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2015 Scores

Press Status: Partly Free

Press Freedom Score (0 = best, 100 = worst): 56

Legal Environment (0 = best, 30 = worst): 19

Political Environment (0 = best, 40 = worst): 23

Economic Environment (0 = best, 30 = worst): 14

Uganda's press freedom environment improved slightly in 2014. Journalists registered some progress in expanding access to information by successfully challenging a magistrate's order for closed court proceedings. Moreover, government agencies and regulators such as the Uganda Communications Commission did not interfere with media content to the same extent as in the previous year, and independent outlets remained vibrant. However, journalists continued to face intimidation and harassment from state and nonstate actors, at times engendering self-censorship.

Legal Environment

The country's constitution provides for freedoms of expression and of the press. However, several laws undermine these guarantees. Although the Constitutional Court declared the law on seditious libel unconstitutional in 2010, the state has used other provisions of the penal code, including those on criminal libel and treason, against journalists. In October 2014, a magistrate sentenced CBS Radio journalist Ronald Ssemuusi to a fine of \$350 or a one-year jail term for criminal defamation. The verdict came after a two-year trial over a report suggesting that the former chairman of Kalangala District had stolen solar panels meant for the community. An appeal was pending at year's end.

In February 2014, the president signed two laws that threatened to limit media freedom. One, the Anti-Pornography Act, 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. Opponents of the measure warned that news outlets could easily run afoul of its sweeping provisions.

The second law, the Anti-Homosexuality Act, criminalized same-sex relations as well as actions that "promoted" or "aided and abetted" them. Journalists and rights advocates charged under the law could

have faced up to seven years in prison or stiff fines. The Constitutional Court overturned the legislation in August on the grounds that it was passed without a quorum, but lawmakers soon began working to resubmit it in Parliament.

In 2011 the government promulgated long-stalled regulations implementing the 2005 Access to Information Act. Even after the release of the regulations, many government departments have continued to deny requests for information. Other laws related to national security and confidentiality often impede open access to information in practice, and officials regularly block critical journalists from covering official proceedings. In October 2014, journalists scored a victory on this issue when the High Court reversed an order issued months earlier by a chief magistrate to exclude journalists and the public from a trial involving the theft of audio recordings from the head of the Uganda Police Force. The magistrate had ruled that the trial would expose confidential and sensitive security information. However, prosecutors dropped the charges in December.

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.

In February, Information Minister Rose Namayanja issued two new regulations under the Press and Journalist Act. The first, Statutory Instrument No. 4 of 2014, stipulated the types of fees that must be paid in order to practice journalism. Journalists and media freedom advocates protested, saying the fees would lock some people out of the profession. The second new regulation, Statutory Instrument No. 5 of 2014, tightened the code of ethics contained in the law. Critics argued that elements of the code, particularly one barring persistent questions by reporters, would seriously harm investigative journalism. Three free speech organizations subsequently filed a joint challenge of the constitutionality of several sections of the Press and Journalist Act.

Broadcast and telecommunications licensing procedures have been criticized as arbitrary and opaque, and are susceptible to influence and manipulation by the executive. Although the Uganda Communications Commission, which regulates broadcast media, interfered with private radio broadcasting during 2013, there were no similar incidents in 2014.

Political Environment

Political pressure on the media eased somewhat in 2014 compared with the previous year, when two independent outlets had faced denunciations, temporary closures, and police raids for reporting allegations of elite infighting over the president's succession plans. Nevertheless, preparations for the 2016 general elections continued to affect the media. In March, a social-media posting listed about 150 journalists who were accused of providing favorable coverage on behalf of Prime Minister Amama Mbabazi, a potential rival to longtime president Yoweri Museveni. (Mbabazi was fired as prime minister in September.) The claims left some journalists effectively unable to cover election-related stories.

To safeguard their investments, some private media owners reportedly comply with government requests, both explicit and implicit, including onerous instructions as to which journalists they may employ or which political leaders to interview. In April 2014, for example, the owner of Spice FM in Hoima dismissed his station manager for hosting opposition politicians on a talk show. The owner, Edgar Agaba, is a former government official.

Journalists face harassment, occasional violence, and various other obstacles in the course of their work.

Physical assault and confiscation of cameras were the most common forms of abuse during 2014, and police or low-level officials were often the perpetrators. For instance, in April, the head of traffic police in the northern district of Lira seized the camera of journalist Joseph Ekol for photographing the district police commander without permission. In May, two radio journalists – Brian Luwaga of Uganda Radio Network and Herbert Zziwa of KFM Radio and Dembe FM – were allegedly assaulted by police in separate incidents while covering by-elections in Luweero. In July, district chairman Constantine Ben Moru ordered the arrest and temporary detention of two reporters from the newspapers *New Vision* and *Bukedde* for going to his home without permission. The journalists, who said they never reached his property, were pursuing allegations that the official had taken for personal use a borehole meant for the community.

Nonstate actors also engage in attacks on journalists. In January, Vision Group photojournalist Mubiru Kakebe was stabbed in the hand by a woman who demanded that he delete a photo he had taken; he died two months later, apparently of a related infection. In March, a court sentenced private security guard Aziz Kemba to a four-year prison term for assaulting *Red Pepper* journalist Solomon Hamala as he covered protests by market traders in January. In April, a group of teachers in Mpigi attacked Bukedde TV journalist Andrew Mugonza as he covered the aftermath of a fire at their school; police soon came to his aid. Also in April, officers rescued Ismail Ddamba of *Bukedde* newspaper from an assault by motorcycle-taxi drivers who accused him of being a police spy.

In addition to harassment in the field, media outlets sometimes face reprisals for their coverage. In two incidents in March, police raided the Voice of Kigezi radio station and Kasese Guide Radio to halt talk shows featuring Mugisha Muntu, head of the opposition Forum for Democratic Change party. In May, parliament member Odo Tayebwa stormed the studios of Bushenyi Model FM to assault journalist Moses Byendwa for broadcasting Tayebwa's criticism of a presidential agricultural initiative in the area and allowing listeners to respond.

Economic Environment

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 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 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.

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. In 2014, there were reports that the ruling National Resistance Movement party was using favors and gifts to co-opt journalists and obtain positive coverage.

Nearly 18 percent of Ugandans accessed the internet in 2014. 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 2014 there were over 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. It was not clear in 2014 whether the center had begun operating.

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