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Attacks on the Press 2009 - Uganda

Top Developments

- Reporters attacked, harassed during Kampala unrest.
- Criminal cases pile up as high court considers constitutional challenge.

Key Statistic

- 22: Criminal cases pending against Andrew Mwenda, a top political editor. Violent protests broke out in Kampala in September when security forces blocked leaders of the traditional kingdom of the Baganda, Uganda's largest ethnic group, from visiting Kayunga district for a planned rally, according to local news reports. More than 25 people were killed and 846 people arrested in two days of clashes that underscored political tensions between the government and the kingdom, according to official figures reported in the press.

The Human Rights Network for Journalists, a local press freedom organization, said it had documented more than 20 cases in which security forces and rioters attacked or harassed reporters, particularly photojournalists. In one case, plainclothes security agents whisked away Nation TV Uganda journalist Tony Muwangala and forced him at gunpoint to delete footage taken during the riots, Muwangala told CPJ. The same day, troops briefly detained at gunpoint a team of *Monitor* journalists, according to the newspaper.

During the violence, citizen journalists in Kampala and beyond provided real-time coverage of the unfolding clashes, according to *Global Voices* blogger Rebekah Heacock, who specializes in access-to-information issues in East Africa. "Within 24 hours of the first violence, volunteers in Kampala launched *Uganda Witness*, a crisis reporting site," which published 45 separate SMS text-message reports of violence in four days, Heacock wrote on the CPJ Blog. Using Twitter, Kampala Web developer Solomon King and journalist Tumwijuke Mutambuka posted information on where rioters and security forces were gathering and which journalists had been detained. Heacock attributed the significant real-time coverage to "increased availability of the Internet and Internet-connected mobile phones."

Within hours of the rioting, agents of the government-run Uganda Broadcasting Council, often backed by troops, disabled the transmission equipment of the Buganda kingdom-controlled Central Broadcasting Service (CBS), vernacular talk station Radio Two, which is commonly referred to as Akaboozi, Catholic Church-run Radio Sapientia, and commercial, youth-oriented Ssubi FM. The Buganda kingdom is the largest of several traditional kingdoms in Uganda that have largely cultural roles, but remain politically

influential.

In a statement, Council Chairman Godfrey Mutabazi accused the stations of inciting violence and breaching "minimum broadcasting standards." The council lifted the ban on Sapientia a few days later and Akaboozi in November, but revoked the licenses of two CBS stations and indefinitely banned popular radio talk shows commonly known as "bimeeza," for alleged technical shortcomings. Six presenters were banned from the air for breaching unspecified "minimum broadcasting standards."

Herbert Mukasa Lumansi, vice president of the Uganda Journalists Association, condemned the station closings, but said there was "a lot of unprofessionalism because some radio stations are using DJs or relatives without qualifications to moderate programs." Authorities exploited this perception at politically convenient times. In August, President Yoweri Museveni lashed out at an audience of Uganda's National Association of Broadcasters, accusing journalists of unethical reporting. "You mostly lie and incite," he said, according to the state-run daily *New Vision*. "I have so much evidence to prove all this." The administration said it would take "very serious" steps against media outlets seen as inciting public discontent with the government, he added.

While radio stations offered forums for free expression, they lagged behind newspapers and television in current affairs coverage, according to Rachel Mugarura Mutana, head of the independent Uganda Radio Network. The more than 40 radio stations in Uganda, a majority of which were owned by political figures with ties to power, produced mostly music and religious programming due to financial constraints, she said.

Print and television journalists continued to face police interrogations and arrests on charges of defamation, sedition, and "promoting sectarianism," even though trial judges have stayed the prosecution of such cases while the Supreme Court considers a constitutional challenge. Andrew Mwenda, editor of *The Independent* and a 2008 recipient of CPJ's International Press Freedom Award, and the East African Media Institute have argued that penal code provisions on sedition, sectarianism, and criminal defamation contravene Article 29 of Uganda's constitution, which guarantees free speech and free press. The case, first brought in 2002, remained pending in late year.

Mwenda, who already faced 21 separate criminal counts in connection with critical coverage dating to his years as a journalist with *Monitor*, was charged again with sedition in September. This time, a magistrate charged Mwenda and Editor-in-Chief Charles Bichachi in connection with a cartoon in their monthly newsmagazine *The Independent*. The cartoon spoofed Museveni's decision to reappoint Badru Kiggundu, chairman of Uganda's electoral commission during the flawed 2006 presidential polls, to supervise the 2011 vote. The trial was indefinitely suspended pending the outcome of the constitutional challenge, according to defense lawyer Bob Kasango.

Another prominent journalist was charged with six counts of sedition. Kalundi Robert Sserumaga, a commentator on a weekly television show on Wavah Broadcasting Services, was imprisoned for three days after harshly criticizing Museveni's policies, according to local journalists. The host of the show, Peter Kibazo, told CPJ that security agents picked up Sserumaga after the program on September 11 and threw him into the trunk of a car. Sserumaga was eventually released on bail; his trial, too, was suspended pending the constitutional challenge, according to local journalists.

The government targeted *Monitor* journalists for their critical coverage of sensitive topics. In January, the paper quoted unnamed military sources criticizing Museveni's management of an international security operation against Joseph Kony, the rebel leader of the Christian guerrilla Lord's Resistance Army. In response, the Ugandan police Media Offences Department repeatedly interrogated senior reporters Angelo Izama and Grace Matsiko on accusations of endangering national security but did not charge them.

In August, the *Monitor* reproduced a presidential memorandum discussing a new government policy on land and political rights in Uganda's oil-rich western region of Bunyoro. Government spokeswoman Kabakumba Matsiko did not dispute the content,

but accused the *Monitor* of misrepresenting the memo "as if it was a final decision." The paper published a correction shortly afterward, acknowledging some errors in reproducing the memo, but a magistrate charged Managing Editor David Kalinaki and Sunday Editor Henry Ochieng with forgery, according to defense lawyer James Nangwala. The case was pending in late year.

Two other *Monitor* journalists faced prosecution on various criminal charges linked to their coverage of government affairs, according to CPJ research. In July, a magistrate charged *Monitor* photojournalist Stephen Otagé with trespassing; he was arrested on the order of Inspector General of Government Faith Mwonda after taking photographs of her outside a courthouse, according to local journalists.

And in August, a magistrate in the northern city of Gulu charged *Monitor* journalist Moses Akena with libel over a story reporting allegations of local government corruption, according to defense lawyer Judith Oroma. The Akena matter joined the long list of cases that were stayed pending a Supreme Court ruling on the constitutionality of the charge.

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