the intelligence agency, Gift Machengete, was appointed as director-general of POTRAZ, which observers believe is part of the government's plans to monitor and restrict online activities.¹⁷ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote17sym>) IAPs and ISPs are also subject to security screenings by Zimbabwe's military, according to local sources.

While POTRAZ is seen as politically aligned with government interests, the regulator took a rare positive step to protect consumers in February 2018 when it ordered state-owned mobile service provider NetOne to compensate its clients who lost data in a technical bungle.¹⁸ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote18sym>)

Limits on Content:

Following the July 2018 elections, the state-owned telecom blocked the independent site Zimelection.com. There was a notable increase in false information disseminated on social media during the military intervention in late 2017 that led to President Robert Mugabe's eventual resignation. ZANU PF under succeeding President Emmerson Mnangagwa is believed to pay progovernment commentators on social media to defend the new administration and attack opponents online.

Blocking and Filtering

During this report's coverage period, there were no reported incidences of the government blocking or filtering online content. Access to social media platforms such as Facebook, Twitter, and YouTube and international blog-hosting platforms were all freely available.

However, in the days following the July 2018 elections, Zimelection.com, website of the independent advocacy organization Zimbabwe Election 2018 based in the United Kingdom, was blocked on the state-owned telecom, TelOne.¹⁹ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote19sym>) The site was still accessible on private networks.

The government last interfered with online content in July 2016, when WhatsApp was reportedly blocked during largescale anti-government protests.²⁰ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote20sym>) While the government denied that it had blocked the service, sources in the telecoms sector revealed that they had received instructions from the government to shut down WhatsApp.²¹ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote21sym>) The WhatsApp outage followed months of threats made by government officials to restrict social media and may bode further restrictions to come.

Content Removal

There were no reported incidents of forced content removal of online content during the coverage period, though Zimbabwean government authorities have been known to pressure users and content producers to delete content from social media platforms. Most notably, the government is suspected of being behind the removal of the anonymous whistleblower Baba Jukwa's Facebook page in July 2014, but the manner in which it was removed remains shrouded in mystery.²² (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote22sym>)

Media, Diversity, and Content Manipulation

Zimbabwe's online landscape continues to grow in vibrancy, with Facebook, Google, Yahoo, and YouTube among the most popular websites among Zimbabwean internet users. Increasing access to ICTs has spawned numerous citizen initiatives, such as the @OpenParlyZw Twitter account owned by the youth ICT network Magamba that actively monitors parliamentary activities.²³ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote23sym>) Magamba also runs a weekly Facebook comic analysis of key national issues titled “This Week,” and carries interviews on key national issues.²⁴ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote24sym>) Other citizen journalism efforts on social media, such as @263 on Twitter, have morphed into full-fledged online news outlets that engage in debates on citizen issues.²⁵ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote25sym>)

Nonetheless, a lot of critical news and information typically stems from independent news websites and other digital media outlets based outside Zimbabwe. Local media outlets reporting on controversial issues are often met with threats of arrest from state officials. Locally based online news sites such as Newzimbabwe.com and NehandaRadio.com typically report on sensitive issues under the cover of pseudonyms.

Self-censorship both online and off among Zimbabweans remains high. The arrest of digital activists like American Martha O'Donovan and Evan Mawarire (see Prosecutions and Detentions for Online Activities), as well as government's threatening statements about posting critical content, have palpably increased fear and self-censorship, according to local observers.

Fake news became more prevalent in the past year, with a notable increase in false information disseminated on social media during the military intervention in late 2017 that led to President Robert Mugabe's eventual resignation. The spread of unverified reports intensified the public's anxiety and fears during the country's unprecedented political transition. False reports revolved around the whereabouts of Mugabe and his family, including reports that Mugabe's wife Grace Mugabe had fled to Namibia, which the Namibian government publicly denied.²⁶ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote26sym>) Fake stories also spread about which of Mugabe's allies had been arrested or killed.

False information also fueled political attacks on the opposition in the lead up to the elections in July 2018. For example, the state media attacked the main opposition MDC Alliance leader Nelson Chamisa with falsified reports of his campaign strategies and actions, such as a story that Chamisa was mingling with former President Mugabe.²⁷ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote27sym>)

Meanwhile, ZANU PF under Mugabe's successor, Emmerson Mnangagwa, is believed to pay progovernment commentators on social media to defend the new administration and attack opponents online. Addressing ZANU PF youths in March 2018, Mnangagwa urged the supportive youths to “dominate” the social media space in the lead-up to the July elections.²⁸ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote28sym>) Observers noticed how the statement coincided with a notable increase in anonymous accounts on both Facebook and Twitter that attack opponents of the new administration, especially human rights defenders and opposition party members.²⁹ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote29sym>)

Digital Activism

Social media became a key source of information for citizens as well as activists during the political events of November and December 2017, helping capture critical moments of the political transition. Civil society widely used Facebook, WhatsApp, and Twitter to mobilize calls for Mugabe's resignation amid tensions with the military,³⁰ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote30sym>) with popular hashtags including: #MugabeMustGo, #AriseZimbabwe, and #FreshStart

Violations of User Rights:

The draft Computer Crime and Cybercrime Bill gained momentum in 2018 and will place restrictions on freedom of expression online if passed. Several individuals were arrested for criticizing government officials. Concerns of unchecked government surveillance heightened in the face of revelations that the government had partnered with Chinese company CloudWalk Technology in March 2018 to implement a nationwide facial recognition program.

Legal Environment

Zimbabwe's newest constitution enacted in 2013 provides for press freedom, freedom of expression, and access to information but is contradicted by laws that may curtail these rights.³¹ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote31sym>) Most notably, the Criminal Law Codification and Reform Act (CODE) places restrictions on certain types of speech that apply equally online and off. Section 33 of the CODE characterizes “undermining [the] authority of or insulting [the] President” in any printed or electronic medium as a crime against the state and prescribes fines, penalties of up to one year in prison, or both.³² (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote32sym>) In a positive step, a landmark constitutional ruling in February 2016 annulled Section 96 of the CODE, which had criminalized defamation.³³ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote33sym>) though the vaguely defined “criminal insult” remains an offense under Section 95.

A draft Computer Crime and Cybercrime Bill introduced in August 2016 has raised alarms about potential new restrictions on Zimbabwe's internet freedom. Among the problematic provisions of the bill's third draft published in 2017:

- Section 16 penalizes the dissemination of communications “with intent to coerce, intimidate, harass, threaten bully or cause substantial emotional distress” with a fine, prison of up to ten years, or both.³⁴ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote34sym>) which observers believe will be used to penalize government criticism on social media.³⁵ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote35sym>)
- Section 17 penalizes the spread of false information “to cause psychological or economic harm” with fines, up to five years in prison, or both.³⁶ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote36sym>)

While the government claims the cybercrime bill is focused on issues such as financial crimes, human rights defenders are concerned that the law will be used to target social media activists. Activists also argue that the bill provides too much discretionary power to the police to access personal or private information through a warrant from a magistrate, who observers believe lacks independence.³⁷ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote37sym>)

In February 2018, the ICT minister announced that the Computer Crime and Cybercrime Bill would be merged with the Data Protection Bill and the Electronic Transactions and Electronic Commerce Bill to cover the various types of cybercrime. Media advocates criticized the move to consolidate the three bills, arguing that the right to privacy needed to be codified in its own data protection law.³⁸ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote38sym>) In September 2018, President Mnangagwa included the three bills as part of his legislative agenda for the upcoming parliamentary session.³⁹ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote39sym>)

In October 2017, the government under former President Mugabe announced the creation of a new Ministry of Cybersecurity, Threat Detection and Mitigation, which observers widely believed was aimed at curbing freedom of expression online as the country geared up for elections in 2018.⁴⁰ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote40sym>) A government spokesperson stated that the new cybersecurity minister would learn from countries like China and Russia, applauding the two restrictive countries for doing well “in ensuring some kind of order and lawfulness” in cyberspace.⁴¹ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote41sym>) The new ministry was subsequently dropped after Mugabe's resignation.

Prosecutions and Detentions for Online Activities

Several individuals were arrested for legitimate online activities during the coverage period, reflecting the government's ongoing intolerance for critical online commentary and activism.

At the height of factional struggles over who would succeed then-President Mugabe in the ruling ZANU PF party, Energy Mutodi, a supporter of then-Vice President Emmerson Mnangagwa, was arrested in August 2017 for a Facebook post in which he criticized Mugabe over his handling of the party's succession politics.⁴² (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote42sym>) Mutodi also alleged fellow ministers had attempted to poison Mnangagwa at a Mugabe rally in Gwanda.⁴³ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote43sym>) Mutodi was later freed by the courts.

In September 2017, police arrested #ThisFlag protest movement leader, Evan Mawarire, for posting a video on Facebook that called for protests against fuel shortages and commodity price hikes.⁴⁴ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote44sym>) Mawarire had previously been arrested during antigovernment protests in July 2016 on allegations of inciting public violence and later charged with subversion.⁴⁵ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote45sym>) All pending charges against Mawarire were eventually dropped in November 2017.⁴⁶ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote46sym>)

Following the creation of a cybersecurity ministry in October 2017, the authorities arrested an American citizen, Martha O'Donovan, for a tweet deemed insulting to then-President Mugabe.⁴⁷ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote47sym>) O'Donovan was released after a week in police custody.

Surveillance, Privacy, and Anonymity

Concerns of unchecked government surveillance heightened in the past year in the face of revelations that the government had partnered with Chinese company CloudWalk Technology in March 2018 to implement a nationwide facial recognition program.⁴⁸ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote48sym>) In China, facial recognition technology has already been used to target human rights activists,⁴⁹ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote49sym>) leading to worries that the technology will empower the Zimbabwean government to do the same. Media and freedom of expression advocacy group MISA-Zimbabwe expressed concerns about how the program will infringe on citizens' privacy rights.⁵⁰ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote50sym>) The program is part of China's investment of US \$71 million through its global Belt and Road Initiative for the development of Zimbabwe's ICT infrastructure.

Several legal provisions may allow the government to conduct surveillance without sufficient oversight. The Post and Telecommunications Act of 2000 allows the government to intercept suspicious communications and requires a telecommunications licensee, such as an ISP, to supply information to government officials upon request.⁵¹ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote51sym>) Section 88 of the act also obligates telecoms to report any communications with “offensive” or “threatening” content.

The Interception of Communications Act of 2007 provided for the establishment of a Monitoring of Interception of Communications Center with the power to oversee traffic in all telecommunications services and to intercept phone calls, emails, and faxes under the pretext of national security, though it is unclear whether the Center is in operation.⁵² (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote52sym>) Section 9 of the act requires telecommunications operators and ISPs to install necessary surveillance technology at their own expense and to intercept information on the state's behalf.⁵³ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote53sym>) Failure to comply is punishable with a fine and sentence of up to three years in prison. Warrants allowing the monitoring and interception of communications are issued by the minister of information at his/her discretion; consequently, there is no adequate judicial oversight or other independent safeguard against abuse,⁵⁴ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote54sym>) and the extent and frequency of monitoring remains unknown.

The draft National Policy for Information and Communications Technology (ICT) introduced in late 2015 put forth an ambitious set of policies that, if implemented, would provide the government with the ability to shut down networks or block websites as well as strengthen its surveillance capabilities through centralized control over the country's internet (see Restrictions on Connectivity). In October 2015, Portnet Software—an IT company that provides security solutions for various sectors and in which the government has a 51 percent share—reportedly upgraded its capacity to help the government intercept and analyze ICT communications.⁵⁵ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote55sym>) IT experts saw the move as part of efforts to facilitate the implementation of the draft National Policy.⁵⁶ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote56sym>) Provisions in the draft cybercrime bill introduced in August 2016 also potentially intrude on citizens' right to privacy by authorizing interception, search, and seizure of electronic gadgets without sufficient oversight to prevent abuse, which would further strengthen the government's surveillance capabilities.

Anonymous communication and user data are compromised by SIM card registration regulations implemented in 2011, which require mobile phone users to submit personal identity details to mobile operators, ostensibly to combat crime and curtail threatening or obscene communications.⁵⁷ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote57sym>) Under the 2013 Postal and Telecommunications (Subscriber Registration) Regulations (Statutory Instrument 142/2013), subscribers are required to register with all telecommunications service providers with details including a full name, permanent residential address, nationality, gender, subscriber ID number, and national ID or passport number.⁵⁸ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote58sym>) Network operators are then required to retain such personal information for five years *after* either the subscriber or operator has discontinued service.

In addition, the regulations require ISPs to provide POTRAZ with copies of their subscriber registry to be stored in a Central Subscriber Information Database to enable POTRAZ to “assist law enforcement agencies on safeguarding national security,” among other aims.⁵⁹ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote59sym>) An amendment to the regulations in 2014 requires law enforcement agents to obtain a court order or a warrant to request information from the central database,⁶⁰ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote60sym>) which some observers worry falls short of judicial oversight since a warrant “can be issued by police officers who have been designated as justices of the peace.”⁶¹ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote61sym>) In July 2017, POTRAZ invited companies to bid for a contract to supply and implement the information database.⁶² (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote62sym>)

Intimidation and Violence

Online journalists and ICT users face regular harassment, intimidation, and violence for their online activities. In September 2017, reporters from the online comedy platform for citizen journalists, BusStop TV, had their press cards confiscated and were subsequently escorted from a ZANU PF rally. The reporters believe they were targeted for posting critical videos about the ruling party on Facebook and other social media platforms.⁶³ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote63sym>)

Technical Attacks

There were no technical attacks against government critics, online news outlets, or human rights organizations reported during the coverage period, though government websites were the targets of hacks. Following the contentious general elections on July 30, 2018, the Zimbabwe Electoral Commission website was reported hacked and defaced with pictures of violent protests that had erupted.⁶⁴ (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote64sym>)

Notes:

1 (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote1anc>) POTRAZ 2nd Quarterly Report, 2018. See <https://263chat.com/download-potraz-second-quarter-2018-report/> (<https://263chat.com/download-potraz-second-quarter-2018-report/>)

2 (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote2anc>) International Telecommunication Union, “Percentage of Individuals Using the Internet, 2000-2016,” <http://bit.ly/1cblxxY> (<http://bit.ly/1cblxxY>)

3 (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote3anc>) <http://hmetro.co.zw/potraz-reduces-data-tariffs/> (<http://hmetro.co.zw/potraz-reduces-data-tariffs/>)

4 (<https://freedomhouse.org/report/freedom-net/2018/zimbabwe#sdfootnote4anc>) Lungelo Shezi, “Zimbabwe data prices hiked by up to 500% to curb social media activism and dissent,” Mail & Guardian, August 5, 2016, <https://mg.co.za/article/2016-08-05-zimbabwe-data-price-hiked-up-by-up-to-500-to-curb-social-media-activism-and-dissent> (<https://mg.co.za/article/2016-08-05-zimbabwe-data-price-hiked-up-by-up-to-500-to-curb-social-media-activism-and-dissent>); <https://www.newsday.co.zw/2016/08/mobile-operators-suspend-data-bundles-promotions/> (<https://www.newsday.co.zw/2016/08/mobile-operators-suspend-data-bundles-promotions/>)

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