DIGITAL RIGHTS AND ACCESS TO INFORMATION SERIES ⑩

FIREPROOFING THE DIGITAL PUBLIC SPHERE IN SUB-SAHARAN AFRICA

Some Notes for Citizen Journalists, Independent Media, and Civil Society Organisations

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ABSTRACT

The growth and expansion of mobile phone technology in Africa has led to the emergence of new media forms and reshaped the production, dissemination, and consumption of news and information. Internet-based platforms (such as Facebook, WhatsApp, X (formerly known as Twitter), and various blogs) have played a pivotal role in transforming the media landscape in Sub-Saharan Africa.

This paper explores how these platforms have impacted democratising the public sphere, challenging traditional media monopolies, and confronting ruling elites' propaganda. Focusing on the Sub-Saharan context, the paper delves into the challenges the digital public sphere faces, drawing attention to authoritarian backlashes in response to increased civic engagement and transparency demands.

The paper provides a broader analysis, identifying discernible trends in repressive strategies employed by African regimes. It argues for a nuanced, country-specific approach to understanding and countering these challenges, emphasising the need for a context-aware perspective to deepen democratic practices. Examining the current digital landscape, the report underscores limitations stemming from insufficient telecommunication infrastructure investments in Sub-Saharan Africa.

The rise of surveillance states and the use of spying technology for citizen monitoring are also addressed, emphasising the necessity of digital literacy and security programs. It highlights instances of state-driven internet shutdowns, arrests of journalists and activists, exorbitant licensing fees and data charges, and localised disinformation campaigns.

Challenges arising from global disruptions are also explored, such as those witnessed on X and their impact on authoritarian settings in Sub-Saharan Africa. It raises concerns about the increasing presence of right-wing ideologies and potential threats to the digital public sphere, urging a closer examination of international norms and standards.

In conclusion, the paper underscores the importance of leveraging regional and international conventions, including the United Nations, African Union, Southern African Development Community, East African Community, and Economic Community for West Africa, to advance and entrench digital rights on the continent. It calls for collaboration among journalists, media organisations, and digital rights advocates to navigate the evolving landscape and safeguard the future of the digital public sphere in Sub-Saharan Africa.

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CONTEXTUAL ANALYSIS OF THE DIGITAL PUBLIC SPHERE

The internet and mobile phone technology have reconfigured the media worldwide, resulting in changes in news production, distribution, and consumption. Mobile telephony revolutionised the way information is accessed, consumed, and shared. It allows people to access media content anytime and anywhere and enables ordinary citizens to create and publish content.

Content creation and distribution have become more decentralised as mobile devices give access to news and entertainment. The 415 million smartphone subscriptions in Sub-Saharan Africa in 2022 are expected to reach 689 million by 2028, based on the steady growth in earlier years.[1]

Social media platforms host various types of content, including text posts, images, videos, audio clips, and links to articles, blog posts, or other websites. Social media enables users to share news in real time; hence, it has become a primary source of news updates. Platforms such as Facebook, X, YouTube, and Instagram allow live streaming, which provides an interactive platform for individuals and organisations to broadcast live video content.

African social media users have also risen continuously, amounting to over 384 million in 2022. Social media penetration is considerably higher in Northern and Southern Africa. As of February 2022, 56 per cent of the population in Northern Africa used social media, while the share was 45 per cent in Southern Africa. Central Africa was significantly behind, with a share of only 8 per cent.

In Ghana, Kenya, Nigeria, and South Africa, social media users favoured WhatsApp.[2] In August 2022, Facebook was the social media platform most often accessed on mobile devices in Nigeria at 67 per cent. X and Instagram followed with 13 per cent and 12 per cent, respectively. Overall, Facebook's share of total web traffic in Nigeria reached over 98 per cent in 2021.[3]

Ghana has around 8.8 million social media users, a number expected to increase in the coming years. Some of the leading social media platforms in the country are WhatsApp, Facebook, Instagram, Snapchat, and Twitter. Besides the growing usage, these platforms are also preferred by the country's population.[4]

The internet has expanded Africa's public sphere as more players emerge as sources of information, competing with conventional mass media (radio, television, and newspapers). Social media and the internet have made sharing news, ideas, and opinions easier. Access to the internet also creates economic opportunities for businesses to advertise and sell their products. It also gives citizens a voice, allowing them to express their opinions.

However, internet access also comes with many challenges. Social media has been a source of disinformation, misinformation, propaganda, and manipulated images and videos, which creates confusion, mistrust, and conflict. The platforms are also a breeding ground for cybercriminals. Personal information such as biometric data, location, and contact lists can be accessed and used for identity theft and political manipulation.

In Sub-Saharan Africa, the digital space is shaped by laws, regulations, ownership patterns, and political dynamics, and the way social media is used is determined by such factors. Most countries in Sub-Saharan Africa have laws restricting freedom of expression and access to information. These laws often include provisions that criminalise defamation,

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1. Available at: https://www.statista.com/statistics/1133777/sub-saharan-africa-smartphone-subscriptions/
2. Available at: https://www.statista.com/forecasts/1145315/social-media-users-in-africa
3. Available at: https://www.statista.com/statistics/1330927/share-of-social-media-platforms-accessed-via-mobile-in-nigeria/
4. Available at: https://www.statista.com/topics/9778/social-media-in-ghana/#topicOverview

sedition, or spreading false information and are frequently used to silence dissenting voices, critical reporting, opposing narratives, and limit freedoms.

Governments often establish regulatory bodies that silence, monitor, and sanction media outlets. In Ethiopia, the government has been known to use the Ethiopian Broadcasting Authority to silence independent media outlets. The authority has been accused of revoking licenses and imposing heavy fines on media organisations critical of the government.[5] In Uganda, the Uganda Communications Commission (UCC) has been criticised for its role in monitoring and censoring media outlets. The UCC has restricted access to certain online platforms and shut down radio stations, websites and social media accounts for alleged violations of regulations.[6]

Governments widely use state-owned media as propaganda tools to disseminate their own narratives while suppressing alternative viewpoints. They have increasingly sought to regulate online spaces through internet shutdowns, censorship, surveillance, and restrictive regulations.

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5.   Reuters, 14 May 2021, Ethiopia revokes press credentials of New York Times reporter
6.   Available at: https://freedomhouse.org/country/uganda/freedom-net/2021

3

INTERNET AND MOBILE PENETRATION IN SUB-SAHARAN AFRICA

In Africa, the growth of the internet and its importance in accessing information has significantly increased in the last decade. In 2022, there were 570 million internet users, double the number in 2015. By the end of 2019, 477 million people in Sub-Saharan Africa subscribed to mobile services (45 per cent of the population). At the same time, smartphone adoption rose to 50 per cent of total connections in 2020 as cheaper devices became available.[7] Arguably, most Africans use phones rather than computers to access the internet. This is partly because mobile connections are cheaper and do not require the infrastructure needed by computers with fixed-line internet connections,[8] as well as the growth of mobile network companies. Fewer than one-third of Africans have broadband connectivity, with 300 million living more than 50 km from a fibre or cable broadband connection.[9]

Despite the rising number of users, the internet penetration rate was around 50 per cent in 2022, below the global average of 66 per cent. Of the 25 least connected countries worldwide, 21 are in Africa.[10]

The past decade has witnessed significant upgrades and transformations in the media landscape of Sub-Saharan Africa. One of the most notable upgrades in the media sector has been the rapid digitalisation of traditional media outlets. Many traditional media organisations have also launched their own websites and mobile applications to cater to the growing demand for digital news.

African governments are committed to digital migration (the transition from analogue broadcasting to digital broadcasting). Almost all developed countries successfully migrated to digital as far back as 2004, but Africa still lags.[11] The region has taken steps towards this, as all countries have migrated, or are migrating, to digital terrestrial broadcasting, and most are in the final stages.[12] Mauritius and Tanzania are the only African countries that have fully migrated. Some countries struggle due to financial constraints and a lack of urgency to comply with ITU and SADC guidelines.[13] There are also technical challenges, such as capacity building and training to deploy the necessary infrastructure.[14]

African governments are committed to progressing in the digital sphere, as demonstrated in the Digital Transformation for Africa (2020-2030). One of the objectives of the strategy is:
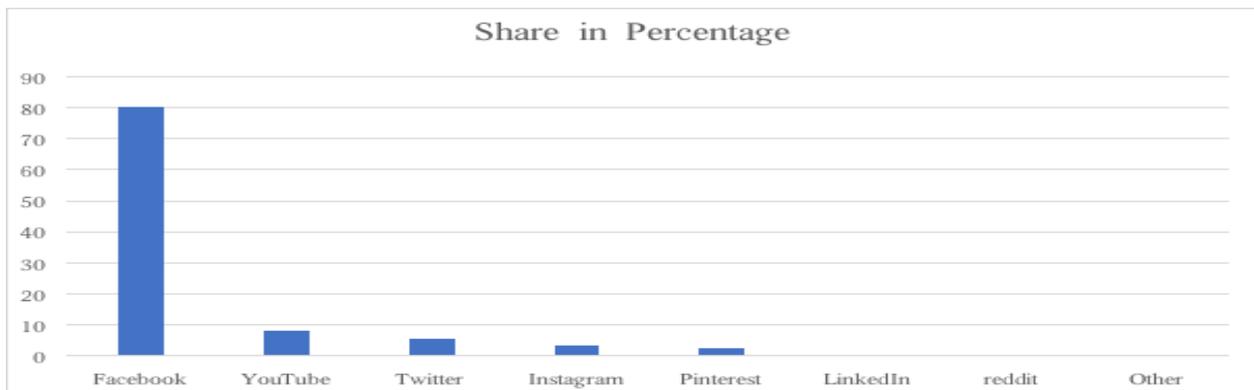
> by 2030, all our people should be digitally empowered and able to access safely and securely to at least (6 mb/s) all the time wherever they live in the continent, at an affordable price of no more than (1cts USD per mb) through a smart device manufactured on the continent at the price of no more than (100 USD), to benefit from all basic e-services and content of which at least 30% is developed and hosted in Africa.[15]

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7. GSMA (2020) The Mobile Economy Sub-Saharan Africa accessible at https://www.gsma.com/mobileeconomy/wpcontent/uploads/2020/09/GSMA_MobileEconomy2020_SSA_Eng.pdf

8. Business Inside Africa (2022) 5 reasons Africans love using WhatsApp messenger accessible at https://africa.businessinsider.com/local/lifestyle/5-reasons-africans-love-using-whatsapp-messenger/vxlqxqq

9. https://www.statista.com/statistics/269329/penetration-rate-of-the-internet-by-region

10. https://www.worldbank.org/en/topic/digitaldevelopment/overview#1

11. Norah Appolus (2022) Digital Migration and Access to Information: The Southern African Experience, FRIEDRICH-EBERT-STIFTUNG (FES), https://library.fes.de/pdf-files/bueros/africa-media/19719.pdf

12. Ibid

13. Norah Appolus, July, 2022, Digital Migration And Access To Information: The Southern African Experience, Perspectives, Fesmedia Africa, Available at: https://library.fes.de/pdf-files/bueros/africa-media/19719.pdf

14. ibid.

15. African Union, The Digital Transformation Strategy for Africa (2020-2030), https://au.int/en/documents/20200518/digital-transformation-strategy-africa-2020-2030

However, subsidising STBs is also a clear indication of the political will of some governments in the region to ensure that citizens enjoy the full benefits of digital migration and its inherent spin-offs, including access to information.[16]

The widespread availability of affordable smartphones in Africa has resulted in a massive interest in social media, internet-based tools, and platforms that allow people to interact with each other more than in the past. Studies show that when Africans go online, they spend much of their time on social media platforms. According to Global Statistics, Facebook (80.39 per cent) is the most used social media platform, followed by YouTube (8.15 per cent), X (5.52 per cent), and Instagram (3.23 per cent), in the order shown in the graph below.[17]

Source: https://gs.statcounter.com/social-media-stats/all/africa/#monthly-202204-202304-bar

According to Statista, approximately 95.4 per cent of internet users in South Africa reported using WhatsApp every month. In Nigeria, 91.9 per cent of internet users use WhatsApp, 93.5 per cent in Kenya, and 89.9 per cent in Ghana.

The proliferation of mobile phone technology, internet tools, and digital platforms has liberated the public sphere, expanded media discourses, democratised the media profession and allowed media entrepreneurship to thrive. New media start-ups have launched in waves to become storytellers and change agents. These include The Continent, a digital Pan-African newspaper based in South Africa, distributed via WhatsApp, to more specialised organisations such as Tazama World Media, which helps marginalised communities in Kenya.[18] Nigeria's HumAngle trained women displaced by Boko Haram in citizen journalism and armed them with smartphones. This has helped expose scandals in food diversions and food-for-sex in camps.[19] Digital media, therefore, carry the sentiment of a liberated people.

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16. Norah Appolus, July, 2022, Digital Migration And Access To Information: The Southern African Experience, Perspectives, Fesmedia Africa

17. https://gs.statcounter.com/social-media-stats/all/africa/#monthly-202204-202304-bar

18. CNBC Africa (2021) Digital Native News Media Playing a Vital Role in Africa accessible at https://www.cnbcafrica.com/2021/digital-native-news-media-playing-a-vital-role-in-africa/

19. Ibid.

4

OVERVIEW OF THE DIGITAL PUBLIC SPHERE IN SUB-SAHARAN AFRICA

COMPULSORY REGISTRATION

Many African governments have passed a litany of repressive legislation to curtail digital rights and freedoms in the digital public sphere. The objective has always been to create a climate of fear that induces self-censorship among journalists, bloggers, media houses, and private companies working in the digital sphere. For instance, mandatory SIM card registration in Ethiopia requires users to provide their name, photo ID, signature, relatives' phone number, and address.[20] The motive for collecting relatives' details is not explained; however, it is believed that this is part of social surveillance and control strategies using family. Failure to clarify the reasons for collecting personal details leaves citizens uncertain and leads to self-censorship, which restricts freedom of expression among citizens.

In March 2018, the UCC issued a directive to all online data communication service providers, including online publishers, news platforms, and radio and television operators. The directive advised them to apply for an authorisation from the commission within one month or risk having their websites or streams blocked.[21] The directive was issued on short notice, giving parties little time to comply. Such regulatory approaches are thus a direct attack and a threat to freedom of expression.

In Tanzania, the government introduced the Electronic and Postal Communications (Online Content) Regulations (2020), which required content creators to register and use local domains. In December 2016, Mr Maxence Melo, founder of the JamiiForums,[22] was charged with obstructing a police investigation under the 2015 Cyber Crimes Act. It was alleged that JamiiForums had not complied with an order to disclose data and were managing a domain not registered in Tanzania, which contravened Section 79 (c) of the Electronics and Postal Communications (2020).[23] The authorities sought to retrieve details of a subscriber, using the pseudonym FUHRER JF, who had contributed to a debate on corruption deals and tax evasion regarding the Oilcom Company at the Dar es Salaam Port on JamiiForums.[24] This is a clear muzzling of public debate on critical issues of public interest in the digital sphere. Using country-registered domains means that all communications conducted in the digital public sphere are subject to censorship. Such a situation reflects the government's commitment to stifle democratic initiatives availed by the digital public sphere.

ARREST OF JOURNALISTS AND ACTIVISTS

In Africa, journalists face intimidation and harassment and are sometimes arrested while doing their work. Governments often view critical reporting and activism as acts against the state. Governments target journalists through the police, military, and secret services, who seek to control the flow of information. These acts cause physical harm and affect the emotional well-being of journalists. It also results in self-censorship and a restricted flow of information. In Uganda, the Computer Misuse Act 2011, which prohibits cyber harassment and offensive communication, has led to the arrest and prosecution of government critics, including Dr Stella Nyanzi in 2019 for cyber harassment. The threat of arrest means that only the brave continue to express themselves; those who feel vulnerable suppress their views.

In Ethiopia, the Computer Crime Proclamation 958/2016 punishes the dissemination of any type of writing or video

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20. CIPESA (2020) State of Internet Freedom in Ethiopia 2019: Mapping Trends in Government Internet Controls, 1999-2019, accessible at https://cipesa.org/wp-content/files/State-of-Internet-Freedom-in-Ethiopia-2019.pdf

21. CIPESA,(2019) Digital Rights in Africa: Challenges and Policy Options, accessible at https://cipesa.org/wp-content/files/reports/Digital-Rights-in-Africa-Challenges-and-Policy-Options-April.pdf.

22. JamiiForums is a non-governmental organization which advocates and promotes civil and digital rights, social justice, accountability, democracy, and good governance.

23. Bebia, Y. (2022). Digital Era Governance and the Political Economy of Digital Communication Control in Tanzania. International Journal of Social Science Research and Review, vol. 5, no. 9, pp. 97-123.

24. Bebia (2022)

online that is likely to cause violence.[25] In Zimbabwe, the Maintenance of Peace and Order Act 2019 repealed AIPPA but kept some aspects, and it is selectively used to restrict independent media activity.[26] The Criminal Law (Codification and Reform) Act and the Data Protection Act contain provisions that have been used to arrest media practitioners who criticise maladministration, inefficiency, and lack of accountability and transparency. In 2019, there were 22 cases in which journalists and activists were charged with treason or subversion.[27] In 2020, journalist and whistle-blower Hopewell Chin'ono was arrested after reporting on the alleged COVID-19 procurement fraud within the Ministry of Health and Child Care, which resulted in the arrest of the former Health Minister Obadiah Moyo.[28] In May 2022, journalists Chengeto Chidi, Blessed Mhlanga and Mary Mudeya were arrested.

In addition, the inclusion and interpretation of cyber security in the Data Protection Act as synonymous with national security cuts severe inroads into the freedom of expression as it gives the government power to monitor and intercept communications.[29] Human Rights Watch reported on 30 March 2021 that in Rwanda, at least eight people were arrested, threatened, or prosecuted for reporting or commenting on current affairs on YouTube, along with several suspicious deaths and disappearances.[30]

These laws are vague and have constantly been abused by authorities to discipline perceived enemies or government critics. In the context of such manifestations, Africa represents an environment in which freedom of expression in the digital public sphere is at risk.

SURVEILLANCE, PRIVACY, AND DATA PROTECTION LAWS

Governments in Sub-Saharan Africa use surveillance technologies to monitor digital spaces, with at least three Southern African countries (Botswana, Zambia, and Zimbabwe) acquiring surveillance technology from an Israeli firm in May 2023.[31] The technology is used to monitor social media platforms.

In Zimbabwe, social media platforms are monitored, and people are arrested under the Data Protection Act, which criminalises

spreading false information. Any critical information against the government, the political elite, or influential people is considered false information. A freelance sports journalist was arrested for spreading false messages on Facebook against the Dynamos Football Club board members. His phone and iPad were confiscated for further investigation.[32]

In Malawi, over eight people were arrested between 2021 and 2022 for their activities on social media. One was convicted for allegedly insulting the President on WhatsApp. Another was an investigative journalist arrested for something he posted on his website. His phone was confiscated, and the website where he posted his work was hacked.[33] The crackdown on the internet using surveillance technologies and data protection laws limits freedom of speech and results in self-censorship.

EXORBITANT LICENSING FEES, TAXATION, VOICE, AND DATA COSTS

The expansion of the telecommunications sector has led to increased media reach. In response, Sub-Saharan African governments have used strategies to limit the expansion of the digital public sphere, such as exorbitant fees for licensing telecommunication companies and internet service providers, licensing media houses and journalists, and voice and data services. Governments also raise entry barriers for information service co-production to limit public debate and content creation, as few creatives can meet financial demands from regulators.

The licensing and registration of bloggers in Tanzania have created financial barriers for citizen journalists, with heavy annual license payments imposed by the Electronic and Postal Communications (Content) Regulations of 2018 and 2020 for owners of social media platforms.[34] This has led to a disproportionate targeting and excessive charging of news and current affairs content providers.

In Uganda, authorities have used taxation to exclude a significant section of the public from the digital public sphere, creating a class-based digital divide.[35] The passing of the amendment to the Excise Duty Act that introduced an excise tax of Uganda Shillings (UGX) of 200 (USD 0.05) per

25. Ayalew Y. E. (2020) Assessing the limitations to freedom of expression on the internet in Ethiopia against the African Charter on Human and Peoples' Rights, African Human Rights Law Journal, pp. 315-345

26. KII. B. Dube. Director National Youth Development Trust/Crisis Coalition vice Chair. Virtual Interview

27. Available at: https://freedomhouse.org/country/zimbabwe/freedom-world/2020

28. Available at: https://freedomhouse.org/country/zimbabwe/freedom-world/2020

29. MISA: 2021. Analysis of the Data Protection Act Zimbabwe,misa.org.

30. Human Rights Watch, Rwanda: Arrests, Prosecutions over Youtube Posts: Urgent Reforms Needed as Commonwealth Summit Approaches, 20 March 2021, https://www.hrw.org/news/2021/03/30/rwanda-arrests-prosecutions-over-youtube-posts

31. Misa, *Statement to the ACHPR on the right to freedom of expression in Southern Africa*, 04 May 2023, https://misa.org/blog/statement-to-the-achpr-on-the-right-to-freedom-of-expression-in-southern-africa/

32. CPJ, *Zimbabwean authorities charge journalist Hope Chizuzu under cybercrime law*, 06 October 2022, https://cpj.org/2022/10/zimbabwe-authorities-charge-journalist-hope-chizuzu-under-cybercrime-law/

33. J. Kainja, *Arrests mar Malawi's digital rights landscape*, 19 September 2022, https://www.apc.org/en/news/arrests-mar-malawis-digital-rights-landscape

34. Bebia (2022)

35. Ibid.

user per day in the 2018 to 2019 financial year for Over the Top services such as WhatsApp, Facebook, and X led to a significant reduction of the internet penetration rate especially among low-income earners. Within three months after the introduction of the tax, the number of internet users in the country declined by five million, thus constituting an internet penetration rate decline of 12 per cent (47 per cent to 35 per cent).[36] Ugandan President Yoweri Museveni justified a social media tax as a "sin tax" to punish social media users for their opinions, prejudices, and insults.[37] The tax was later revised to a 12 per cent levy on the net price of internet data, with an additional 18 per cent value-added tax, further making it more inhibitive.[38] The tax aimed to silence access to information and free debate on the digital public sphere.

Data pricing is a significant barrier to internet access in Africa, with the Worldwide Mobile Pricing 2022 report revealing that five of the most expensive countries for 1GB of mobile data are primarily in Sub-Saharan Africa.[39] This region is reported as the fourth most expensive for mobile data globally, with only six countries among the top 50 cheapest. The least expensive in the region is Malawi at USD 0.38. The region also has five out of the ten most expensive countries globally, with Zimbabwe (USD 43.75) being the highest, South Sudan (USD 23.70), the Central African Republic (USD 10.90) and Zambia (USD 8.01).[40]

INTERNET SHUTDOWN AND DISRUPTIONS

Governments worldwide use internet shutdowns to suppress the internet, with Africa no exception. These shutdowns occur during major demonstrations, public protests, election periods and to hide state brutality. They are justified as necessary for national security and often stem from discontent over election conduct and results of poor service delivery. In Uganda, the government shut down social media on the eve of the presidential elections in 2016, and again in January 2021, citing national security concerns. The shutdown lasted for five days, from 14-18 January. The government claimed

the internet was fuelling tension in the country.[41] Network disruptions continued in Ethiopia, where SMS services were blocked in 2020 for over two years due to opposition protests. In Zambia, authorities blocked access to social media platforms during the 12 August 2021 election.[42]

In Sudan, the Transitional Military Council killed over 100 pro-democracy protesters, leading to a near-total internet blackout for over a month in June 2019. The military also shut down phone and SMS services for two days before a nationwide pro-democracy march on 30 October 2021. Shutdowns were deployed again in December 2021, January 2022, and around anniversary marches in June and October 2022 to quell protests.[43]

In January 2019, Zimbabwe experienced a brutal crackdown involving security forces, killing at least nine protesters and injuring several others. The government shut down the internet nationwide, leading to an interim ruling from the High Court stating the government had overstepped its mandate.

In Ethiopia, internet services were closed for two days in Addis Ababa and its surroundings following the Burayu ethnic-based attacks in September 2018.[44] In July 2020, access to social media was restricted in Chad following the killing of a young mechanic in the N'Djamena market by an army officer.[45] The internet was limited again in February 2021 during a raid by security forces on the house of an opposition presidential candidate who had refused to respond to a judicial summons.[46]

THREATS AND PHYSICAL HARM

Governments often use threats to control the digital public sphere, causing self-censorship among media practitioners. Service providers are threatened with operating license withdrawal, while individuals or bloggers are threatened with imprisonment. In some cases, threats are followed by abduction and physical harm. For example, in 2019,

36. Antonio, F. (2022) The Kill Switch: How Internet Shutdowns Threatened Fundamental Human Rights in Africa and Beyond, Digital Future White Paper Series, accessible at https://law.yale.edu/sites/default/files/area/center/isp/documents/anthonio_kill-switch.pdf

37. Ibid.

38. Ibid.

39. The Worldwide Mobile Pricing 2022 report Available at https://www.cable.co.uk/mobiles/worldwide-data-pricing/

40. Ibid.

41. Anguyo, I. (2021) Internet and social media shutdowns in Uganda cannot stop growing political resistance, accessible at http://eprints.lse.ac.uk/109023/2/Africa_2021_02_03_internet_and_social_media_shutdowns_in_uganda.pdf

42. Access Now (2021)As a contentious election nears, rights groups urge Zambia to #KeepItOn, accessible at https://www.accessnow.org/press-release/as-contentious-election-nears-rights-groups-urge-zambia-to-keepiton/

43. Mohamed-Ali, A. (2021) Sudan Digital Rights Landscape Report accessible at Sudan Digital RightsLandscape Report - IDS OpenDocsInstitute of Development Studies Https://opendocs.ids.ac.uk › bitstream › handle

44. Ayalew, Y. E. (2019) The Internet shutdown muzzle(s) freedom of expression in Ethiopia: competing narratives, Information & Communications Technology Law, vol. 28, no. 2, pp. 208-224.

45. Amnesty International (2021) Chad: Internet Shutdowns Impeding Freedom of Expression, accessible at https://www.amnesty.org/en/latest/press-release/2021/04/tchad-les-coupures-internet-une-entrave-la-liberte-dexpression/

46. Ibid.

Zimbabwean comedian and political satirist Samantha Kureya was abducted, beaten, stripped, and forced to drink sewage water after police deemed a 2016 satirical skit a public nuisance.[47] The incident prompted her to stop critical reporting on police brutality and caused fear among journalists and bloggers.[48]

In addition, on 8 February 2022, Nomthandazo Maseko and her editor were assaulted by members of the Swaziland Liberation Movement (Swalimo) activist group in Matsapha, Eswatini, after livestreaming a protest on Swati Newsweek's Facebook page. The incident occurred outside the local prison, where two pro-democracy parliament members were detained.[49] On 23 March 2023, Al Jazeera released a documentary called Gold Mafia: The Laundry Service, which exposed alleged illicit financial flows from Zimbabwe, abuse of diplomatic immunity, illicit gold trading, and money laundering.[50] Following this documentary, George Charamba, the Deputy Chief Secretary Presidential Communications, threatened to go after journalists and anyone reporting about the documentary on social media.

He tweeted:

> We will come for you if you elect to defame people on flimsy grounds of privileges of false journalism… you want to be heroes of Al Jazeera as did your counterpart in Egypt a few years back, we help you ascend that dubious pedestal of false heroism. No one-repeat-no one will come to your aid!!!'[51]

Following this threat, Hopewell Chin'ono, a journalist reporting on the case, tweeted that he would not report on the Gold Mafia story again for fear of his own safety.[52]

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47. Dube, H. Freedom of Expression in Zimbabwe

48. S. Allison, *You are too young to mock the government: Zimbabwean comedian relives her abductio*n, Mail and Guardian, https://mg.co.za/article/2019-12-04-00-you-are-too-young-to-mock-the-government-zimbabwean-comedian-relives-her-abduction/

49. Committee to Protect Journalists (CPJ) (2022) Eswatini prison officers assault, threaten to shoot reporter covering pro-democracy protest, accessible at https://cpj.org/2022/02/eswatini-prison-officers assault-threaten-to shoot reporter covering-pro-democracy-protest/

50. Gold Mafia: Episode 1: The Laundry Servive, 23 March 2023

51. Charamba G. (2023) [X] 29 March. Available at: https://X (formerly Twitter).com/GeorgeCharamba2/status/1641016891178115072 (Accessed 1 April 2023)

52. Chin'ono Hopewell (2023) [X (formerly Twitter)] 29 March. Available at: https://X (formerly Twitter).com/daddyhope/status/1640949145312669696 (Accessed 1 April 2023)

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CONCLUSION

This paper argues that the growth of the internet has led to the development of digital media in Africa. This has been seen on social media-based platforms playing a key role in disseminating information and news on the continent. Citizens, journalists, and media actors have taken advantage of this phenomenon, expanding the public sphere to the digital terrain. However, African governments have devised a cocktail of measures to discipline the digital public sphere.

The study explored the six common strategies governments in Sub-Saharan Africa use to muzzle the free flow of information and calls for accountability. In as much as the digital public sphere presents opportunities for advancing media freedoms and access to information, there are some pitfalls that those working in the media should consider.

In light of these findings, the following recommendations seek to address pitfalls that might be faced as digital workspaces are navigated:

GOVERNMENTS

- Quickly adopt the African Union Declaration on Internet Governance, established in Algiers on 13 February 2017, to establish a global, transparent, and inclusive framework of internet governance based on openness principles, including freedom of expression, private life protection, universal access, and cultural diversity.

- Respect, protect, and guarantee the rights outlined in the African Declaration on Internet Rights and Freedoms, including respect for privacy, data protection, freedom of expression, information, development, knowledge access, and openness.

- Prioritise revision of several ICT-related repressive pieces of legislation to ensure they align with the revised ACHPRs Declaration of Principles on Freedom of Expression and Access to Information in Africa.

- Strengthen the independence of the judiciary to ensure that it effectively checks executive powers. This will ensure that the independence of oversight bodies is protected within the required principles and standards.

MEDIA

- The media should actively participate in an awareness campaign to inform the public about government controls restricting internet freedoms, digital developments, and laws affecting citizens' rights, freedoms, and duties.

- Collaborate with other stakeholders, including governments and civil society, to promote internet and press freedom.

- Challenge laws that limit press freedom and citizens' access to information online and offline.

- Promote digital safety and the protection of journalists.

CIVIL SOCIETY

- Engage in collaborative advocacy and innovative initiatives to raise digital rights awareness, inform the public about internet freedom protection best practices, and build stronger multi-stakeholder coalitions locally, regionally, and globally to push back against internet controls and promote internet freedom to resist internet controls.

- Monitor the government's collaboration with other states and governments and actors like tech companies to ensure that any emerging investments, infrastructure developments, training, technology sales, and user data transfers do not adversely infringe or limit citizens' access to internet rights.

- Continue to document human rights abuses during internet shutdowns to ensure that shutdowns are not seen as a practical means of silencing dissent and evading accountability and ensure that victims can hold perpetrators to account.

- Actively lobby governments to decentralise telecommunications infrastructure, promoting diversity to protect against government shutdowns. Emerging technologies like Starlink, Amazon's Sidewalk protocol, and distributed VPNs can reduce government control over internet access.

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ABOUT THIS PROJECT

Fesmedia Africa is the regional media project of the Friedrich-Ebert-Stiftung (FES) in Africa. Its work promotes a free, open, liberal and democratic media landscape that enables ordinary citizens to actively influence and improve their lives, as well as those of the communities and societies they live in. Fesmedia Africa believes that in order to participate in public life and decision-making, people need to have the means, skills and opportunities to access, exchange and use information and knowledge. They need to be able to communicate and exchange ideas, opinions, data, facts and figures about issues that affect them and their communities.

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FIREPROOFING THE DIGITAL PUBLIC SPHERE IN SUB-SAHARAN AFRICA

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This paper explores the impact of internet platforms on democratising the public sphere, challenging traditional media monopolies, and confronting ruling elites' propaganda.

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Focusing on the Sub-Saharan context, the study delves into the challenges the digital public sphere faces, drawing attention to authoritarian backlashes in response to increased civic engagement and transparency demands.

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The paper provides a broader analysis, identifying discernible trends in repressive strategies employed by African regimes. It argues for a nuanced, country-specific approach to understanding and countering these challenges, emphasising the need for a context-aware perspective to deepen democratic practices.

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