

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	325
Land:	Uganda
Kilde:	Freedom House
Titel:	Freedom of the Press 2016 – Uganda
Udgivet:	18. oktober 2016
Optaget på baggrundsmaterialet:	23. april 2018



Freedom of the Press 2016 - Uganda

Publisher [Freedom House](#)

Publication Date 18 October 2016

Cite as Freedom House, *Freedom of the Press 2016 - Uganda*, 18 October 2016, available at: <http://www.refworld.org/docid/582ac6b74.html> [accessed 16 April 2018]

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Press Freedom Status: Partly Free

Legal Environment: 18 / 30 (↑1) (0 = best, 30 = worst)

Political Environment: 24 / 40 (↓1) (0 = best, 40 = worst)

Economic Environment: 15 / 30 (↓1) (0 = best, 30 = worst)

Press Freedom Score: 57 / 100 (↓1) (0 = best, 100 = worst)

Quick Facts

Population: 40,141,000

Net Freedom Status: Partly Free

Freedom in the World Status: Not Free

Internet Penetration Rate: 19.2%

Overview

While 2015 saw several court decisions in journalists' favor, improvements on the legal front were undermined by a harsh political environment. Several journalists experienced interference or attacks while attempting to cover campaigning ahead of 2016 national elections, or other political stories. Moreover, the broadcast regulator interfered with some outlets' work, muzzling some voices and apparently seeking to control content.

Key Developments

- In a legal victory for media workers, in 2015 a court issued several rulings against a government agency for refusing to release information to a pro-transparency organization that requested it under the Access to Information Act.
- The broadcast regulator attempted to block the appearance of a controversial political personality at several media outlets, and ordered a radio station to cease negative coverage of a local royal family.
- Bribery of journalists for favorable campaign coverage was blatant and widespread during the year.

Legal Environment: 18 / 30 (↑1)

The country's constitution provides for freedoms of expression and of the press. However, several laws and provisions of the penal code that undermine these guarantees are invoked against journalists and others periodically, including criminal libel and treason. In August 2015, four journalists were charged with criminal defamation for refusing to disclose their source for an article alleging that two prominent Kampala businessmen were involved in fraudulent land transactions. The case was pending at year's end.

In June 2015, police arrested Robert Shaka, a U.S. Agency for International Development (USAID) employee, suspecting him to be Tom Voltaire Okwalinga, or TVO, an anonymous Facebook critic of President Yoweri Museveni and his government. He was charged with promoting sectarianism under Section 41 of the Penal Code Act, and misuse of computers in contravention of Section 25 of the Computer Misuse Act. However, the TVO Facebook page remained active, with posts mocking the government for holding the wrong man published while Shaka was in custody. The case was pending at year's end. In July, police in Gulu arrested Bonny Payira, a talk show host on Jal Fresh FM, for reportedly insulting President Museveni on air. Two panelists were also detained. Payira had criticized the president for commissioning public projects in the area that had yet to be completed.

Many government departments deny requests for information under the country's Access to Information Act. Other laws related to national security and confidentiality also impede open access to information in practice. However, in a 2015 ruling favorable to journalists, a magistrate's court issued several rulings against the National Forestry Authority (NFA), regulator of the forest sector in Uganda, for refusing to release information to the Hub for Investigative Media, a good-governance organization that had requested it under the access law.

The courts returned other rulings favorable to press freedom in 2015. In September, a criminal defamation case going back to 2010 against online journalist Timothy Kalyegira was thrown out on grounds that the state had failed to provide sufficient evidence. And in July, a court quashed the 2013 suspension of journalists Sulaiman Kakaire and David Tash Lumu from covering Parliament.

In March 2015, President Museveni appointed highly regarded Justice Bart Magunda Katureebe as the new chief justice of the Supreme Court. In April, Chief Justice Katureebe publicly asserted that the judiciary was committed to guarding the right to freedom of speech and expression.

The Press and Journalist Act requires journalists to register with the government-established National Institute of Journalists of Uganda (NIJU) and obtain a license from the Media Council, the statutory press regulator, which has been criticized for lacking independence. Journalists must also meet certain standards, including possession of a university degree, to be full members of NIJU, which has been inactive for years. Journalists are further required to renew their licenses annually.

Broadcast and telecommunications licensing procedures have been criticized as arbitrary and opaque, and are susceptible to influence and manipulation by the executive.

Political Environment: 24 / 40 (↓1)

Political pressure on the media increased in 2015, as campaigning started ahead of the February 2016 presidential and parliamentary elections. The Uganda Communications Commission (UCC), the broadcast regulator, issued at least two directives during the year that appeared politically motivated. In November 2015, it ordered several media outlets to stop hosting the sharp-tongued former presidential press aide Tamale Mirundi, or lose their operating licenses. The UCC reversed itself a week later after the stations pledged to regulate their content to ensure compliance with laws prohibiting abusive language. Separately, in 2015 the UCC executive director reportedly

ordered a Fort Portal-based FM station to not run stories critical of a local royal family. And, in July 2015, Baba FM in Jinja, which is owned by a ruling party member, went off the air 15 minutes into an hour-long interview with opposition Forum for Democratic Change (FDC) presidential candidate Kizza Besigye. His camp cited sabotage, while the station management said it was due to a technical glitch. The UCC denied involvement with the incident. Within days, the journalists involved in the talk show were suspended.

To safeguard their investments, some private media owners reportedly comply with government pressure regarding which journalists they may employ or which political leaders to interview. Self-censorship is widespread due to political interference in publications, harassment, and violence directed toward journalists.

Journalists continued to face harassment, occasional violence, and various other obstacles in the course of their work, with security personnel often the perpetrators. In January 2015, the head of police at Old Kampala Station assaulted WBS TV cameraman Andrew Lwanga as he covered a protest march, and Lwanga suffered long-term spinal damage as a result. Masked assailants later intercepted Lwanga outside of his home and pressured him to drop the assault case he had filed against the police chief, which was pending at year's end. In September, security personnel in civilian attire arrested an *Observer* journalist, Derrick Kiyonga, within the precincts of the High Court where he was covering the trial of suspects in the deadly 2010 Kampala bombings. Kiyonga was driven away, prompting the presiding judge to suspend proceedings and threaten to quit the case altogether if the journalist was not returned immediately. He was returned after nearly two hours; the security agents were displeased that the reporter was passing notes back and forth between the suspects and their lawyers while in court, which is common practice. Separately, in March, parliament issued a letter ordering media houses to replace any reporter who had covered parliament for more than five years, ostensibly in the interest of balanced coverage. The directive, which affected more than 50 senior journalists, caused such a public uproar that parliament withdrew the letter a few days later.

A number of instances of harassment or interference with journalistic work took place as campaigning for the 2016 polls gained momentum. In October 2015, police detained *Observer* journalist Alfred Ochwo for photographing the arrest of prominent FDC politician Ssemujju Nganda on the outskirts of Kampala. He was released without charge four hours later. In December, supporters of Deputy Parliament Speaker Jacob Oulanyah attacked journalists Ronald Galiwango of NTV and Anthony Palapande of NBS TV in the northern town of Gulu; the journalists were covering a clash between the Oulanyah and Besigye camps over a campaign rally venue. In October, a parliamentary candidate in the ruling party primaries assaulted *Daily Monitor* correspondent, Shamim Jjingo Nakawooya; the candidate took umbrage at a question the reporter asked him about an alleged debt. Separately, Radio One journalist Ivan Vincent Mukisa suffered rubber bullet wounds the same month as he covered a confrontation in Jinja between the police and supporters of Besigye.

In an incident unrelated to political coverage, in June 2015, individuals suspected of dealing in fraudulent land sales assaulted a Vision Group cameraman at a police station south of Kampala in the presence of police officers, damaging his camera.

Economic Environment: 15 / 30 (↓1)

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, although it tends to side with the government in coverage of election campaigns 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 contending views.

Radio remains the most widely accessed news medium, though very few stations dedicate significant time to news and public affairs programming. In recent years, the number of community stations has grown across the country. While it is technically a public broadcaster, the Ugandan Broadcasting Corporation remains subservient to the interests of the ruling party and the government. Six private television stations also operate. There is unrestricted access to foreign news sources, and domestic outlets draw on and reference these sources in their reporting.

Authorities occasionally interfere in outlets' operations in ways that inflict financial losses. In August 2015, police arrested Pison Mugizi, the publisher of a magazine celebrating the consecration of Bishop Nathan Namanya of North Ankole Diocese, in connection with his publishing of a congratulatory message by presidential hopeful Amama Mbabazi. Numerous copies of the magazine were confiscated, resulting in significant losses.

Declining circulation numbers 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. Low salaries leave journalists vulnerable to bribery, and widespread bribery of journalists was reported in 2015. In some cases, individuals associated with the ruling National Resistance Movement (NRM) gave journalists sums of 100,000 to 200,000 shillings (\$30 to \$60) – significantly more than their normal pay per story – for favorable campaign coverage of the party.

Nearly 19 percent of Ugandans accessed the internet in 2015. The government places no restrictions on the medium, though access is limited in practice by high costs and a lack of infrastructure, especially in rural areas. In the last decade, mobile-phone usage has expanded rapidly, and in 2015 there were nearly 20 million subscriptions in Uganda. Social-media sites such as Facebook, Twitter, and YouTube are gaining popularity as a means of disseminating news and information. Although such services had previously enjoyed relative freedom from government oversight, the government announced in 2013 that it was setting up a social-media monitoring center, ostensibly in search of content that would threaten national security.

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