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Freedom of the Press 2012 - Uganda ("Draft")

Status: Partly Free

Legal Environment: 19

Political Environment: 24

Economic Environment: 14

Total Score: 57

Survey Edition	2007	2008	2009	2010	2011
Total Score, Status	54,PF	53,PF	53,PF	54,PF	54,PF

The Ugandan press freedom environment deteriorated in 2011 due to an increase in harassment, intimidation, and violence against journalists who were attempting to cover February elections and postelection protests, as well as other key political events, by police and members of the security forces. In addition, there was a rise in biased election coverage by state-controlled media prior to the February elections. Despite these obstacles, however, the Ugandan independent media remained vibrant.

The country's constitution provides for freedom of expression and press freedom. However, several laws claw back on these guarantees, and the government continues to crack down on critical journalists and media houses using both subtle and blatant methods. Although the law on sedition, which had often been invoked to bring critical journalists to book, was declared unconstitutional by the Constitutional Court in August 2010, the government continued to use other provisions of the penal code, including those on criminal libel and treason, against journalists.

There had been fear that the proposed Press and Journalist Amendment Bill 2010 would enable government manipulation of licensing and registration of media houses and introduce new publication offenses, but the amendments had not been tabled before parliament by the end of 2011. In April 2011, after a delay of nearly six years, the government finally gazetted the regulations to operationalize 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, however, many government departments still 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. Other laws related to national security and confidentiality continue to impede open access to information in practice. The 2000 Press and Journalist Act requires journalists to register with the government-affiliated National Institute of Journalists of Uganda

(NIJU) and obtain a license from the Media Council, which has been criticized for lacking independence. Journalists must also meet certain standards, including the possession of a university degree, to be full members of NIJU. Although journalists are supposed to renew their licenses annually, this provision is frequently overlooked in practice. Minister of Information and National Guidance Mary Karoro Okurut warned in September 2011 that the government could be compelled to enforce the requirement that journalists be licensed, citing growing unprofessionalism.

The regulatory structure is not always transparent, and grants broad discretionary powers to the regulator. The 2000 Electronic Media Act created the Uganda Broadcasting Council (UBC), which can grant or withhold licenses based on an opaque set of conditions, and confiscate transmission equipment without a hearing or other forms of due process. In March 2010, the Broadcasting Council was merged with the Uganda Communications Commission, which regulates the telecommunications sector. The regulator is susceptible to influence and manipulation by the executive. Authorities have continued to interfere in private radio broadcasting, temporarily shutting down some stations in recent years. There were reports that four radio stations that had been closed down by the regulator in September 2009 on accusations of promoting sectarianism and inciting violence continued to engage in self-censorship to avoid renewed conflict with the authorities. In April 2011, the UBC issued a warning to television and radio stations against covering the postelection protests live. The regulator warned that it would take "appropriate action" against any media house that aired material deemed to promote a culture of violence, ethnic prejudice, and public insecurity. Council chairman Godfrey Mutabazi accused some broadcasters of "portraying the events in such a way as to compromise public security." In a May 17 statement, Ugandan president Yoweri Museveni took issue with the media for their continued coverage of antigovernment protests, calling them "enemies of Uganda's recovery." Despite some donor-supported efforts, such as the formation of the Independent Media Council of Uganda, self-regulation by the media sector is lacking, providing the government with a rationale for imposing statutory controls.

Journalists face harassment, occasional violence, and various other obstacles while attempting to cover the news. In the run-up to the February presidential and parliamentary elections and the demonstrations that followed in April, many journalists were intimidated, arrested, beaten up, shot at, and openly assaulted by the police, the army, and other security operatives, and in some cases by the public. Photojournalist Julius Odeke was shot by soldiers in February while covering an election-related disturbance in eastern Uganda. He was taking pictures of the military roughing up an opposition candidate, Nandala Mafabi, who is now the leader of the opposition in parliament. Also in February, several journalists were roughed up – and some were seriously injured – by supporters of a political candidate during the Kampala local council elections. In the so-called walk-to-work protests that followed the elections, a number of journalists were beaten up and their equipment confiscated as they covered the news. In May, radio Simba journalist Christine Nabatanzi was shot in the leg with a rubber bullet as police tried to disperse protestors. At least 10 local and foreign journalists were attacked by security and military personnel while covering the return of opposition leader Kizza Besigye on May 12. Besigye had been hospitalized in Nairobi after he was injured seriously during a brutal arrest in April. Some journalists' equipment, including cameras and notebooks, was confiscated by the military and police officers. In the countryside, government officials and security agents regularly intimidate journalists and attempt to influence media content by forbidding certain guests to appear on live radio programs.

During the election campaign that began in late 2010, coverage by the Ugandan Broadcasting Corporation (UBC), the public broadcaster, and the *New Vision* newspaper – in which the government owns a controlling state – was disproportionately focused on Museveni and the ruling National Resistance Movement (NRM) party. Also, opposition politicians were denied access to radio stations owned by members of the ruling party; several radio stations in Uganda are owned by NRM politicians who regularly discourage publication of news that is deemed critical of the government.

There are more than two dozen daily and weekly newspapers and more than 180 private

radio stations. Uganda's leading daily newspaper, the *New Vision*, shows some editorial independence, although it was decidedly progovernment during the elections and the postelection protests. Other print outlets, such as the *Monitor*, the *Observer*, and the *Independent*, are generally 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 source, although 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. The UBC remains subservient to the interests of the ruling party and the government.

Media owners are somewhat complicit in the erosion of press freedom in Uganda. To safeguard their investments, they reportedly comply with government requests, including onerous instructions as to which journalists they may employ. The sustainability of newspapers is compromised by declining circulation rates, which leave outlets more dependent on advertising. Threatened or actual advertising boycotts by corporations and the government, which are especially problematic for smaller media outlets, limit media diversity and pluralism.

Internet penetration remained at about 12 percent, or 4 million users, according to the Uganda Communications Commission. Access to the internet through both computer-based applications and internet-enabled mobile phone devices is not officially restricted. However, access is limited by high costs and a lack of infrastructure, especially in rural areas.

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