

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	273
Land:	Uganda
Kilde:	Freedom House
Titel:	Freedom of the Press 2014 - Uganda
Udgivet:	1. august 2014
Optaget på baggrundsmaterialet:	9. september 2014



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Publisher [Freedom House](#)

Publication Date 1 August 2014

Cite as Freedom House, *Freedom of the Press 2014 - Uganda*, 1 August 2014, available at: <http://www.refworld.org/docid/53df47e41b.html> [accessed 29 August 2014]

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2014 Scores

Press Status: Partly Free

Press Freedom Score: 58

Legal Environment: 2

Political Environment: 24

Economic Environment: 15

Uganda's press freedom environment deteriorated in 2013, due in large part to the government's 10-day closure of two major media houses in May. News outlets were regularly subjected to various forms of interference from government officials, and journalists overall continued to face intimidation and harassment from state and nonstate actors, often engendering self-censorship. Despite these obstacles, the independent media remained vibrant.

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 2010, the government has employed other provisions of the penal code, including those on criminal libel and treason, against journalists.

In 2013, Uganda passed several laws that threatened to limit press freedom. In August, Parliament passed the Public Order Management Bill, which was signed into law in October. Critics expressed concerns that the act, which gives police greater control over public gatherings, would subject journalists covering such events to increased harassment and narrow the space for free expression and free assembly. In December, Parliament passed the Anti-Pornography Bill – also known as the "Miniskirt Bill" for its related bans on short skirts and other clothing deemed sexually explicit. The legislation defines pornography in broad terms and sets up a nine-member Pornography Control Committee with wide latitude to determine what amounts to pornographic material. The committee is also empowered to step up surveillance measures through the installation of software in mobile telephones, computers, and television sets that will allow the detection and suppression of pornography. Critics and free expression advocates warned that news outlets could easily run afoul of the law's sweeping and opaque provisions. Also in December, Parliament passed the long-debated Anti-Homosexuality Bill. The bill would toughen penalties for same-sex relations and ban any coverage of LGBT (lesbian, gay, bisexual, and transgender) issues that is deemed to be promoting homosexuality. Journalists and rights advocates charged under the

legislation could face up to seven years' imprisonment and stiff fines. President Yoweri Museveni had yet to sign the bill into law at the end of 2013.

In April 2011, after a delay of nearly six years, the government finally promulgated regulations allowing for implementation of 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 have continued to deny requests for information. Moreover, 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; the appointment of a new minister, Rose Namayanja, as part of a May 2013 cabinet shuffle did little to change the situation.

Other laws related to national security and confidentiality continue to impede open access to information in practice, and officials regularly block critical journalists from covering public meetings. In January 2013, Speaker of Parliament Rebecca Kadaga suspended two *Observer* newspaper reporters from covering Parliament after they published two stories she claimed were false and damaging to her reputation and to the office of speaker. The reporters, David Tash Lumu and Sulaiman Kakaire, published an apology in the paper but challenged Kadaga's decision in court on the grounds that it was outside the speaker's mandate. The two journalists remained locked out at year's end. In February, Kampala mayor and opposition leader Erias Lukwago expelled four reporters from his news conference, accusing them of bias. All were from the government-owned Vision Group, which includes the flagship *New Vision*, Uganda's largest-circulation newspaper. In September, a Kampala Capital City Authority spokesman, Robert Kalumba, ejected Radio Simba reporter Aisha Nakawooya from a public meeting, claiming the outlet was not invited.

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 legislation had yet to be presented to Parliament at the end of 2013. The existing Press and Journalist Act of 2000 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, then information minister Okurut reiterated previous government threats to enforce the licensing requirement, citing a growing lack of professionalism in the media. Government pressure on the issue continued through late 2013.

The Uganda Broadcasting Council (UBC) and the Uganda Communications Commission (UCC) were merged in 2012 under the name of the latter, completing a move initiated by the government in 2010. Broadcast and telecommunications licensing procedures have been criticized as arbitrary and opaque, and are susceptible to influence and manipulation by the executive. The authorities have continued to interfere in private radio broadcasting, suspending a number of stations and presenters in recent years. In January 2013, the UCC directed the management of local-language Endigito Radio, based in western Uganda, to suspend popular political talk-show host James Kasirivu and cancel his current-affairs program or risk losing its license. In November, a talk show on Kampala-based Top FM Radio was abruptly halted by order of the UCC, 25 minutes into a one-hour interview with Kampala deputy mayor and opposition politician Sulaiman Kiddandala. Police later arrested host Richard Kisuule and detained him on charges of inciting violence. Two other journalists who were among a crowd of Kisuule supporters that showed up at the police station were also arrested.

Censorship and interference by authorities continued to hamper news coverage and the free flow of information and opinion in 2013. In May, the *Daily Monitor* broke a story about a letter, written

by former security official David Sejusa to the head of Uganda's national security services, calling for an investigation into an alleged plot to assassinate senior government and military officials who were opposed to a plan to install Museveni's son as his successor in 2016. Museveni, who had been elected to his fifth term in 2011, is not expected to run again. As coverage of the story gained momentum, authorities moved to suppress it. On May 12, Museveni himself called the *Daily Monitor* management to express his anger over the publication of the letter, according to local sources. Two days later, Okurut, the information minister, issued a statement warning journalists against undermining national security, and reminding them of their responsibility under the Press and Journalist Act to "ascertain the truth" of their stories. The same day, the UCC took out full-page ads in the print media that warned broadcasters against "political campaigning" and threatened to revoke the license of any outlet that continued to report on the story. On May 20, heavily armed police officers raided the offices of the *Daily Monitor* and the *Red Pepper* tabloid over their coverage of the story. The two papers – along with radio stations KFM and Dembe FM, both owned by the *Monitor's* Nation Media Group (NMG) parent company – were suspended for 10 days as officials searched the outlets' offices for documents and pressured journalists to reveal their sources. The closures sparked protests by journalists and civil society groups, during which several journalists were arrested and charged with inciting violence, including Geoffrey Wokulira Ssebagala, then the national coordinator of Human Rights Network for Journalists-Uganda.

In late May, after negotiations between NMG executives and Museveni, an agreement was reached to reopen the *Daily Monitor*. The paper had reportedly been losing 120 million shillings (\$48,000) a day while it was closed. In a statement released in early June, Hilary Onek, then the minister of internal affairs, detailed the deal that allowed the paper to reopen. Although many of the conditions simply required the *Daily Monitor* to more strictly adhere to its editorial policies, NMG executives also agreed that the paper would abide by vague standards, such as being "sensitive to and not publish or air stories that can generate tensions, ethnic hatred, cause insecurity or disturb law and order." The owners stated that they "highly regretted" the story in question, although it was unclear whether the coverage contained any factual inaccuracies. Finally, they agreed to "periodically interface with government to ensure the undertakings and pledges are respected and implemented." *Red Pepper's* management also apologized and reportedly reached an agreement with the authorities. Although the publications have generally continued to print stories that include criticism of the government, the owners set a dangerous precedent for any media outlets in Uganda that attempt to delve into the inner workings of the security apparatus.

As in previous years, government officials and security agents in 2013 continued to intimidate journalists and attempt to influence content by forbidding certain guests to appear on live radio programs. In November, the president's representative in Kampala, Samuel Mpimbaza Hashaka, wrote to the management of the privately owned FM stations Radio One and Radio Two, protesting the hosting, the day before, of Lukwago on one of the station's programs. The letter claimed that Lukwago had used his time on air to "tarnish the image of government." Host Basajja Mivule and colleague Simon Kaggwa Njala were suspended from their duties, though operations manager Jeff Mulinde Kiwanuka denied that there had been any suspensions. The journalists had not returned to work as of the end of 2013. Finance Minister Maria Kiwanuka owns the two stations and still serves as the general manager. Several radio stations owned by members of the ruling party 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, remained the primary offenders in 2013, with many cases of brutality against journalists. Reporters and free press activists protesting the closure of the *Daily Monitor* and *Red Pepper* newspapers outside the *Daily Monitor* offices in May were met with force by police, who lobbed tear-gas canisters into the crowd. In September, a police officer grabbed a camera from *New Vision* photojournalist Peter Busomoke and ordered him to delete the photos he had just taken in an open court in Kampala. In October, police

detained Urban TV journalist Jude Okech Jorum for four days without charge after he was arrested for criminal trespass while covering a dispute between two orphanages in Wakiso District. Obstruction of media workers was not limited to police forces. In March, guards at Kalisizo Government Prison in Rakai District beat two reporters covering a prison break. The journalists were detained briefly, and their cameras were damaged. Three guards were later charged with assault and malicious damage to property.

There are more than two dozen daily and weekly newspapers and more than 180 private radio stations in Uganda. 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 *Daily 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 – especially problematic for smaller media outlets – further limit media diversity and pluralism.

About 16 percent of Ugandans accessed the internet in 2013. 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 as of June 2013 there were nearly 17 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. Though such services had previously enjoyed relative freedom from government oversight, in May the government announced that it was setting up a social-media monitoring center, ostensibly in search of content that would threaten national security.

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