

GLOBAL INFORMATION SOCIETY WATCH 2021-2022

Digital futures for a post-pandemic world



ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS (APC)
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MOZAMBIQUE

THE NEED TO STRENGTHEN A BROAD-BASED HUMAN RIGHTS MOVEMENT IN MOZAMBIQUE



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Introduction

With the emergence of the COVID-19 pandemic, there has been increased attention on the state-citizen relationship, and the fact that many governments have used the law to restrict civic space, for example, by putting limitations on freedoms for citizens to demonstrate.² The government of Mozambique is one such government. This report discusses the state of human rights during the COVID-19 pandemic in Mozambique, focusing on the threats against activists and the strategies that have been used by civil society organisations to report through digital platforms in the country.³

The findings are based on a collection of cases and narratives of human rights violations that occurred during the COVID-19 pandemic, as well as ethnographic observation carried out in the virtual space (netnography),⁴ by following internet social networks and news reports. Since Mozambique is a Portuguese-speaking country, the main references were consequently translated into English.

Mozambique is a country with low internet access (23%), which creates inequalities between the different regions throughout the country. Of the country's 7.54 million internet users, around three million people connect to social media networks, most of them using Facebook.⁵ The telecommunications market is dominated by three major service providers. These are Tmcel, Vodacom and Movitel. According to the 2017 After Access Survey conducted across 16 countries in the global South,

Mozambique had among the lowest mobile phone and internet penetration rates at that time, 30% and 10%, respectively.⁶ In 2019, Research ICT Africa (RIA) reported that Mozambique had the lowest mobile phone adoption level (50%) and, at 36%, the second highest gender disparity level after Rwanda's, which was 38%.⁷ RIA's nationally representative information and communications technology (ICT) access and use survey was part of a survey of 20 countries in the global South (10 in Africa) that canvassed barriers to access for people who were not connected, as well as the challenges to optimal internet usage even where there was coverage or an individual had connectivity.

Beyond the laws, the threat to freedoms in Mozambique

Mozambique introduced its first legal provision regarding civic participation in its 1990 constitution, reflected, months later, in the laws on the right to free association and the rights to freedom of assembly and to demonstrate. The constitution of Mozambique (article 48) guarantees the rights of freedom of expression and access to information. It stipulates that all citizens have the right to freedom of expression, as well as the right to information; and that freedom of the press includes, in particular, the freedom of journalistic expression, creativity and access to information. Despite these constitutional provisions, the country faces several challenges with respect to freedom of expression.

State-run outlets dominate the Mozambican media sector, and the authorities often direct these outlets to provide coverage favourable to the government. While there are a few independent media outlets that provide important coverage, their journalists frequently experience government pressure, harassment and intimidation, which encourages self-censorship.⁸ The revision of the Press Law is still under discussion and is expected to be passed by the parliament in 2022. However, it has been

1 PhD candidate, Political Science, France.

2 Pereira, C., Forquilha, S., & Shankland, A. (2021). Revisitar o Espaço Cívico Moçambicano em Tempo de Crise. *Informação sobre Desenvolvimento, Instituições e Análise Social*, 145P. <https://opendocs.ids.ac.uk/opendocs/handle/20.500.12413/16935>

3 Pereira, C., & Forquilha, S. (2020). *Navigating Civic Spaces in Mozambique: Baseline Report*. Institute for Social and Economic Studies. <https://opendocs.ids.ac.uk/opendocs/handle/20.500.12413/16563>

4 Kozinets, R. (2011). *What is netnography?* [Video]. SAGE Research Methods. <https://dx.doi.org/10.4135/9781412995511>

5 Kemp, S. (2022, 15 February). Digital 2022: Mozambique. *DataReportal*. <https://datareportal.com/reports/digital-2022-mozambique>

6 <https://researchictafrica.net/data/after-access-surveys>

7 Gillwald, A., Mothobi, O., & Rademan, B. (2019). *The State of ICT in Mozambique*. Research ICT Africa. https://researchictafrica.net/wp/wp-content/uploads/2019/07/2019_After-Access_The-state-of-ICT-in-Mozambique.pdf

8 <https://freedomhouse.org/country/mozambique/freedom-world/2021>

developed without sufficient stakeholder input, and includes provisions that many feel will be used against the media. Some activists also say that this is also not an appropriate moment to approve the law,⁹ due to the risks of it being used to censor the media while the country is locked in a war that has affected northern Mozambique since 2017.¹⁰

In recent years, different instruments for measuring civic participation, such as Afrobarometer surveys or democracy indices, have been showing a tendency for democracy and, consequently, for civic space to deteriorate in Mozambique. For example, Afrobarometer surveys show that from 2011 to 2015 the demand for democracy dropped from 25% (2011-2013) to 9% (2014-2015), one of the sharpest declines in sub-Saharan Africa among countries covered by the survey.¹¹ Civil society groups meanwhile claim that the authorities monitor criticism of the government posted online.¹² There have also been reports of government intelligence agents monitoring the emails of opposition party members.

In this context I focus on some initiatives that have been implemented by civil society organisations and civic groups for the promotion of human rights amidst the COVID-19 pandemic.

The struggle for access to information during COVID-19 in Mozambique

The Mozambican government declared a COVID-19-related state of emergency in late March 2020, instituting restrictions on assembly and movement – but since September 2020, the country has been under a “state of public calamity”. Although sometimes similar to a state of emergency, a state of public calamity is decreed by the government in the face of a catastrophe or disaster that results in great damage and losses.¹³ It is important to note that the decree that instituted a state of emergency barred the media from transmitting COVID-19 information that is “contrary to official information”, which allows for the arbitrary restriction of journalistic information and the state’s interference in editorial

independence.¹⁴ Citizens must follow several restrictive measures that limit the circulation of people and goods, according to the state of emergency decree.¹⁵ To ensure the rapid flow of critical, accurate public health information during this time, several digital platforms have emerged in the private and public sector. However, these platforms and initiatives lack clarity in terms of how they work and what potential impact they may have on data privacy and personal security.¹⁶

Civil society organisations and digital rights

With the COVID-19 pandemic, connectivity challenges increased, and consequently left many people unable to enjoy their digital rights. Infrastructure could not cope with increased demand and many more people now needed to be online but could not afford to be. This has increased the digital divide. The violation of human rights in Mozambique also seems to have been a major concern for many civil society organisations.¹⁷ For example, in 2020, citizens denounced the excessive use of force by the police to enforce the state of emergency. At that time, a civil society organisation called Centre for Democracy and Development (CDD) created a telephone hotline to receive complaints from citizens of human rights abuses.¹⁸ In 2021, civil society organisations launched the Mozambican Network of Human Rights Defenders (RMDDH),¹⁹ a network that was created to protect activists and report cases of human rights violations in Mozambique.²⁰ The RMDDH is composed of various civil society organisations and works to protect human rights defenders. Since its creation, the network has published several public notes denouncing cases of human rights violations.

9 Lusa. (2022, 10 February). New media law in Mozambique “is terrible” for journalists – NGO. *Club of Mozambique*. <https://clubofmozambique.com/news/new-media-law-in-mozambique-is-terrible-for-journalists-ngo-209305/>

10 MSF. (2021, 16 April). Fear and loss for people fleeing violence in Cabo Delgado. <https://www.msf.org/people-lose-family-livelihoods-cabo-delgado-mozambique>

11 Pereira, C., & Forquilha, S. (2020). Op. cit.

12 <https://freedomhouse.org/country/mozambique/freedom-world/2021>

13 Daniel, G. (2020, 17 September). Estado de Emergência e de Calamidade Pública. *GDA Advogados*. <https://www.gdaadvogados.com/pt/publicacoes/insights/estado-de-emergencia-e-de-calamidade-publica/210>

14 Tsandzana, D. (2021, 19 January). In Mozambique, a tug of war between public health and digital rights during the pandemic. *Global Voices*. <https://globalvoices.org/2021/01/19/in-mozambique-a-tug-of-war-between-public-health-and-digital-rights-during-the-pandemic/> (accessed 7 November 2021).

15 https://www.rsm.global/mozambique/sites/default/files/br_87_i-serie_suplemento_2020.pdf.

16 Tsandzana, D. (2021, 19 January). Op. cit.

17 Massarongo-Jona, O. (2021). A pandemia da COVID-19 no espaço da Lusofonia: a visão de direitos humanos no direito moçambicano. *Cadernos Ibero-Americanos de Direito Sanitário*, 10(2), 258-266. <https://doi.org/10.17566/ciads.v10i2.764>

18 Matias, L. (2020, 5 May). Covid-19: Cidadãos moçambicanos denunciam abusos da polícia. *DW*. <https://www.dw.com/pt-002/covid-19-cidad%C3%A3os-mo%C3%A7ambicanos-denunciam-abusos-da-pol%C3%ADcia/a-53343318>

19 Júnior, A. (2020, 6 October). Ativistas moçambicanos lançam Rede Nacional de Defesa dos Direitos Humanos. *VOA*. <https://www.voaportugues.com/a/ativistas-mo%C3%A7ambicanos-lan%C3%A7am-rede-nacional-de-defesa-dos-direitos-humanos/5611072.html>

20 <https://redemoz-defensoresdireitoshumanos.org>

Despite the low level of access to digital platforms, some local organisations have used the internet to promote human rights in times of crisis, such as Txeka, a digital platform for promoting the political participation of young people, particularly women.²¹ Its Facebook page, which is the main tool for its activism, is followed by more than 29,000 users.

Since the beginning of the pandemic, Txeka has been working to remedy cases of violence through online campaigns on its social media platforms. Its particular focus has been gender-based violence, and it has been publishing a minimum of four posts daily about legal provisions for the protection of women and girls, both online and offline, on its Facebook feed.

This initiative also addresses online violence, reporting on cases that have occurred in the last years in Mozambique. Many of its activities are promoted through the use of videos and illustrative animations. The example of Txeka represents the new face of a struggle, where the use of digital platforms becomes an opportunity to promote human rights alongside digital rights in Mozambique.

COVID-19 has led Mozambican other civil society organisations to reinvent themselves, particularly those linked to the defence of press freedom or safeguarding justice, which, in the context of the pandemic, means monitoring cases of violations of individual and collective freedoms.

However, the government control over civic space continues to be one of the greatest obstacles to civil society activism. There are also geographical variations regarding the closure of civic space, in the sense that the further away from the country's capital and urban centres one is, the more closed the space becomes and, because of that, the more difficult to navigate it is. Civil society organisations based in the outlying provinces are unable to explore the possibilities afforded by the legal framework in the same way as those organisations based in Maputo.²² Although they do use internet platforms for activism, this use is relatively infrequent compared to organisations based in Maputo. In part this is due to the limited financial, material and human resources available to civil society at the provincial level. Personal experience also suggests that internet access in terms of access speeds and infrastructure is worse in the provinces compared to the capital.

It should be pointed out that cases of state intimidation with negative consequences for freedom of expression have not been confined to the media,

but have also affected ordinary citizens. On 16 February 2021, Mozambique's President Filipe Nyusi pardoned two individuals who had appeared in a video insulting him, after the case became widely discussed in the country.²³ In the video, two men who were stuck in a traffic jam in Maputo minutes before the start of the curfew – which was put in place in the Mozambican capital on 4 February 2021 – complain about the restrictive measures linked to the COVID-19 pandemic. Using insults, the two criticise the curfew given the chaotic traffic situation and place the blame on the president.

The video went viral on social media and was even broadcast by the STV television channel. Subsequently, the National Criminal Investigation Service opened an investigation against the two men for the crime of slander,²⁴ leading to the arrest of one of them. Three days later, according to the outlet *Folha de Maputo*,²⁵ the man was released after a judge accepted a request from the Mozambican Bar Association arguing that the crime of slander requires a complaint filed by the offended party, which in this case would be the Mozambican president.²⁶

Conclusion

The COVID-19 pandemic shifted attention and civic energy to the national public health emergency.²⁷ As a result, civic action, which was marked by the emergence of new actors and new coalitions, appears to have focused on issues such as health and emergency aid, considering their relevance to controlling the spread and effects of the virus, rather than the issues of daily life that have been affected by the government's responses to the pandemic, such as gender-based violence, livelihood challenges, education, and law and order. Nevertheless, some organisations have managed to build campaigns and projects in these spaces, some turning to internet platforms to support their advocacy.

In general, most civil society organisations in Mozambique operate without significant legal restrictions. However, rights defenders and members

21 <https://www.facebook.com/TxekaMoz>

22 Pereira, C., & Forquilha, S. (2020). Op cit.

23 Tsandzana, D. (2021, 22 February). Mozambique's President pardons young men who insulted him in viral video. *Global Voices*. <https://globalvoices.org/2021/02/22/mozambiques-president-pardons-young-men-who-insulted-him-in-viral-video>

24 Jornal Notícias. (2021, 12 February). Jovem detido por injuriar PR. <https://www.jornalnoticias.co.mz/capital/maputo/jovem-detido-por-injuriar-pr>

25 Folha de Maputo. (2021, 17 February). PR perdoa jovens que o ofenderam num vídeo nas redes sociais. <https://www.folhademaputo.co.mz/pt/noticias/nacional/pr-perdoa-jovens-que-o-ofenderam-num-video-nas-redes-sociais>

26 Tsandzana, D. (2021, 22 February). Op cit.

27 Anderson, C., et al. (2021). *Navigating Civic Space in a Time of Covid: Synthesis Report*. Institute of Development Studies. <https://opendocs.ids.ac.uk/opendocs/handle/20.500.12413/16602>

of groups perceived as critical of the government continue to report acts of intimidation. This intimidation appears to have increased at the start of the pandemic, when the government used its legislative powers under the state of emergency and state of public calamity, which is still in effect at the time of writing. While this suggests that civic space for activism is shrinking in the country, a trend not helped by the ongoing war in the northeast of Mozambique, it also needs to be remembered that civil society participation and civil dynamics have always been relatively limited, mainly due to the restrictions imposed by authoritarian practices, low internet connectivity and media centralisation by the public entities.

Action steps

In this context, the following action steps are recommended:

- There is a need to encourage collective activism among civil society organisations working for human rights broadly in Mozambique. This will enable unity of effort and better long-term results. One way to do this is to strengthen the Mozambican Network of Human Rights Defenders (RMDDH), allowing it to expand its network, by organising initiatives beyond its local networks, so more people are likely to benefit from its activities.
- Similarly, there is a need to establish a broad network involving other civil society organisations that are experienced in promoting digital rights, to encourage friendship and solidarity between organisations.
- Civil society organisations should invest in digital security, so that their activities are carried out in a protected environment, including where their privacy and data are protected.

DIGITAL FUTURES FOR A POST-PANDEMIC WORLD

Through the lens of the COVID-19 pandemic, this edition of Global Information Society Watch (GISWatch) highlights the different and complex ways in which democracy and human rights are at risk across the globe, and illustrates how fundamental meaningful internet access is to sustainable development.

It includes a series of thematic reports, dealing with, among others, emerging issues in advocacy for access, platformisation, tech colonisation and the dominance of the private sector, internet regulation and governance, privacy and data, new trends in funding internet advocacy, and building a post-pandemic feminist agenda. Alongside these, 36 country and regional reports, the majority from the global South, all offer some indication of how we can begin mapping a shifted terrain.

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