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FREEDOM OF THE PRESS

Uganda

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The Ugandan press freedom environment did not undergo any significant changes in 2012, as journalists continued to face intimidation and harassment from state and nonstate actors. The media operated in a tense atmosphere as the government sought to rein in protests demanding financial accountability. Government officials often accused media houses of helping to incite violence by giving airtime to voices of dissent. Verbal threats from officials, including the president, engendered self-censorship, especially among less prominent rural media outlets. Despite these obstacles, the independent media remained vibrant, and many continued to thrive commercially. Moreover, Ugandan courts exercised a degree of independence, throwing out criminal cases brought against journalists by the state.

The country's constitution provides for freedoms of expression and of the press. However, several laws undermine these guarantees, and the government has continued to crack down on critical journalists and media houses using a variety of methods. Although the Constitutional Court declared the law on sedition unconstitutional in August 2010, the government has employed other provisions of the penal code, including those on criminal libel and treason, against journalists. In March 2012, a local official in Kalangala brought criminal defamation charges against Central Broadcasting Service (CBS) journalist Ronald Ssemuusi for a report linking the official to the disappearance of a number of solar panels donated by the African Development Bank. The case remained pending at year's end. In a positive step in December, a Kampala court dismissed a criminal libel case against two *Daily Monitor* journalists, Henry Ochieng and Angelo Izama, who had been accused of defaming President Yoweri Museveni.

In April 2011, after a delay of nearly six years, the government finally promulgated implementing regulations for the 2005 Access to Information Act. Uganda is among a handful of African countries with a freedom of information law, but without the regulations in place, the act had existed only on paper. Even after the release of the regulations, many government departments still deny requests for information. Moreover, the parliament has yet to enforce the law's requirement that each ministry submit annual reports on the status of implementation. In 2012, Information Minister Mary Karoro Okurut conceded to lawmakers that her ministry had not done enough to enforce the regulations. Other laws related to national security and confidentiality continue to impede open access to information in practice.

Media groups had expressed fear that the Press and Journalist Amendment Bill, proposed in 2010, would enable the government to manipulate the licensing and registration of media outlets and introduce new publication offenses, but the amendments had not been tabled before the parliament by the end of 2012. The 2000 Press and Journalist Act requires journalists to register with the government-affiliated National Institute of Journalists of Uganda (NIJU) and obtain a license from the Media Council, which has been criticized for lacking independence. Journalists must also meet certain standards, including possession of a university degree, to be full members of the NIJU. Although journalists are required to renew their licenses annually, this provision is frequently overlooked in practice. In 2012, Karoro Okurut reiterated a previous threat that the government might enforce the licensing requirement, citing growing unprofessionalism.

The regulatory structure is not always transparent and grants broad discretionary powers to the regulator. In September 2012, the parliament passed legislation that consolidated the 1997 Uganda Communications Act and the 2000 Electronic Media Act, effectively merging two regulators, the Uganda Broadcasting Council (UBC) and the Uganda Communications Commission (UCC), under the name of the latter. The new law completed a move initiated by the government in 2010. The regulatory bodies' licensing procedures have been criticized as arbitrary and opaque, and they are susceptible to influence and manipulation by the executive. The authorities have continued to interfere in private radio broadcasting, suspending a number of stations in recent years. Radio stations that have faced suspension in the past often engage in self-censorship to avoid renewed conflict with authorities. There were new reports in 2012 that rural radio stations that aired criticism of the government on talk shows had been forced to suspend or fire the hosts and presenters. In October 2012, the UCC directed radio stations not to air a song by a local musician that was critical of the executive director of the Kampala City Capital

2013 SCORES

PRESS STATUS

**Partly
Free**

PRESS FREEDOM SCORE

55

LEGAL ENVIRONMENT

19

POLITICAL ENVIRONMENT

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Authority. Although the regulator has not followed up on its 2011 warning to television and radio stations against covering political protests live, fears of repercussions for such coverage remain, especially at the state broadcaster. In December 2012, Museveni once again threatened to close radio stations that hosted critics of his government. The threat came after a controversy surrounding the mysterious death of Cerinah Nebanda, a ruling party legislator who was very critical of the administration.

Censorship and interference by authorities reportedly continued to hamper news coverage, particularly in rural areas. In July 2012, police questioned prominent talk-show host Meddie Nsereko Ssebuliba for more than three hours after he moderated a program featuring critical politicians. He was summoned on allegations that he “failed to moderate” the show, but no charges were filed. In the countryside, government officials and security agents continued to intimidate journalists and attempt to influence content by forbidding certain guests to appear on live radio programs. The several radio stations owned by members of the ruling National Resistance Movement (NRM) avoid news that is deemed harmful to the government and deny opposition politicians access to the airwaves, particularly in rural areas.

Journalists face harassment, occasional violence, and various other obstacles while attempting to cover the news. Security agencies, especially the police, once again topped the list of press freedom offenders in 2012, with many cases of brutality against journalists. In January, plainclothes police in Kampala reportedly shot at *Daily Monitor* photographer Isaac Kasamani as he observed officers throwing a tear gas canister at opposition leader Kizza Besigye, according to local press freedom group Human Rights Network for Journalists–Uganda (HRNJ-Uganda). A police investigation found no evidence that the journalist had been shot at. Kasamani was again assaulted by police officers in October, along with two other journalists who had gone to cover Besigye’s arrest outside police headquarters in Kampala. Kasamani and reporter William Ntege suffered minor injuries, and both had their cameras destroyed in the incident, according to HRNJ-Uganda and the Committee to Protect Journalists. A third reporter was punched in the face. On December 24, officers from a police antiterrorism unit assaulted journalist Mulindwa Mukasa of the Associated Press and WBS Television as he was covering the arrest of an NRM member of parliament. Another journalist reporting on the arrest, Radio Simba’s Nasser Kayanja, had his mobile telephone confiscated and smashed. There were several other reports of journalists being injured by police during demonstrations in 2012, though it was not always clear whether these cases were deliberate or accidental.

There are more than two dozen daily and weekly newspapers and more than 180 private radio stations. The daily *New Vision*, in which the government holds a controlling stake, generally shows some editorial independence, though it tends to side with the government during elections and political protests. Other print outlets, such as the *Monitor*, the *Observer*, and the *Independent*, are more critical of the government and offer a range of opposition views. There is unrestricted access to foreign news sources, and domestic outlets draw on and reference these sources in their reporting. Radio remains the most widely accessed news medium, though very few stations dedicate sufficient time to news and public affairs programming. In recent years, the number of community stations has grown across the country. Although technically a public broadcaster, the Ugandan Broadcasting Corporation (UBC) remains subservient to the interests of the ruling party and the government. Four private television stations also operate.

To safeguard their investments, private media owners reportedly comply with government requests, including onerous instructions as to which journalists they may employ. Declining circulation rates have compromised the sustainability of newspapers in recent years. Threatened or actual advertising boycotts by corporations and the government, which are especially problematic for smaller media outlets, further limit media diversity and pluralism.

About 15 percent of Ugandans accessed the internet in 2012. Internet access through either computers or mobile phones is not officially restricted, though it is effectively limited by high costs and a lack of infrastructure, especially in rural areas. In the last decade, the mobile-phone industry has experienced substantial expansion, and there are now more than 14 million subscribers in Uganda, making it one of the top 10 African countries in terms of mobile subscriptions. Social-media sites such as Facebook, Twitter, and YouTube are gaining popularity as a means of disseminating news and information.

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