

UPR SESSION 40

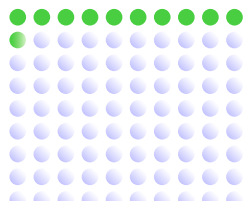
UGANDA

FREEDOM OF EXPRESSION & INTERNET FREEDOM

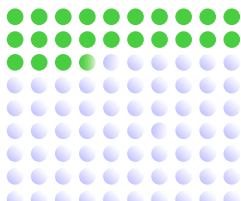


UPROAR

HOUSEHOLDS WITH INTERNET ACCESS

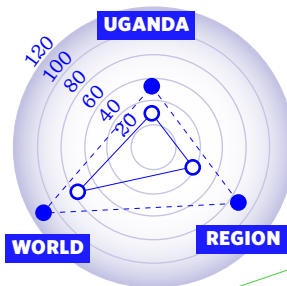


INDIVIDUALS USING THE INTERNET



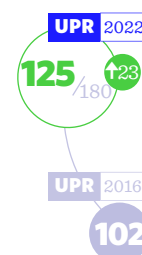
SUBSCRIPTIONS PER 100 INHABITANTS

Sources: Internet Telecommunications Union, Reporters Without Borders



PRESS FREEDOM RANKING

Reporters Without Borders



Uganda should uphold its international and regional commitments to human rights and refrain from digital rights restrictions and media violations.

Uganda held its general elections in January 2021. The turbulent election was marred by unprecedented violence against the media and severe restrictions on freedom of expression, including a total internet shutdown and a social media ban. These violations followed a similar trend to the 2016 general elections, when digital rights were similarly restricted. The operational space for freedom of expression, access to information and the media has also been closing in Uganda—both online and offline—due to state restrictions since the last UPR in 2016.

Laws such as the Computer Misuse Act, Press and Journalist Act and the Penal Code Act have been repeatedly weaponized by the state to silence critical voices. Online restrictions, including a 12% tax imposed on data tariffs in 2021, internet shutdowns and throttling during the 2021 general elections, and regulatory overreach on online platforms have restricted citizens' rights, and contributed to the deterioration of Uganda's global freedom of expression rankings.²

RECOMMENDATIONS

- Stop the intimidation, harassment, arbitrary arrest and prosecution of journalists and activists, and hold to account those that violate journalists' rights.
- Immediately halt the practice of internet shutdowns and any other arbitrary actions that limit access to, and use of the internet.
- Repeal laws that inhibit freedom of expression on and offline, including Sections 24 and 25 of the Computer Misuse Act on cyber harassment and offensive speech.
- Fully respect, protect and promote the right to privacy of persons through the effective implementation of Data Protection and Privacy Act, 2019.

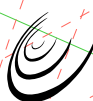
SUBMITTING ORGANISATIONS¹



SMALL MEDIA



NCHRDU



CIPESA



POLICY



WOMEN AND ICTS



FOE HUB



UPR'22



INTERNET SOCIETY
UGANDA CHAPTER



HNRJ
UGANDA

- Stop intimidation, harassment, arbitrary arrests and prosecution of journalists and activists and hold to account those that violate journalists' rights.

- Amend and repeal provisions under the Press and Journalist Act, which create an onerous accreditation and registration regime for the practice of journalism.

During the period leading to the 2021 elections, several journalists and media practitioners, especially those covering opposition candidates were beaten, harassed, detained and had their equipment destroyed by security forces.

On 27 December 2020, Ashraf Kasirye, a journalist working with the online media organisation Ghetto was shot on the head and was seriously injured as he covered presidential candidate Robert Kyagulanyi (Bobi Wine).³ On the same day, two other journalists working for NTV and NBS were seriously injured when police shot at them.⁴

The Inspector General of Police justified the beatings on "safety reasons" and to restrain journalists from going where there's danger.⁵ In February 2021, UPDF soldiers beat up several journalists at the premises of the UN Office of the High Commissioner for Human Rights, who were covering the delivery of a petition by the National Unity Platform party president over human rights abuses.⁶

- Stop the practice of internet shutdowns and any other arbitrary actions that limit access to, and use of the internet.

- Restore all digital networks including social media, and ensure that any limitations conform to regional and international standards.
- Enhance digital accessibility and inclusion for the excluded including persons with disabilities, women and rural communities.

On 11 January 2021, access to Facebook was blocked and two days later on 13 January 2021, the eve of the presidential and parliamentary elections, the Uganda Communications Commission (UCC) ordered all telecommunication companies to shut down internet access which lasted for five days.⁷ To date, access to Facebook remains blocked.⁸

In December 2020, the government through UCC wrote to Google to shut down 17 YouTube channels including TMO Online and Lumbuye Fred.⁹

An Over The Top tax of 200 Ugandan Shillings (0.05USD) was introduced in July 2018 and this contributed to a five million decrease in the number of internet users.¹⁰ There is also a new 12% levy on internet data that is likely to further heighten digital exclusion and sustain inequality along gender lines.¹¹

- Repeal laws that inhibit freedom of expression on and offline, including Sections 24 and 25 of the Computer Misuse Act on cyber harassment and offensive speech.

- Repeal Section 179 of the Penal Code on criminal defamation, and Section 31 of the Uganda Communications Act on minimum broadcasting standards

The Computer Misuse Act is often used to prosecute critical voices. In November 2017, New Vision Editor, Felix Osiro, was charged with offensive communication for writing about the Police Chief.¹²

In 2019, Dr. Stella Nyanzi, was convicted of cyber harassment under Section 24 of the Act and sentenced to 18 months imprisonment for insulting the president in a social media post. She was however acquitted of offensive communications as provided for under Section 25 of the same Act.

In June 2019, the editor of Drone Media was also charged under Sections 24 and 25 of the Act.¹³, along with Pidson Kareire, who was charged with criminal defamation..

In April 2019, several media houses and journalists were reprimanded by UCC for violating minimum broadcasting standards.¹⁴

- Fully respect, protect and promote the right to privacy of persons through effective implementation of laws.

- Ratify the African Union Convention on Cyber Security and Personal Data protection so as to improve data protection and privacy of the individual nationally and across borders.

The Ugandan government in 2019 used Huawei technologies to spy on the opposition politicians on various digital platforms.¹⁵ Reports indicate that the WhatsApp account of Robert Kyagulanyi was hacked by the government with the help of Huawei so as to monitor him and his supporters.¹⁶

Huawei facial recognition technology¹⁷ was purportedly used to crack down on government critics leading to the arrest of over 836 suspects during protests.¹⁸

In 2018, security operatives from Internal Security Organisation (ISO) stormed the data centre of the mobile telecom network MTN, which is the largest telecom operator in the country, without a search warrant and accessed confidential data, including call data records of individuals.¹⁹

FOOTNOTES

¹ The Uganda Cluster, a coalition of human rights groups working on freedom of expression locally, are part of the submitting organisations and include the following:

Human Rights Network for Journalists Uganda (HRNJ-U); Freedom of Expression Hub (FOE-HUB); Collaboration on International ICT Policy in East Africa (CIPESA); National Coalition of Human Rights Defenders Uganda (NCHRD-U); Editors' Guild; Entebbe Journalist Association; Federation of Women Lawyers Association (FIDA-Uganda); Human Rights Defenders Network, Busoga; Kabarole Research Centre FM 102 (KRC); National Association of Broadcasters (NAB); Northern Uganda Media Club; Unwanted Witness; Umbrella For Journalists; Uganda Media Women's Association/MAMA FM; Uganda Media Development Foundation; Uganda Parliamentary Press Association; Uganda Journalists Association; Teso Broadcasting Service; Teso Karamoja Media Agency; Tororo Media Practitioners Association; Twerwaneho Listeners Club and West Nile Press Association.

² Reporters Without Borders, '2021 World Press Freedom Index: Uganda ranked 125 out of 180 countries' <https://rsf.org/en/ranking>.

³ Ghetto Media Cameraman Ashraf Kasirye Shot in Masaka <https://ugandaradionetwork.net/story/gheto-media-camera-man-ashraf-kasirye-shot-in-masaka>.

⁴ Journalists injured as police turn guns on the media <https://acme-ug.org/28/12/2020/journalists-injured-as-police-turn-guns-on-the-media/>.

⁵ IGP to journalists: "We beat you for your own good" <https://nilepost.co.ug/08/01/2021/igp-to-journalists-we-beat-you-for-your-own-good/>.

⁶ Military police beat up journalists covering Bobi Wine petition to UN <https://www.monitor.co.ug/uganda/news/national/military-police-beat-up-journalists-covering-bobi-wine-petition-to-un-3294654>.

⁷ BBC, 'Uganda election: Internet restored but social media blocked' <https://www.bbc.com/news/world-africa-55705404>.

⁸ Daily Monitor, 'Govt lifts internet shutdown imposed over election' <https://www.monitor.co.ug/uganda/news/national/govt-lifts-internet-shutdown-imposed-over-election-3286184>.

⁹ Daily Monitor, 'Government wants Google to close 14 Ugandan YouTube channels' <https://www.monitor.co.ug/uganda/news/national/government-wants-google-to-close-14-ugandan-youtube-channels-3229752>.

¹⁰ Juliet Nanfuka, 'Social Media Tax Cuts Ugandan Internet Users by Five Million, Penetration Down From 47% to 35%' <https://cipesa.org/01/2019/%EF%BB%BFsocial-media-tax-cuts-ugandan-internet-users-by-five-million-penetration-down-from-47-to-35/>

¹¹ Daniel Mwesigwa, 'Uganda Abandons Social Media Tax But Slaps New Levy on Internet Data' <https://cipesa.org/07/2021/uganda-abandons-social-media-tax-but-slaps-new-levy-on-internet-data/>.

¹² Vision Editor charged over Kayihura story <https://archives.visiongroup.co.ug/vision/NewVisionApi/v1/uploads/NV011117pg04.pdf>.

¹³ Ugandan editor charged with criminal libel and 'offensive communication' <https://cpj.org/06/2019/ugandan-editor-charged-with-criminal-libel-and-off/>.

¹⁴ The Daily Monitor, 'Bobi Wine coverage: UCC directs NBS TV to suspend staff', 1st/May/2020. <https://www.monitor.co.ug/News/National/Bobi-Wine-UCC-NBS-TV-staff-FDC-Nagalama/142-5095806-688334ikq6z/index.html>.

¹⁵ Joe Parkinson, Nicholas Bariyo and Josh Chin, 'Huawei Technicians Helped African Governments Spy on Political Opponents' The Wall Street Journal, August 2019, 15 <https://www.wsj.com/articles/huawei-technicians-helped-african-governments-spy-on-political-opponents-11565793017>.

¹⁶ Salem Solomon, 'In Uganda, Dissidents Adapt to Evade Huawei Assisted Government Spying' <https://www.voanews.com/africa/uganda-dissidents-adapt-evade-huawei-assisted-government-spying>.

¹⁷ Stephen Kafeero, 'Uganda is using Huawei's facial recognition tech to crack down on dissent after anti-government protests,' <https://qz.com/africa/1938976/uganda-uses-chinas-huawei-facial-recognition-to-snare-protesters/>.

¹⁸ George Okello, 'Security confirm 836 arrests, 45 deaths in Bobi Wine protests' <https://www.pmldaily.com/news/11/2020/security-confirm-836-arrests-45-deaths-in-bobi-wine-protests.html>.

¹⁹ PML Daily 'Nobody is above the law! ISO boss justifies raid on MTN data centre' <https://www.pmldaily.com/news/07/2018/nobody-is-above-the-law-iso-boss-justifies-raid-on-mtn-data-centre.html>.

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UPROAR is coordinated by Small Media, in collaboration with a network of digital rights organisations working internationally.

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