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FREEDOM ON THE NET 2024

Uganda

PARTLY FREE

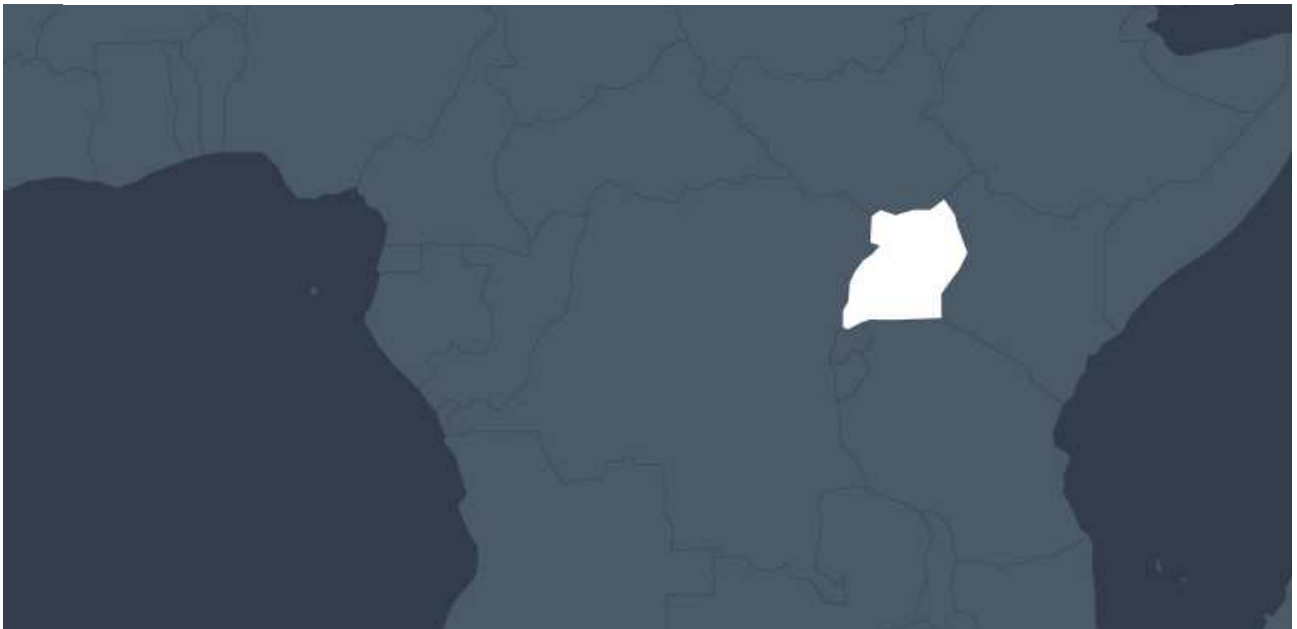
53
/100

A. <u>Obstacles to Access</u>	14 / ₂₅
B. <u>Limits on Content</u>	21 / ₃₅
C. <u>Violations of User Rights</u>	18 / ₄₀

LAST YEAR'S SCORE & STATUS

51 /100 Partly Free

Scores are based on a scale of 0 (least free) to 100 (most free). See the research methodology and report acknowledgements.



Key Developments, June 1, 2023 – May 31, 2024

Internet freedom in Uganda improved slightly during the coverage period, as access to connectivity improved and people used social media to mobilize for government accountability. The government continued to restrict the space for free expression online by manipulating information on social media, cracking down on digital activists, and attempting to enforce registration requirements for online media.

- In July 2023, the Uganda Revenue Authority (URA) introduced a 5 percent digital services tax on nonresident companies that earn income by providing digital services in Uganda. The tax raised fears that companies would increase prices, further widening the digital divide and increasing the barriers to online publishing (see A2 and B6).
- In January 2024, the British Broadcasting Corporation (BBC) uncovered a network of fake social media accounts on X and Facebook that were linked to the Government Citizen Interaction Centre (GCIC). The accounts spread progovernment messages and threatened critics (see B5).
- In May 2024, the Uganda Communications Commission (UCC) once again ordered online media outlets to register within two months or face closure (see B6).
- Ugandans took to social media platforms to demand social justice and government accountability in popular digital activism campaigns, including the #UgandaParliamentExhibition movement, despite continued efforts to restrict online mobilization (see B8).
- In April 2024, Uganda’s Constitutional Court upheld provisions of the 2023 Anti-Homosexuality Act (AHA) that criminalize the “promotion of homosexuality,” including through the internet or mobile devices, and make it punishable by up to 20 years in prison. The decision was a blow to efforts to protect freedom of expression online (see C1 and C2).
- Following the passage of the AHA in 2023, online harassment and violence against LGBT+ individuals increased, accompanied by the spread of videos

on social media platforms that depict beatings and abuse of people based on their perceived sexual orientation (see C7).

Political Overview

While Uganda continues to hold regular elections, their credibility has deteriorated. The country has been ruled by National Resistance Movement (NRM) and President Yoweri Museveni since 1986. The NRM retains power through patronage, intimidation, and politicized prosecutions of opposition leaders. Uganda’s civil society and media sectors face legal and extralegal harassment and state violence.

A. Obstacles to Access

A1 0-6 pts

Do infrastructural limitations restrict access to the internet or the speed and quality of internet connections?	2 / 6
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Score Change: The score improved from 1 to 2 because some metrics showed improvements in internet penetration.

Uganda saw an improvement in internet penetration in 2023. According to DataReportal’s *Digital 2024* report, Uganda’s internet penetration rate was 27 percent, **1** an improvement from the previous year’s 24.6 percent. **2** Meanwhile, the communications regulator, the UCC, reported that the country had 27.7 million internet subscriptions and an internet penetration rate of 61 percent as of June 2023. **3** However, the most recent estimate from the International Telecommunication Union (ITU), from 2021, reports that only 10 percent of individuals use the internet. **4**

According to internet speeds aggregator Ookla, as of February 2024, Uganda had a median download speed of 32.11 megabits per second (Mbps) and a median upload speed of 13.07 Mbps on mobile connections. Over fixed-line broadband connections, Ookla reported a median download speed of 13.08 Mbps and a median upload speed of 14.80 Mbps. **5** These speeds exceed the minimum of 4

Mbps nationwide prescribed by Uganda’s National Broadband Policy, which was adopted in 2018. **6**

Other obstacles to internet usage include limited access to electricity in rural areas, low digital literacy levels, and the high cost of internet-enabled devices such as computers and smartphones (see A2). **7** Some 31 percent of the population currently resides within range of 4G service, according to the Inclusive Internet Index. **8**

In February 2024, traffic data showed a brief decline in connectivity after major telecommunications networks were targeted by a cyberattack from the hacking group Anonymous Sudan (see C8). **9**

Overall, the information and communication technology (ICT) sector continues to grow, with reported investments and improvements in the performance of government-controlled electronic systems. **10** Both Airtel Uganda and MTN Uganda launched 5G networks in July 2023. **11**

A2 0-3 pts

Is access to the internet prohibitively expensive or beyond the reach of certain segments of the population for geographical, social, or other reasons?	1/3
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While internet access has become more affordable, particularly on mobile phones, costs are still high for many Ugandans. **12** The average cost of one gigabyte (GB) of prepaid mobile data was 6.13 percent of gross national income per capita, according to the 2022 Inclusive Internet Index. **13**

In August 2023, Uganda reached an ICT infrastructure-sharing agreement with Tanzania that officials said would reduce the costs of connectivity. **14** In the same month, the government also announced a reduction in the cost of internet for government entities that are connected to the National Backbone Infrastructure (NBI), from \$70 to \$35 per Mbps per month. **15**

Uganda’s Parliament passed a 5 percent digital services tax in July 2023, which would apply to nonresidents who derive income from providing digital services to Ugandans over the internet or online platforms. **16** Civil society expressed concerns that if digital service companies passed this tax burden on to

consumers, it could hinder inclusive access to digital services for persons with disabilities and people in rural communities. **17**

The government has continued implementing a 12 percent tax on internet data as a part of a tax package adopted under the Excise Duty (Amendment) Act 2021. **18** The tax exempts data used for medical and education services. **19** Research on the 12 percent internet tax found that it disproportionately affected women's access to the internet. **20** In 2023, a group of civil society organizations began lobbying the government to reduce the tax in the 2024 fiscal year. **21**

Only 27 percent of Ugandans lived in urban areas as of 2023. **22** Access to electricity is limited in rural areas, resulting in a significant urban-rural divide in internet access. There is also a notable disparity in access between men and women: the 2022 edition of the Inclusive Internet Index reported a 23.5 percent gender gap, representing a 10 percentage-point increase from 2021. **23**

The government has tried to address these inequalities through several initiatives. The UCC oversees the Rural Communications Development Fund (RCDF), which promotes access to the internet and phone services to rural communities by connecting rural schools and building centers for ICT access. **24** In June 2021, the government received funding from the World Bank to expand access to high-speed and affordable internet, improve the efficiency of digitally enabled public-service delivery, and strengthen digital inclusion in the country. **25** Procurement for the project began in May 2023. **26**

In 2023, the ICT ministry launched the National Digital Transformation Roadmap, a five-year strategy that seeks to expand the National Backbone Infrastructure (NBI) to reach an additional 73 districts and 20 major towns, and to provide last-mile connectivity to service at least 3,000 government administration units at speeds of at least 20 Gbps. **27** As of August 2023, 1,466 government office sites were connected to the backbone. **28**

In 2016, the government began a trial program that offered free wireless internet access in the Kampala Central Business District and parts of Entebbe. The trial has since been expanded to 526 hotspots. **29** The digital transformation roadmap also seeks to create an additional 800 Wi-Fi hotspots in rural and underserved areas.

In March 2024, TowerCo of Africa Uganda, in partnership with the European Investment Bank, announced plans to expand rural connectivity by installing 506 new telecom towers in areas with limited mobile network access. **30**

A3 0-6 pts

Does the government exercise technical or legal control over internet infrastructure for the purposes of restricting connectivity?

5/6

No restrictions on connectivity were reported in Uganda during the coverage period. During the January 2021 elections, the government restricted connectivity and blocked access to widely-used social media platforms and communication apps.

On January 13, 2021, the day before polls opened, the UCC ordered internet service providers (ISPs) to enforce a “temporary suspension of the operation of Internet gateways and associated access points,” citing Sections 5(1) and 56 of the Uganda Communications Act 2013. **31** The act authorizes the UCC to “monitor, inspect, license, supervise, control, and regulate communications services” and to “set standards, monitor, and enforce compliance relating to content.” **32** According to data from the Center for Applied Internet Data Analysis (CAIDA), access to the internet was restored a few days later, on January 18. **33**

On January 12, 2021, access to Facebook, Twitter, Instagram, WhatsApp, Telegram, other social media platforms, and roughly 100 VPN services was restricted. **34** The government restored access to all websites except Facebook on February 10 of that year. **35** Facebook remained restricted at the end of the current coverage period (see B1).

Previously, the government had ordered the shutdown of Facebook, Twitter, WhatsApp, and mobile money services for four days in the run-up to the 2016 elections and again ahead of President Museveni’s inauguration that year. **36**

Uganda’s backbone connection to the global internet is privately owned in a competitive market. **37** The national fiber-optic backbone is connected to the EASSy international submarine cable system, which runs along the eastern and southern coasts of Africa. **38** Telecommunications providers are also connected to the TEAMS (The East African Marine System) and SEACOM submarine fiber-

optic cables through Kenya. As of April 2024, 28 ISPs were connected to the Uganda Internet Exchange Point (UIXP). **39**

A4 0-6 pts

Are there legal, regulatory, or economic obstacles that restrict the diversity of service providers?

5/6

The UCC continued to implement a revised regulatory framework for telecommunications during the coverage period. The effect of this framework on service provider diversity remained unclear.

The framework is meant to ease market entry, enhance competition, and accelerate the rollout of broadband services. It is also intended to enhance local ownership of telecommunications services by requiring national telecommunications operators to list at least 20 percent of their shares on the Uganda Securities Exchange (USE) within two years of acquiring a new license. **40** This framework, introduced in 2019, designated six new license types **41** and required existing operators to reapply for their licenses before the June 2020 implementation date. **42**

In March 2021, the UCC granted Lycamobile a National Telecommunication Operator (NTO) license, making it the third company to receive such a license, after MTN Uganda and Airtel Uganda. According to the UCC, Lycamobile is required to expand its network coverage to 90 percent of Ugandan territory within five years under the NTO license's terms. **43**

Some observers warned that the UCC's licensing framework may lead to overregulation in the sector, while others argued that its fees would overburden licensees. The framework requires applicants to pay separate fees for operating in different regions, in addition to the mandatory application fees and a 2 percent levy on gross annual earnings. **44** The previous framework did not require region-specific licensing. **45**

The number of industry players continues to grow, with many now offering competitive prices and technologies. Currently, there are 37 telecommunications service providers that offer both voice and data services, all of which employ long-term evolution (LTE) technology. **46** All service providers are privately owned

except for Uganda Telecommunications Corporation Limited (UTL), which has been fully owned by the government since 2017. **47** As of June 2022, MTN had the largest share of mobile service subscribers, at 53.9 percent, followed by Airtel with 45.1 percent. **48**

A5 0-4 pts

Do national regulatory bodies that oversee service providers and digital technology fail to operate in a free, fair, and independent manner?

1 / 4

The UCC has been criticized for its failure to operate in a free, fair, and independent manner. **49** The body has a mandate to independently coordinate, facilitate, and promote the sustainable growth and development of ICTs in the country. It also provides information about the regulatory process and the quality of service, and issues licenses for ICT infrastructure and service providers. **50** The commission's funds derive mainly from license fees and a 2 percent annual levy on the gross annual revenue of licensees. **51**

There is a general perception that comprehensive and coherent information about the commission's operations is not always accessible, and that the body is not entirely independent from the executive branch of the government. **52** For example, the ICT minister has the authority to approve the UCC's budget and appoint members of its board with approval from the cabinet. There are no independent mechanisms in place that hold the UCC accountable to the public.

53

In 2017, Parliament passed the much-criticized Uganda Communications (Amendment) Act 2016. **54** The act amended Section 93(1) of the 2013 Uganda Communications Act, removing the requirement that Parliament approve the regulations proposed by the ICT Ministry. The change effectively eliminated the system of checks and balances that regulated the ICT minister's supervision of the communications sector. **55**

In January 2021, the UCC issued a call for comments on the proposed Uganda Communications Tribunal (Practice and Procedure) Regulations 2020, which would create a tribunal with jurisdiction over "all matters relating to communication services arising from decisions" made by the UCC and ICT minister. The tribunal would include a High Court judge and two people appointed

by the president, as well as technical advisers appointed by the ICT minister. **56** In a brief addressing the draft regulations, the Collaboration on International ICT Policy for East and Southern Africa (CIPESA) noted concerns that the government's ability to appoint the tribunal's members would undermine its impartiality. **57** The draft regulations had not been passed at the end of the coverage period, and the ICT minister attributed the delay to the cabinet's decision to reorganize agencies in the communications sector. **58**

B. Limits on Content

B1 0-6 pts

Does the state block or filter, or compel service providers to block or filter, internet content, particularly material that is protected by international human rights standards?	5/6
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Score Change: The score improved from 4 to 5 because no networks showed signs of blocking virtual private networks (VPNs) or other censorship circumvention tools during the coverage period.

There were no new government-imposed restrictions on social media platforms, though Facebook remained restricted. **59**

On January 12, 2021, two days before the general elections, access to Facebook, Twitter, Instagram, WhatsApp, Telegram, and other social media platforms was restricted. The blocking came after Facebook and Twitter removed pro-National Resistance Movement (NRM) accounts that the companies identified as a government-affiliated network seeking to manipulate public debate during the electoral period (see B5). **60** In addition to blocking the platforms, the government also ordered the restriction of roughly 100 VPN services, and some internet users reported difficulty accessing the Google Play Store and the Apple App Store starting on January 9. **61** The government restored access to all blocked services except Facebook on February 10, 2021. **62** As of April 2024, Facebook was still officially blocked, though some users reported being able to access the platform on select Wi-Fi networks and by using VPNs, **63** which have become more accessible since 2021. **64**

The government had previously blocked access to Facebook, Twitter, WhatsApp, Instagram, and mobile money services for four days during the 2016 general elections. ⁶⁵ Museveni said that blocking was necessary to prevent people from using the platforms to “tell lies.” ⁶⁶ Access was restored three days after the elections, then obstructed again for “security reasons” on the day before the longtime president’s inauguration. ⁶⁷

Pornography has been a regular target of online censorship. In July 2018, ISPs began blocking 27 websites for “streaming pornographic content”; the list of targeted sites was reportedly supplied by the Pornography Control Committee (PCC). ⁶⁸ The committee was established in 2017 and was reportedly allocated 2 billion shillings (\$560,000) for new technologies that can monitor and intercept pornographic material. ⁶⁹ In August 2021, however, the Constitutional Court declared that Section 2 (on the definition of pornography) and Section 13 (on the prohibition of pornography) of the Anti-Pornography Act 2014 were unconstitutional. ⁷⁰ Despite the court decision, pornography websites still showed signs of blocking during the current coverage period. ⁷¹

B2 0-4 pts

Do state or nonstate actors employ legal, administrative, or other means to force publishers, content hosts, or digital platforms to delete content, particularly material that is protected by international human rights standards?

2 / 4

During the coverage period there were no known cases in which state or nonstate actors successfully forced the removal of legitimate digital content, though the authorities have pressed for such removals in recent years.

Google reported receiving three content removal requests between January and June 2023. Two of those removal requests were associated with defamation claims, while the other was issued for privacy and security reasons. Google did not take action in response to any of the requests. ⁷² Meta did not report restricting access to any content in Uganda due to local law in 2023. ⁷³ X (formerly Twitter) also did not report any removal requests during the coverage period. ⁷⁴

In December 2020, the UCC asked Google to block at least 14 YouTube channels that the commission claimed had been used to mobilize riots that November. ⁷⁵

The riots, which resulted in the deaths of more than 50 people as well as destruction of property, began in Kampala and spread to other parts of the country following the arrest of opposition leader Robert Kyagulanyi Ssentamu, better known as Bobi Wine. Google declined the request, citing the government's lack of a court order. **76**

In 2019, the UCC instructed the *Daily Monitor* to suspend its website, ostensibly for failing to register the site as required by a 2018 government regulation (see B6). However, analysts contend that the order was issued due to the website's publication of an unflattering story about the speaker of Parliament, which elicited complaints from the speaker. **77** The site ultimately remained accessible, but the controversial story was taken down.

Bloggers and social media users have faced pressure to remove content that is critical of the government. In 2018, a blogger claimed security operatives offered him a bribe to remove content from his blog that was deemed "defamatory" toward the government (see B4 and B5). **78**

Uganda's AHA (see C2) includes "promotion of homosexuality" as an offense, with penalties of up to 20 years in prison for individuals. For legal entities, penalties include fines of up to 1 billion shillings (\$265,000), the suspension of a license for 10 years, or the cancellation of a license, which could incentivize overly broad removal of content.

B3 0-4 pts

Do restrictions on the internet and digital content lack transparency, proportionality to the stated aims, or an independent appeals process?	2 / 4
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Restrictions on content, including the restrictions on internet connectivity and access to social media platforms that were imposed during the previous coverage period, frequently lack proportionality to authorities' stated aims. Service providers are governed by several legal and regulatory frameworks that require them to filter, remove, and block content that is considered illegal by authorities. These include the Uganda Communications Act 2013 and the Regulation of Interception of Communication (RIC) Act 2010. **79** In addition to these laws, the UCC has also asserted that its regulatory mandate covers content transmitted over the internet. **80**

In March 2021, the East Africa Law Society (EALS) challenged the January 2021 internet shutdown in a petition filed at the East African Court of Justice (EACJ). The EALS claimed that the shutdown violated the rule of law and human rights, sought a declaration that the shutdown was illegal, and called for affected users to be compensated. ⁸¹ The case was still pending at the end of the coverage period.

82

In April 2021, the Constitutional Court dismissed a case brought by the free expression groups Unwanted Witness Uganda and Article 19 against the Ugandan government and service providers for the social media blocks that were imposed during the 2016 election period. The court held that the restrictions were permissible under Article 43 of the Ugandan constitution, which allows the limitation, in the public interest, of constitutionally protected fundamental rights and freedoms. ⁸³

B4 0-4 pts

Do online journalists, commentators, and ordinary users practice self-censorship?

2 / 4

Uganda's hostile environment for journalists leads many to practice self-censorship due to fears of being harassed or arrested. ⁸⁴ The UCC's continued efforts to require online content producers to apply for licenses also drives self-censorship, as criticizing the government risks the withdrawal of licenses or even prosecution.

Self-censorship among the LGBT+ community online increased following the passage of the AHA in May 2023 (see C2). Individuals and organizations changed how they describe themselves online or stopped posting entirely to avoid harassment or prosecution. ⁸⁵

A number of journalists were arrested and prosecuted over allegations of misinformation and disinformation during the January 2021 general elections, ⁸⁶ contributing to a broader fear of arrest, detention, and prosecution and an increased practice of self-censorship among journalists working both online and offline. ⁸⁷

Social media users have increasingly resorted to using pseudonyms to avoid harassment and other repercussions for their online speech. ⁸⁸ Taboo topics include the military, the president’s family, the oil sector, land grabs, and presidential term limits. Nonetheless, blogging continues to be popular among young Ugandans and journalists, who have reported candidly on controversial issues including good governance and corruption. ⁸⁹

Pressure on social media users to remove content from their pages likely contributes to self-censorship. In an anonymous interview in 2018, a blogger claimed that he had been approached by security operatives and offered a bribe to remove content from his blog that was deemed “defamatory” toward the government (see B2 and B5). ⁹⁰ Although the blogger did not take the bribe or remove the content, he expressed fear for his life, which compelled him to cease writing about certain sensitive topics.

The government’s 2019 attempt to control online content by calling for all “data communicators” with large followings—including prominent activists, bloggers, politicians, socialites, musicians, and journalists—to register with the UCC has been criticized for fueling online self-censorship (see B6).

B5 0-4 pts

Are online sources of information controlled or manipulated by the government or other powerful actors to advance a particular political interest?

2 / 4

While government manipulation of online information was most pronounced during Uganda’s 2021 elections, high-ranking officials have continued to amplify false and misleading information on social media. ⁹¹

In January 2024, the BBC uncovered a network of about 200 fake social media accounts on X and Facebook that used stolen profile photos to spread progovernment messages and threaten critics. ⁹² Meta later removed most of the accounts and attributed the network to individuals linked to the Government Citizen Interaction Centre (GCIC). X did not take any action against the accounts the BBC identified.

Ahead of the disputed January 2021 elections, the government manipulated online content to shift opinions in favor of the NRM. In December 2020, the Digital Forensics Research Lab uncovered a network of social media accounts engaged in a coordinated campaign to promote President Museveni and the Ugandan government while attacking the opposition National Unity Platform (NUP) and its leader, Bobi Wine. The network included accounts that appeared to be linked to the *Kampala Times* news site and journalist Dickens Okello. ⁹³ It was associated with a group inside the ICT Ministry, according to a subsequent investigation conducted by Facebook. ⁹⁴ The accounts were removed by Facebook on January 8 and Twitter on January 10, 2021. ⁹⁵

Bribes are sometimes used to influence the stories published by online journalists. ⁹⁶ In an anonymous interview in 2018, a blogger claimed that he had been approached by security operatives and offered a bribe to remove content from his blog that was deemed “defamatory” toward the government (see B2 and B4). ⁹⁷

The UCC has at times barred media outlets from broadcasting parliamentary proceedings live unless they have “live broadcasting pre-editing software.” ⁹⁸

B6 0-3 pts

Are there economic or regulatory constraints that negatively affect users’ ability to publish content online?

1/3

New economic and regulatory constraints—including ongoing restrictions on Facebook (see A3 and B1), the 12 percent internet tax that took effect in July 2021 (see A2), and efforts to enforce registration requirements for online media—continue to negatively affect users’ ability to publish content online.

The UCC has taken stringent measures aimed at regulating online media. In 2019, the UCC began enforcing a directive that requires “all online data communication service providers, including online publishers, online news platforms, [and] online radio and television operators,” to obtain its authorization to operate. ⁹⁹ As part of the registration requirements, online publishers are obliged to pay \$20 per year. ¹⁰⁰ In February 2019 the UCC attempted to shut down the *Daily Monitor’s* website; its stated justification was that the newspaper has allegedly failed to comply with registration rules (see B3). ¹⁰¹ In August 2019, the UCC extended the

registration requirement, including the annual fee, to cover influencers, politicians, and celebrities with large followings on social media. **102**

In September 2020, the commission issued a reminder calling on all online publishers to seek authorization for their provision of services. In particular, authorization was required for “blogs, online televisions, online radios, online newspapers, audio over IP (AoIP), Internet Protocol TV (IPTV), Video on Demand (VoD), Digital Audio radios and televisions, internet/web radio and internet/web television.” **103** The regulator cited Sections 2, 5, and 27 of the Uganda Communications Act 2013 and Regulation 5 of the Uganda Communications (Content) Regulations 2019, which empowers the UCC to license, regulate, and set standards for the provision of all communication services in Uganda, including radio communication and online broadcasting. **104** Noting the announcement’s proximity to the January 2021 elections and the law barring in-person campaigning (see B8), civil society organizations accused the UCC of seeking to control online information ahead of the vote. **105**

As of August 2023, 74 entities had registered with the regulator as online data communication services. **106** In May 2024, the UCC reissued its directive calling on online media outlets to register within two months or face closure. **107**

In July 2023, the tax authority introduced a 5 percent digital services tax on nonresident companies earning income from digital services provided to customers in Uganda. The tax raised fears that companies would pass on the added costs to their consumers by increasing their prices, further widening the digital gap (see A2). **108** In Parliament, opposition members also expressed concerns that the tax could suppress freedom of speech by further restricting access to social media platforms, given the already restrictive environment for digital activism. **109**

The UCC’s radio licensing framework began including a license for online radio broadcasters in July 2021. **110**

B7 0-4 pts

Does the online information landscape lack diversity and reliability?

3/4

The content available online in Uganda is relatively diverse. However, news sites published by the Vision Group, a media company that is partly owned by the government, are only available in 4 local languages, despite the fact that the country has 40 languages and 56 Indigenous dialects. Newspapers such as *Bukedde*, *Etop*, *Rupiny*, and *Orumuri* have created online platforms. The websites of other major privately owned newspapers are only accessible in English, which is not widely spoken across Uganda. The Google Uganda domain was available in five local languages as of 2023, ¹¹¹ while the Firefox web browser was accessible in Luganda and Acholi. ¹¹² Wikipedia can be accessed in Luganda, with over 3,000 articles translated as of May 2024. ¹¹³

In November 2022, while Uganda was fighting an Ebola outbreak, a wave of false or misleading information about the disease circulated on social media, including unsubstantiated claims about the efficacy of vaccines for Ebola and COVID-19. ¹¹⁴

The passage of the AHA (see C2), which outlaws content that promotes same-sex conduct, could limit the diversity of the online information landscape, as organizations that share pro-LGBT+ content online could have their licenses cancelled or suspended. ¹¹⁵

The reliability of online information worsened during the COVID-19 pandemic and the January 2021 general elections. False claims about candidates and endorsements proliferated online during the electoral period, though fact-checkers mobilized to combat misinformation, even during the internet shutdown. ¹¹⁶ Government bodies, including the UCC, also worked to limit the spread of misinformation during the pandemic and during postelection protests. ¹¹⁷

B8 0-6 pts

Do conditions impede users' ability to mobilize, form communities, and campaign, particularly on political and social issues?

4/6

Social media platforms continued to be used as alternative spaces to demand social and political justice during the coverage period. ¹¹⁸ Ugandans use social media platforms, especially X (formerly Twitter), to mobilize in response to

political and social injustices in the country. However, the government's efforts to restrict the online space continue to temper digital activism.

The most notable recent digital campaign has been the #UgandaParliamentExhibition movement, which has been used to expose abuse of office and mismanagement of public affairs in Parliament. ¹¹⁹ The campaign attracted a mass following among Ugandans and members of government alike, with many calling for an audit examining Parliament and the Speaker's expenditures. ¹²⁰ Following the campaign, the Ministry of Finance proposed budget cuts that would halve Parliament's budget. ¹²¹ While the movement garnered widespread attention, campaign organizers also faced repression from authorities, leading one activist to go into hiding for fear of arbitrary arrest. ¹²²

Other similar recent hashtag movements have included the #UgandaPotholeExhibition, ¹²³ a social media campaign used to exhibit the poor condition of roads, as well as the #UgandaHealthExhibition, the #UgandaNGOExhibition, the #UgandaLabourExhibition, and the #UgandaSecurityExhibition. ¹²⁴

The #FreeKakwenza hashtag was used by several activists and international partners to demand the release of author Kakwenza Rukirabashaija following his detention in December 2021. ¹²⁵ Similarly, the #FreeLumbye hashtag was used to demand the release of blogger Fred Lumbye from detention in Turkey, where he was being held under unclear circumstances (see C3).

During the 2021 election period, both the ruling NRM and the opposition NUP adopted online campaigning tools after the Electoral Commission (EC) 2020 decision to ban public rallies and campaign events due to the COVID-19 pandemic. The government launched the Uchaguzi platform, which was aimed at bridging the electoral knowledge gap, while the NUP launched UVote, an application intended to monitor election results across the country. ¹²⁶ Major social media platforms like Facebook, Twitter, and WhatsApp were widely used for campaigning; for instance, the NUP often streamed video of Bobi Wine's campaign events on Facebook Live. Parliamentary candidates communicated with their supporters and potential constituents on WhatsApp. ¹²⁷ On Twitter, users shared posts with the hashtags #KyagulanyiForPresident and #WeAreRemovingADictator

to support Bobi Wine’s candidacy, while pro-Museveni hashtags included #M7UGsChoice and #SecuringYourFuture. **128**

Civil society members have previously raised concerns that the government directive imposing annual fees on influencers, politicians, and celebrities with large followings on social media could effectively deter engagement on online platforms (see B6). **129**

C. Violations of User Rights

C1 0-6 pts

Do the constitution or other laws fail to protect rights such as freedom of expression, access to information, and press freedom, including on the internet, and are they enforced by a judiciary that lacks independence?

2/6

The Ugandan constitution provides for freedom of expression, freedom of speech, media freedom, and the right to access state information. **130** However, several laws undermine these protections.

The Access to Information Act 2005 provides for the right of access to information. **131** In practice, however, accessing official information is a challenge for citizens. **132**

Laws including the Press and Journalist Act 2000, sections of the Penal Code Act 1950, the Computer Misuse (Amendment) Act 2022, and the Anti-Terrorism Act 2002 appear to contradict the constitutional guarantees of freedom of expression. For example, the Press and Journalist Act requires journalists to register with the statutory Media Council, whose independence is believed to be compromised by the government’s influence over its composition.

The independence of the Ugandan judiciary has been questioned in recent years. **133** After losing his January 2021 presidential bid, Bobi Wine withdrew his petition challenging the election results, citing the judges’ lack of independence. **134** In 2015, as part of efforts to consolidate power in the run-up to the 2016 elections, Museveni promoted new judges to both the Constitutional Court and the Supreme Court. The process was criticized for lacking transparency and

undermining judicial independence, and critics called for more public scrutiny during the appointment of new judges. **135**

The repeal of Section 25 of the Computer Misuse Act, 2011 by the Constitutional Court in January 2023 demonstrated a positive shift towards the protection of freedom of expression (see C2). The ruling followed a petition filed in 2016 by two individuals who argued that the section was vague and overly broad, violated several civil liberties, and contravened constitutional guarantees. **136**

In April 2024, the Constitutional Court upheld sections of the 2023 AHA that criminalize the “promotion of homosexuality,” including on the internet, and threaten to undermine freedom of expression online **137** (see C2).

C2 0-4 pts

Are there laws that assign criminal penalties or civil liability for online activities, particularly those that are protected under international human rights standards?

1 / 4

Several laws criminalize legitimate online expression and activities, including the penal code, the Computer Misuse (Amendment) Act 2022, and the Anti-Terrorism Act.

The penal code contains provisions that criminalize libel and the promotion of sectarianism, which are punishable with lengthy prison terms. While these provisions do not specifically refer to online expression, they could be applied to digital communications.

In October 2022, the government passed the Computer Misuse (Amendment) Act 2022, **138** despite criticism that the act violates numerous rights, including free expression and access to information. **139** The new law prescribes a penalty of up to seven years’ imprisonment for hate speech, sharing unsolicited information, sharing information about children without authorization, the misuse of social media, and the transmission of malicious information. The provision on hate speech defines it as any information which “ridicules, demeans, or degrades” a person, group, tribe, ethnicity, religion, or gender, or that creates divisions or promotes hostility among persons, a tribe, ethnicity, religion, or gender.

Unauthorized access of data and information is punishable by up to 10 years' imprisonment.

CIPESA, a civil society organization focused on ICT policy in East and Southern Africa, voiced concerns that provisions related to the spread of unsolicited or malicious information could be used by the government to limit free speech and impose heavy penalties on government critics. ¹⁴⁰ In December 2022, the Uganda Law Society filed a petition with the Constitutional Court challenging the constitutionality of the law, arguing that it violates freedom of speech and expression and that its enactment had not followed the proper procedures. ¹⁴¹ Nine civil society organizations had filed a case over similar concerns the previous month. ¹⁴² Both cases were still ongoing at the end of the coverage period.

In January 2023, the Constitutional Court ruled that Section 25 of the Computer Misuse Act of 2011 is inconsistent with the constitution and called for an immediate halt to its enforcement. ¹⁴³ Section 25 prohibited the dissemination of "offensive communication," which was vaguely defined as the use of "electronic communication to disturb or attempt to disturb the peace, quiet, or right of privacy of any person." ¹⁴⁴

The Anti-Terrorism Act criminalizes the publication and dissemination of content that promotes terrorism, which is vaguely defined, and convictions can carry the death sentence. ¹⁴⁵ Amendments to the act adopted in 2015 may impact internet freedom by broadly criminalizing "indirect" involvement in terrorist activities and the "unlawful possession of materials for promoting terrorism, such as audio or videotapes or written or electronic literature." ¹⁴⁶

The AHA that came into effect in May 2023 sets forth harsh penalties for those convicted of promoting or engaging in same-sex conduct. ¹⁴⁷ Further, Section 4 (4) (c) of the law prohibits the "promotion of homosexuality," including through the use of electronic devices, a provision which encompasses the internet, films, and mobile phones. Anyone found to be promoting homosexuality faces imprisonment of up to 20 years. Legal entities found to be promoting homosexuality can be fined up to 1 billion Ugandan shillings (\$265,000) and can have their licenses suspended for up to 10 years or canceled entirely.

During the coverage period, the government continued to curtail free speech online by arresting and prosecuting individuals for their online activities. People who criticized the government or President Museveni and his family on social media faced criminal charges.

In July 2024, after the end of the coverage period, TikTok user Edward Awebwa was sentenced to six years in prison after pleading guilty to four counts of hate speech directed at President Museveni and his family. ¹⁴⁸

In February 2024, a TikTok user named Ibrahim Musana, known online as Pressure 24/7, was arrested and remanded under the Computer Misuse Act. He was charged with defamation, promoting hate speech, and incitement to violence over media posts that allegedly targeted public figures, including the Kabaka of the Kingdom of Buganda, the prime minister of Buganda, President Museveni, and several other government officials. ¹⁴⁹ Musana was permitted to post bail in April 2024, ¹⁵⁰ though his bail was conditional on not posting about the Kabaka, president, or speaker of parliament until his case was concluded. ¹⁵¹

In August 2022, Ugandan TikTok user Teddy Nalubowa, also known as Tracy Manule Bobiholic, was detained for 13 days before being charged with “offensive communication” under the Computer Misuse Act 2011 for recording a video that allegedly celebrated the death of former security minister General Elly Tumwine. ¹⁵² Nalubowa was released on bail in October 2022, ¹⁵³ and the case was later dismissed in January 2023, after Section 25 of the Computer Misuse Act was declared null and void. ¹⁵⁴

In August 2021, Turkey-based Ugandan vlogger, government critic, and renowned Bobi Wine supporter Fred Kajjubi, also known as Lumbuye, was arrested and detained in Turkey at the request of the Ugandan government. Lumbuye faced up to 15 charges, including spreading harmful propaganda, incitement of violence, and offensive communication. ¹⁵⁵ He was released from detention in Turkey in October 2021 and reportedly went into hiding to avoid arrest by Ugandan security operatives. ¹⁵⁶

C4 0-4 pts

Does the government place restrictions on anonymous communication or encryption?

2/4

There are no known restrictions on data encryption in Uganda. However, anonymous communication is compromised by mandatory registration for SIM cards and mobile internet subscriptions.

The Registration of Persons Act 2015 requires all citizens to use national identification cards for SIM-card registration. Between March and May 2018, the UCC instructed mobile providers to stop selling SIM cards, purportedly to curb crime perpetrated by users of unregistered SIM cards. The UCC subsequently imposed stricter guidelines for registering, replacing, or upgrading SIM cards. In March 2019, it directed all mobile service providers to reregister SIM cards. ¹⁵⁷ SIM-card applicants are now required to physically present an original national identification card, or for non-Ugandans, a passport, to an operator's designated customer-care agent. ¹⁵⁸ The operator is then required to verify the authenticity of the national identification card using an electronic biometric card reader and obtain real-time verification using the National Identification & Registration Authority (NIRA) database. If operators cannot conduct online real-time verification, they are required to deny the issuance, upgrade, or replacement of SIM cards. ¹⁵⁹ In November 2023, the UCC deactivated over 1.4 million SIM cards that were not linked to users' biometric national identification numbers. ¹⁶⁰

The UCC's requirement for online publishers, vaguely defined as "data communicators," to register may limit the anonymity of bloggers and social media influencers (see B6).

C5 0-6 pts

Does state surveillance of internet activities infringe on users' right to privacy?

2/6

Many activists have expressed suspicion that the government has increased monitoring and surveillance of social media platforms and other online spaces in recent years. Article 27 of the constitution prohibits interference with the privacy

of a person's "home, correspondence, communication or other property." **161** Privacy protections are also enshrined in the Data Protection and Privacy Act 2019 and accompanying regulations, which came into force in April 2021, although ensuring compliance with the act remains a challenge. **162**

In November 2023, the government launched the Intelligent Transport Monitoring System (ITMS), which provides real-time vehicle tracking. The ITMS builds on the existing traffic surveillance system by using mandatory, cellular network-connected tracking devices on all vehicles in the country. Critics have argued that the ITMS undermines citizens' privacy rights and poses threats to freedoms of association and expression. **163**

In December 2021, Apple sent notices to two prominent Ugandan journalists and an opposition leader, warning them that their iPhones may have been hacked by Pegasus, the commercial spyware product developed by Israel's NSO Group. **164** Both journalists said they had received phishing messages in the weeks before they were notified by Apple, and one stated that his phone showed unsuccessful attempts to access his location data using food delivery or ride-hailing applications. Uganda was listed in a 2018 report by Citizen Lab, a Canadian internet watchdog, as one of 45 countries worldwide in which devices were likely breached by Pegasus. Pegasus is known to be used by governments to spy on journalists, human rights defenders, and opposition politicians. **165**

According to an August 2022 report by the Israeli newspaper *Haaretz*, the Ugandan police had purchased UFED, a technology developed by the Israeli firm Cellebrite that enables authorities to hack into password-protected smartphones. **166**

State authorities have admitted to monitoring social media posts in the past. In March 2019, during academic Stella Nyanzi's trial over critical social media posts, a security officer testified about actively monitoring her Facebook page. **167** In 2017, the Uganda Media Centre, the government-appointed media regulatory body, announced that it had assembled a new social media monitoring unit tasked with scanning the profiles of users to find critical posts. **168**

An article published by the *Wall Street Journal* in August 2019 revealed close cooperation between the Ugandan government and Huawei to surveil opposition

figures and government critics. The government confirmed that the police and intelligence services work with Huawei on national security issues, including by using spyware against “security threats and political enemies.” Huawei employees working in Kampala’s police headquarters allegedly helped the Ugandan police surveil Bobi Wine by using spyware to access a WhatsApp chat group. The project raised further concerns about government surveillance and Huawei’s role in aiding government monitoring of Ugandan citizens. **169**

The government’s surveillance powers are laid out in the RIC Act, which was hurriedly passed following a 2010 terrorist attack in Kampala. Under the act, telecommunications companies are required to install equipment that enables real-time electronic surveillance of suspected terrorists. The RIC Act also gives the security minister the ability to request access to personal communications based on national security concerns; **170** such access can be granted following an order by a High Court judge. **171**

In addition to the RIC Act, clauses in the Anti-Terrorism Act 2002 give security officers appointed by the interior minister the power to intercept the communications of individuals suspected of terrorism and to keep the individuals under surveillance without judicial oversight. **172**

A July 2018 raid on MTN Uganda’s offices by the Internal Security Organization, a domestic intelligence unit, raised concerns about the security of user data. **173**

C6 0-6 pts

Does monitoring and collection of user data by service providers and other technology companies infringe on users’ right to privacy?

3/6

Service providers and other technology companies are required to retain metadata for an unspecified amount of time. **174** Under the RIC Act, providers are also required—upon issuance of a warrant or notice from the security minister—to disclose to the authorities the personal information of individuals who are suspected of terrorism or considered a threat to national security, public safety, or national economic interests. **175** In addition to losing their licenses, intermediaries who fail to comply with the RIC Act can face five years in prison. **176** It is unclear to what extent these provisions have been implemented or operationalized.

The ITMS (see C5), which the government launched in November 2023, uses cellular network data from UTL and private telecommunications companies to conduct real-time location tracking of all vehicles in Uganda. It has been criticized for increasing the number of companies with access to users' location data without publishing plans for oversight or human rights safeguards. **177**

Civil society organizations have raised concerns about the limited oversight of COVID-19 data collection practices and the use of tracking apps. **178** In March 2021, MTN Uganda and the National Information Technology Authority–Uganda (NITA–U) rolled out an e-pass system, under which health officials would loan smartphones equipped with a location-tracking app to COVID-19 patients recuperating at home in order to monitor their compliance with quarantine requirements. **179**

In September 2021, Uganda officially launched its data protection authority, which was established under the Data Protection and Privacy Act 2019. The authority is an office within NITA–U, and its head directly reports to the NITA–U board. **180** Members of civil society questioned the arrangement, which may present a barrier to the new authority's independence, since NITA–U is supervised by the ICT Ministry. Critics also noted that NITA–U has failed to publish guidelines for the collection, use, and processing of COVID-19 data. **181** The Data Protection and Privacy Act ostensibly provides for the protection of privacy and the security of personal data by regulating the collection and processing of such information. **182**

MTN's 2023 transparency report indicated that the company received 4,957 requests from authorities for phone numbers and subscriber ID numbers for criminal investigations, although the company did not disclose how many of these requests they complied with. **183**

There were no known government requests for user data held by social media platforms in this reporting period. Between July and December 2020, Uganda asked Facebook for user data on only one occasion, employing a standard legal process to seek information regarding a total of three accounts. Facebook did not produce data in response to the request. **184**

Journalists and commentators who cover the opposition or make critical statements about the president have faced harassment and physical violence. Online and offline violence against LGBT+ people has also increased since the AHA was passed.

Following the passage of the AHA, there has been an increase in online intimidation and harassment of LGBT+ individuals, accompanied by the spread of videos on social media platforms that depict beatings and abuse of people based on their perceived sexual orientation. ¹⁸⁵ In January 2024, a transgender woman was severely beaten by a mob outside of her home after a TikTok video circulated that falsely accused her of forcing young men to take hormones. The attack left her in a coma for two weeks. ¹⁸⁶

In May 2023, blogger Isma Lubega Tusubira, also known as Isma Olaxess, was shot and killed by an unknown attacker while traveling in his private vehicle in Kampala. ¹⁸⁷ The attacker's motivations were unclear, according to police, but there has been speculation that Tusubira's murder was connected to his divisive remarks and confrontational online presence. ¹⁸⁸

In December 2022, President Museveni's son accused journalists at the *Daily Monitor* of being terrorists and threatened to "crush" journalists who "abuse" him in tweets that were later deleted. ¹⁸⁹

In December 2021, author Kakwenza Rukirabashaija claimed that he was tortured by police while in detention, having been arrested in connection with his online posts criticizing the president and his son. In February 2022, two days after a court denied his application to have his passport returned, Rukirabashaija allegedly fled the country to seek medical treatment for injuries he sustained in detention. ¹⁹⁰

Journalists who reported on the January 2021 elections, including those working for online outlets, faced harassment and physical violence. In early January 2021, police assaulted Dedan Kimathi, a journalist with the news site ChimpReports, while he was covering the campaign of Patrick Amuriat, the presidential candidate of the opposition Forum for Democratic Change (FDC) party. ¹⁹¹ In December

2020, Ashraf Kasirye, a journalist with the online broadcaster Ghetto TV, was shot in the head by security forces while reporting on an NUP campaign event. ¹⁹²

Women are frequently harassed online in Uganda, particularly those who are journalists or politicians. ¹⁹³ A study on the 2021 elections conducted by Pollicy, a technology consulting firm, found that 50 percent of female candidates experienced online trolling and 18 percent experienced sexual violence online during the election period. ¹⁹⁴ In another report released by Pollicy in August 2019, almost a third of the 702 Ugandan women surveyed reported experiencing online gender-based violence. ¹⁹⁵

C8 0-3 pts

Are websites, governmental and private entities, service providers, or individual users subject to widespread hacking and other forms of cyberattack?

2/3

There has been growing concern over increased cyberattacks in this reporting period, with both private entities and service providers falling victim to such attacks.

On February 6, 2024, a hacking group named Anonymous Sudan claimed credit for a cyberattack on the digital infrastructure of three major Uganda telecommunications networks—MTN, Airtel, and Uganda Telecom—shortly after the head of Sudan’s Rapid Support Forces (RSF), Mohamad Hamdan Dagalo, visited Uganda. ¹⁹⁶ The group claimed that the attack was in retaliation for Uganda’s alleged “hosting and legitimizing the Rapid Support Forces (RSF) war criminal Hemedti in a diplomatic manner.” ¹⁹⁷ Traffic data showed that telecommunications companies experienced a brief dip in connectivity on the day of the attack before service returned to normal levels (see A1). ¹⁹⁸

In March 2022, administrators of the Uganda Government Citizens Interaction Centre’s (GCIC’s) Twitter account were unable to access the account. Hackers reportedly took down government information and replaced it with antiwar messages against the Russian invasion of Ukraine. The hack was allegedly in retaliation for the government’s decision to abstain from condemning Moscow as an aggressor in a UN Security Council vote. ¹⁹⁹

On January 18, 2021, hackers affiliated with the loose hacking collective Anonymous breached the websites of Parliament, the UCC, and the broadcaster NBS Television. They briefly disabled the websites and apparently exfiltrated data, including government documents and personal information. The attack immediately followed the end of the election-related internet shutdown (see A3).

200 The hackers also claimed to have brought the TechRafiki website offline in retaliation for TechRafiki journalist Sasha Nannyange’s reporting on the hack. **201**

Vulnerable populations and marginalized communities, particularly the LGBT+ community, have been the target of technical attacks in recent years. In 2016, the email and Facebook accounts of a social worker at the Most At Risk Populations Initiative (MARPI) were hijacked. **202** Activists believed that the attack may have been perpetrated by the government, given the wealth of information the social worker possessed about the LGBT+ community through their work and private communications. Hacking attacks against LGBT+ individuals for the purpose of extortion have also been reported.

Footnotes

- 1** Simon Kemp, “Digital 2024: Uganda,” Data Reportal, February 23, 2024, <https://datareportal.com/reports/digital-2024-uganda>.
- 2** Simon Kemp, “Digital 2023: Uganda,” Data Reportal, February 15, 2023, <https://datareportal.com/reports/digital-2023-uganda>.
- 3** “Market Performance Report Q2 2022,” Uganda Communications Commission (UCC), June 2023, <https://www.ucc.co.ug/wp-content/uploads/2024/03/UCC-Market-Report-for-...> ,
- 4** ITU, “World Telecommunication/ICT Indicators Database,” accessed March 12, 2024, <https://www.itu.int/en/ITU-D/Statistics/Dashboards/Pages/Digital-Develo....>
- 5** “Uganda Median Country Speeds February 2024,” Ookla Speedtest, accessed March 2024, <https://www.speedtest.net/global-index/uganda#fixed>.<https://www.speedte....>

More footnotes





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Country Facts

Population

47,250,000

Global Freedom Score

34/100 **Not Free**

Internet Freedom Score

53/100 **Partly Free**

Freedom in the World Status

Not Free

Networks Restricted

No

Social Media Blocked

Yes

Websites Blocked

No

Pro-government Commentators

Yes

Users Arrested

Yes

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press@freedomhouse.org

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