

AFRICAN MEDIA BAROMETER

The first home grown analysis of the
media landscape in Africa

UGANDA 2016





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CONTENT

SUMMARY: 7

SECTOR 1: 11
Freedom of expression, including freedom of the media, is effectively protected and promoted.

SECTOR 2: 23
The media landscape, including new media, is characterised by diversity, independence and sustainability.

SECTOR 3: 51
Broadcasting regulation is transparent and independent; the state broadcaster is transformed into a truly public broadcaster.

SECTOR 4: 61
The media practise high levels of professional standards.

WAY FORWARD: 78

The African Media Barometer (AMB)






The African Media Barometer (AMB) is an in-depth and comprehensive description and measurement system for national media environments on the African continent. Unlike other press surveys or media indices the AMB is a self-assessment exercise based on home-grown criteria derived from African Protocols and Declarations like the Declaration of Principles on Freedom of Expression in Africa (2002) by the African Commission for Human and Peoples' Rights. The instrument was jointly developed by fesmedia Africa, the Media Project of the Friedrich-Ebert-Stiftung (FES) in Africa, and the Media Institute of Southern Africa (MISA) in 2004.

The African Media Barometer is an analytical exercise to measure the media situation in a given country which at the same time serves as a practical lobbying tool for media reform. Its results are presented to the public of the respective country to push for an improvement of the media situation using the AU-Declaration and other African standards as benchmarks. The recommendations of the AMB-reports are then integrated into the work of the 19 country offices of the Friedrich-Ebert-Stiftung (FES) in sub-Sahara Africa and into the advocacy efforts of other local media organisations like the Media Institute of Southern Africa.

Methodology and Scoring System

Every three to four years a panel of 10-12 experts, consisting of at least five media practitioners and five representatives from civil society, meets to assess the media situation in their own country. For 1½ days they discuss the national media environment according to 39 predetermined indicators. The discussion and scoring is moderated by an independent consultant who also edits the AMB-report.

After the discussion of one indicator, panel members allocate their individual scores to that respective indicator in an anonymous vote according to the following scale:

1	Country does not meet indicator	
2	Country meets only a few aspects of indicator	
3	Country meets some aspects of indicator	
4	Country meets most aspects of indicator	
5	Country meets all aspects of the indicator	

The sum of all individual indicator scores will be divided by the number of panel members to determine the average score for each indicator. These average indicator scores are added up to form average sector scores which then make up the overall country score.

Outcome

The final, qualitative report summarizes the general content of the discussion and provides the average score for each indicator plus sector scores and overall country score. In the report panellists are not quoted by name to protect them from possible repercussions. Over time the reports are measuring the media development in that particular country and should form the basis for a political discussion on media reform.

In countries where English is not the official language the report is published in a bilingual edition.

Implementing the African Media Barometer the offices of the Friedrich-Ebert-Stiftung (FES) and – in SADC countries the Media Institute of Southern Africa (MISA) – only serve as a convener of the panel and as guarantor of the methodology. The content of the discussion and the report is owned by the panel of local experts and does not represent or reflect the view of FES or MISA.

In 2009 and again in 2013 the indicators were reviewed, amended, some new indicators were added and some were replaced.¹

By the end of 2013 the African Media Barometer had been held in 30 African countries, in some of them already for the fifth time.

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¹ Consequently, the comparison of some indicators of previous reports is not applicable (n/a) in some instances in which the indicator is new or has been amended considerably. Furthermore sector scores are not applicable (n/a) as indicators have been moved.



See above 30 AMB Countries (2005-2015)

African Media Barometer Uganda 2016

Summary

The Ugandan Constitution, by way of Article 4 of the Bill of Rights, explicitly guarantees freedom of expression as well as media freedom, and goes further in Section 41(1) by guaranteeing citizens the right to access information.

In fact, Ugandan citizens are loaded with a plethora of laws that on one hand provide the enjoyment of a range of basic civil liberties, and on the other hand heavily regulate the media and curtail basic fundamental human rights.

The *Press and Journalism Act of 1995* has set up a media council to amongst other things “exercise disciplinary control over journalists, editors and publishers” and “requires that in order to practice journalism, one has to be in possession of a valid practicing certificate. Of the two new additions to the Act in 2014, Regulation No. 5 permits reporters to be fined for asking ‘persistent questions’.

Then there is the Access to Information Act, which is seen as progressive, but the Official Secrets Act takes away from the space opened up by this legislation; by imposing restrictions on access to court records, cabinet records, statement of income and liabilities (asset declaration).

These and several other pieces of legislation also include vague and expansive language that is often interpreted in a restrictive manner to curb actions deemed disagreeable to the state.

These contradictions have infiltrated Ugandan society and the manner in which people act or engage around issues. Citizens speak volubly and boldly on a variety of topics and exercise caution when discussing religion, ethnicity or politics.

Wary of sparking conflicts, the older generation is extremely reserved in discussing contentious tribal or ethnic issues. Geographical placement and generational differences also play a major part in how Ugandans express themselves. In rural communities, people are reserved when demanding effective delivery of services as they are not confident about their entitlement to these amenities. They are also wary of the reprisal from the state which is often harsh and goes unreported.

The reluctance to discuss politics is the fear of the wide reaching arm of the intelligence services that operate at various levels of society. When criticizing government, some media practitioners have received threats from anonymous callers saying: “How dare you speak about someone like this. Are you bullet proof?”

This fear deepens during elections. The period prior to the February 2016 elections was no exception as journalists were threatened, assaulted, attacked and arrested; their equipment seized their offices raided or put under siege.

Just a few days prior to voting, certain social media sites were blocked by the Ugandan Communications Commission on the grounds of national security. Citizens immediately identified alternative communications platforms which they used to communicate effectively; this is something that has become more noticeable in society in recent years. Where there is pressure from government, there is pushback from citizens.

Youth were visibly vociferous during this election and took to social media arenas and other platforms that provided anonymity, to speak freely on issues of concern. This could be attributed to the fact that 78 percent of Uganda's population is under the age of 30, and this growing segment of voters are particularly concerned with the rising rate of unemployment and the lack of job opportunities.

While panellists expressed concern at the clampdown on the media by state authorities, some also noted the responsibility – particularly for the media – that comes with free expression in the public space. There is a belief that while the media can demand rights, these come with responsibility, and that some journalists are violating their obligations.

The breach in unethical conduct is being blamed on inexperience, lack of professionalism and inadequate structures of accountability. This lack of cohesion in the sector prevents the establishment of strong media organisations and trade unions, and makes it more difficult for audiences to place faith in the accountability of the sector itself. This is exacerbated by the lack of support for the Independent Media Council of Uganda (IMCU), a self-regulatory body which was established in 2008; instituted with a complete code of ethics and complaints procedure mechanism.

IMCU is not very active, lacks strong support from the media, and its independence is seen as being compromised because at its head is a presidential advisor. The fact that IMCU is seen as a weak and ineffectual self-regulatory body makes it easier for Government to impose their statutory media council, established by Article 8 of the *Press and Journalists Act of 1995*.

Also of concern is the manner in which unethical behaviour by some media practitioners is seen as a normal and acceptable practice. During the AMB in 2012, it was acknowledged that journalists from less established media houses were being “paid” by civil society organisations to have their issues covered; but it was not a prevailing practice at the time.

However, a few years later, this “facilitation fee”, as it is now being referred to, has become the norm and for those who are out of the media sector, is

an established practice, to the point where certain organisations and individuals are unwilling to acknowledge that paying journalists transportation and food allowances is tantamount to corruption.

This problem is not unique to the media industry, and is a reflection of what is happening in broader society. “We have a problem in this country with regards to facilitation. It’s not secluded to journalism. If you have any meeting, people are signing for transport refunds.”

Some reporters are tarnishing the image of the industry further and in an attempt to supplement their meagre incomes by extorting money from members of the public. These reporters threaten to leak a “potentially salacious” story if they are not paid a bribe; while certain tabloids “manufacture stories” and then try to extort money from the subject of the story.

Despite the challenges, the public still place a great deal of faith in the media and citizens continue to enjoy the benefits of the diverse media landscape of Uganda. Radio continues to be the most widely accessed medium, with over 270 radio stations scattered across the country. The print media sector has experienced a decline in circulation figures, and is grappling with changes affecting most of the continent: high printing costs, increasing overheads and a marked decline in revenue. This is pushing the sector to explore transformation since it is unable to compete with faster, easily accessible and less costly news and information that social media platforms offer.

SECTOR 1:

Freedom of expression, including freedom of the media, is effectively protected and promoted.

Freedom of expression, including freedom of the media, is effectively protected and promoted.

1.1 Freedom of expression, including freedom of the media, is guaranteed in the Constitution and supported by other pieces of legislation.

The Ugandan Constitution specifically guarantees freedom of expression and freedom of the media in the Bill of Rights, which under Article 29(1) states:

Every person shall have the right to:

- a. freedom of speech and expression which shall include freedom of the press and other media;

while Section 41(1) guarantees every citizen the right of access to information.

From a human rights perspective, there is no specific prohibition in the Constitution or otherwise that detracts from freedom of expression, although Article 43(1) makes it clear that in the enjoyment of the right to free expression (and other fundamental rights), “no person shall prejudice the fundamental or other human rights and freedoms of others or the public interest.”

Several other pieces of legislation support the right to freedom of expression and media freedom. These include both the *Access to Information (ATI) Act of 2005* and the *Press and Journalism Act of 1995*, which, as panellists noted, “contain both progressive and limiting clauses”. The ATI Act is seen as very progressive, but the Official Secrets Act takes away from the space opened up by this Act; by imposing restrictions on access to court records, cabinet records, statement of income and liabilities (asset declaration).

“The Act looks good, but its implementation is varied.”

Uganda has also ratified a number of international treaties and instruments that support Freedom of Expression.

On the whole, panellists agreed that, “The body of law exists and is sufficient. But the issue is regards to implementation and the enjoyment of these laws.”

It is important to note that while freedom of expression is guaranteed by the Constitution, there are a plethora of laws that limit this right. These are discussed under Indicator 1.3.

Outside of politics and issues related to ethnicity, Ugandans are more willing to express themselves. However, on subjects that people are willing to speak unreservedly, there are urban and rural differences.

“In rural communities, people are afraid of simply demanding the services required from mandated offices such as the District Community Development Officer (DCDO).” Some panellists posited that this had to do with “civic competence and the understanding of their rights. Many people in the rural areas don’t know they’re entitled to express themselves freely.”

“Freedom of expression exists, but to a limited extent. There are those who are out-spoken and bold, but also those who don’t speak their mind. When they criticise government, some of the media reported that they (including private media professionals), get threatening calls...unless you’re bold or have the backing of NGOs, you might censor yourself because of the fear.”

This fear emanates from the threatening language used by these anonymous callers, and “citizens are afraid to ask the hard questions.” The caller might say things such as, “How dare you speak about someone like this. Are you bullet proof?”

“There have been a few calls here and there, not only from government but also other political parties. They call you and say, “we know what car you drive and where you stay.”

While it would appear that people express themselves more freely on media platforms that allow them to be anonymous, there are those who will identify themselves by name, “There are regular callers on radio and TV programmes, especially on vernacular programmes, who are very critical. But it is often the same people calling on different programmes, and you even wonder whether they are really expressing themselves, or have been paid to express.”

For some of these callers, it appears this would be a tactic to gain stardom. One panellist noted, “There are political programmes where you have the same old Joes. I spoke to one of those personalities and asked about whether he was getting paid to call in, and he said no, and that this was a platform for him to become known; to get onto media and become a politician. The call-in culture seems to be used as a stepping stone to media or political fame.”

The fear to express oneself freely is more pertinent during periods of political contestation or in controversy, and restrictions and threats on the exercise of this right are also more pronounced during this time.

In the pre-election period in 2014, “several journalists were arrested, but the authorities couldn’t find laws on which to charge them, as the laws on sedition and false news have been scrapped.” During 2014, *NTV*; while in 2013, the *Red Pepper* and *Monitor*; were closed by authorities for about a week, after they

published a letter by General David Sejusa, in which he claimed that certain government officials were being targeted due to their opposition to an alleged plan for the President's son to succeed him.

"Freedom of expression becomes more critical when people are experiencing these periods. Ugandans are becoming increasingly confident, and we should credit this to increased enlightenment."

"Even when there is pushback by government, people are pushing forward. People have been empowered by mobile phone technology, social media, and so forth. Their ability to express themselves has been helped by these platforms."

Generational differences also play a role in how freely Ugandans express themselves "Older people who remember the bad old days don't want to rock the boat. They say, 'we have peace, we can sleep, and don't want to question the state. That group is getting old, and now we have a whole range of young people demanding what they want now."

While panellists expressed concern at some of the clampdown on the media by state authorities, some also noted the responsibility, particularly for the media, that comes with free expression in the public space.

"There has been an unprecedented media explosion. They have rights, but without corresponding responsibilities. This needs to be regulated because of the pronouncements made by some media practitioners who don't have training/experience. In broadcasting, they go off on certain subjects, but then they say their rights are being curtailed when they are taken to task on their pronouncements."

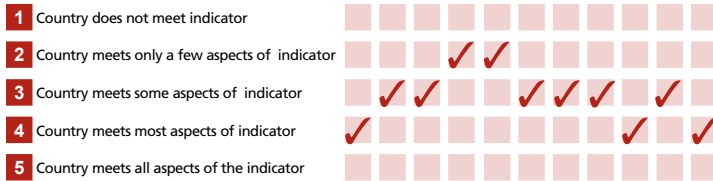
Many radio stations have political talk shows or call-in programmes. "The average moderator is a high school graduate, with limited depth in these programmes, lack of sufficient knowledge and often times they are just non-factual. When the media have problems, it is actually because they have been professionally wrong as the journalist. They won't have problems if they've got the information right. It's the lack of skill and the lack of sufficient information. Accuracy is key. And this gets all of us into trouble."

This problem has grown to such an extent that on some stations "when broadcasters speak, they keep making disclaimers that the views being heard are not those of the owners."

"Since the experience of Central Broadcasting Station being closed in 2009 (on the accusation of instigating tribal sentiments), there are more elements of self-regulation" and it brought owners to focus more on other subjects rather than on political issues.

Scores:

Individual scores:



Average score:

3.1 (2012 = 2.3; 2010 = 1.8; 2007 = 2.3)

1.3 There are no laws or parts of laws restricting freedom of expression such as excessive official secrets, libel acts, legal requirements that restrict the entry into the journalistic profession or laws that unreasonably interfere with the functions of media.

"We have all the laws that restrict all these items, and the only good thing is that government has not implemented some of them."

Some laws that restrict freedom of expression include:

Sections of the *Penal Code Act*, which punish libel and incitement, although sections 39 and 40 on sedition were struck down as unconstitutional in 2010.

Section 13 of the *Anti-Homosexual Act of 2014*, which was struck down by the Constitutional Court, criminalised the 'promotion of homosexuality', including the, "production, procuring, marketing, broadcasting, disseminating, publishing of pornographic materials for purposes of promoting homosexuality."

Section 9(1) of the *Anti-Terrorism Act of 2002*, "which has several broad and unfettered definitions," and fails to clearly define "terrorism"; criminalises the publication, dissemination and unlawful possession of materials, including" audio or video tapes or written or electronic literature...that promote terrorism".

Other laws directly related to the media that also restrict these freedoms include:

The *Press and Journalism Act of 1995*, amongst others, sets up a media council to "regulate the conduct and promote good ethical standards and discipline of journalists", "to exercise disciplinary

control over journalists, editors and publishers”, and, “to censor films, videotapes, plays and other related apparatuses for public consumption.” It also requires that in order to practice journalism, one has to be in possession of a valid practicing certificate (valid for a year at a time and renewable upon payment of a prescribed fee), as well as for journalists to be accredited in order to practice. In 2014, two new regulations were added to the Act, and both have been criticised for their restriction on the media. Regulation no. 4 prescribes payments to be made for journalists to be able to practice, while Regulation no. 5 allows reporters to be fined for asking ‘persistent questions’.

The *Regulation of Interception of Communications Act of 2010*, “provides for the lawful interception and monitoring of certain communications in the course of their transmission through a telecommunication, postal or any other related service or system in Uganda”, thereby threatening the practice of journalism by compromising the confidentiality of sources. Another Act that does this by allowing the seizure of information includes the Computer Misuse Act.

The *Uganda Communications Amendment Bill of 2016* is still being debated, but this amendment seeks to give the ICT Minister several controls over communications “without consultation”. Given recent experiences in which the due process was not followed – e.g. switching off the internet during the 2016 elections, this could pave the way for “misapplication with respect to when they can actually invoke that law, which was not respected.”

While the recently enacted *Non-Governmental Organisations (NGO) Act of 2015* has been seen as “somewhat progressive”, it also contains various clauses that could take away from the rights of NGOs, including those that support media development and freedoms. The Act prohibits “any act, which is prejudicial to the interests of Uganda and the dignity of the people of Uganda.” and in this vein, has been criticised for its potential to stifle free expression.

Section 180(1) of the Penal Code, which criminalises defamation, is being contested in court.

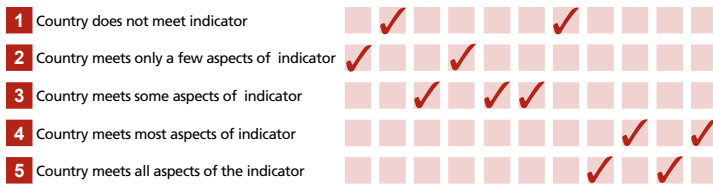
In general, there is “a selective application of the law”, which may either help or hurt journalists. In terms of entry into the journalistic profession, the *Press and Journalist Act* requires that journalists have a degree (in any discipline). However, “this has never been implemented. It only becomes an issue if you have a case in court and your credentials are questioned.” Additionally, the requirement for journalists to register with The National Institute of Journalists in Uganda, (NIJU) is not implemented.

“Journalism – both print and broadcast – is evolving, and with citizen journalism, everyone is a potential reporter. The best journalists aren’t always those that have qualifications.”

A recent attempt to restrict media practice saw parliament contemplating imposing a rule on the media, that would limit the period of time that parliamentary reporters would be allowed to cover parliament to five years. The decision to look into this “came down to a relationship between a journalist and an MP. The MP, who had felt slighted by reportage by the said journalist, argued that people who have been part of parliament for too long should be cleared out. The media houses sat with the Speaker and negotiated it out, and eventually Parliament dropped it,” noted one of the panellists. However, another panellist pointed out that, “Journalists without degrees were thrown out of Parliament a few weeks after our meeting. They were asked to go and upgrade their education level.”

Scores:

Individual scores:



Average score:

3.0 (2012 = n/a; 2010 = n/a; 2007 = n/a)

1.4 The government makes every effort to honour regional and international instruments on freedom of expression and freedom of the media.

The Ugandan government has signed a number of regional and international conventions, including the African Charter on Human and Peoples’ Rights, the African Charter on Democracy, Elections and Governance and the International Covenant on Political and Civil Rights (ICPR).

The country is up to date on its reports for the African Charter, but is not up to speed on its reporting for the ICPR. In line with some of its international commitments, Sweden raised the issue of freedom of expression in Uganda, and placed pressure on the government to amend all laws that are contrary to this right. These include, for example, *The Public Order and Management Act*, *The Anti-Terror Act*, *The UCC Act*, *The NGO Act*, and others. “It is good that Uganda accepted to amend.”

The Constitution reflects many of these international principles, but there are certain pieces of legislation that are not in conformity with these instruments “so there are some contradictions.”

“Uganda does well on signing and ratifying. The question is more on implementation.”

“On the regional and international platform, the government is playing its role and signing, but in practice, these provisions are not being rolled out.”

Uganda has a dualistic system, so when government signs a regional/international instrument, it does not immediately become part of the law; it needs to be domesticated first. “So in terms of signing, we do well, but these laws are not domesticated and implemented.”

In the court of law “some judges are more liberal and will make mention of international laws. For example, Article 21 is quite narrow, so when lawyers argue on

this basis, they will cite the Ugandan law, but might support this with international laws to which we are signatory; and there are judges who may listen to this.”

Another issue is that the public is often unaware of the instruments that the government has signed. “Government sign and ratifies, but to what extent do people really know about the rights extended to them through these instruments? There is no civic education policy.”

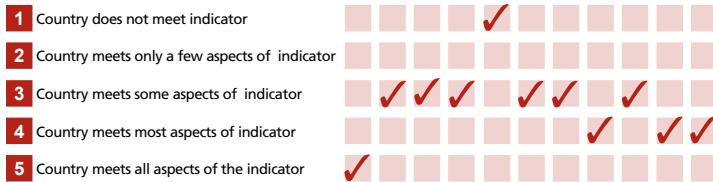
“The roll-out on the ground is missing.”

“Government should be intentional in its efforts and measures, and in this respect, I do not agree that it makes every effort to honour these instruments.”

“If it is just signing and ratifying, Uganda does this very fast. But honouring is an issue.”

Scores:

Individual scores:



Average score:

3.3 (2012 = 2.3; 2010 = 1.5; 2007 = n/a)

1.5 Print publications are not required to obtain permission to publish from state authorities.

Print publications do not have to seek permission to publish; however, in order to be set up, they have to register as a business, NGO, or other legal entity.

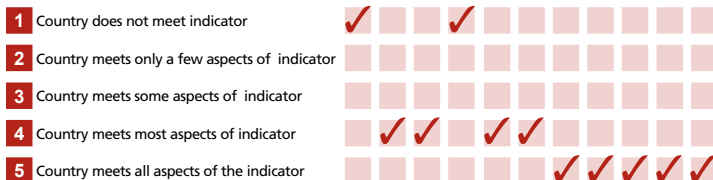
Print publications also have to register with the Media Council, and in so doing, provide the name and qualifications of the publication's editor. No known publications have been refused the ability to publish on these grounds.

When the Anti-Corruption Coalition sought to publish its Black Monday Newsletter as part of its organisational activities, it was told that it had to seek permission to print, "They said that it was tantamount to being a newspaper, although it was a publication by an organisation. This has impacted how the organisation goes about publishing information."

At one time, government authorities were looking at an annual licencing process, but this never took off. "It was a Bill in the offing that never took off."

Scores:

Individual scores:



Average score:

3.9 (2012 = 2.0; 2010 = 4.4; 2007 = n/a)

1.6 Confidential sources of information are protected by law and/or the courts.

Article 27 of the Constitution protects the right to privacy, with part 27(2) noting that, “No person shall be subjected to interference with the privacy of that person’s home, correspondence, communication or other property.”

Article 38 of the *Press and Journalist Act* which deals with the protection of sources of information states that: “A journalist shall not be compelled to disclose the source of his or her information except with the consent of the person who gave him or her the information or on an order of a court of law.”

While the above pieces of legislation are in place to protect confidential sources of information, a journalist on the panel stated that in two cases where he/she had been the subject of criminal defamation, he/she had been asked to disclose their sources of information, “I refused to reveal my sources, based on professional ethics.”

“There has not been a (court) case where the authorities have gotten information sources legally. They try to get it illegally, but then don’t come to court because they know that this would be illegal, and that sources are protected by the law.”

“So the court hasn’t forced disclosure, but the police have tried.”

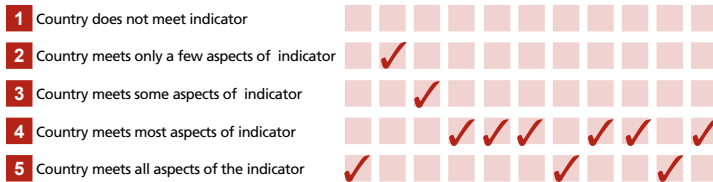
“The state security operatives try to compel you against your will to reveal sources. For example, there was a time when the *Daily Monitor* was closed and the journalist targeted was asked to reveal their relations with their informants in the state authorities, to provide communications, etc.”

Panellists noted that authorities might also tap phones, use spyware to invade people’s privacy, or even resort to unlawful acts such as breaking into journalists’ homes or cars to get the information they seek. “They are perfectly capable of overcoming any hurdles to get the information that they want.”

“Journalists sometimes reveal their sources out of fear, and because they don’t know that they are protected by the law. They disregard their ethical duty because they don’t know.”

Scores:

Individual scores:



Average score:

4.0 (2012 = 3.3; 2010 = 4.2; 2007 = 3.9)

1.7 Public information is easily accessible, guaranteed by law, to all citizens.

Article 41 of the Ugandan Constitution guarantees Access to Information, stating that:

1. Every citizen has a right of access to information in the possession of the State or any other organ or agency of the State except where the release of the information is likely to prejudice the security or sovereignty of the State or interfere with the right to the privacy of any other person.
2. Parliament shall make laws prescribing the classes of information referred to in clause (1) of this article and the procedure for obtaining access to that information.

This right is further entrenched by the *Access to Information Act of 2005*, which states its purpose as being:

- a. to promote an efficient, effective, transparent and accountable Government;
- b. to give effect to article 41 of the Constitution by providing the right to access to information held by organs of the State, other than exempt records and information;
- c. to protect persons disclosing evidence of contravention of the law, maladministration or corruption in Government bodies;

- d. to promote transparency and accountability in all organs of the State by providing the public with timely, accessible and accurate information; and
- e. to empower the public to effectively scrutinise and participate in Government decisions that affect them.

However, while the laws on access to information are rather progressive, the challenge is that full implementation remains lacking. "Implementation is poor, and the authorities still hide behind the Official Secrets Act."

For example, per the Act, information officers and/or public relations officers, were supposed to be appointed in each Ministry to ensure information sought is disseminated. This has not been done in all ministries and government offices.

"Citizens have asked for information, but certain information that they ask for is not provided. Also, the law talks of 21 days within which information should be given. For the media, this hinders the ability to publish accurate and timely information. So it's not very enabling when it comes to media."

"Just to get information, you have to go to your own measures. For example, I have to go personally to the stakeholder and seek for the information. A story that would have taken one week to produce may end up taking three weeks. But you try to interface and tell them that public knowledge on the issue could be beneficial to them."

"The media struggles to get even basic information. For example, just to get information on how much was spent on a hospital, you can't get that info. So sometimes, we have to pay our own people to get the information they need. Seriously, media have to go to their own lengths to get the information. ATI needs to be operationalized. Most ministries have PROs, but they only talk about issues on their own interest. They won't talk on anything that will implicate them."

The concept of access to information is not fully understood by many people – including citizens, journalists and government officials. In a test of the ATI Act, the *Monitor* took the Ministry of Energy to court to get information on oil agreements signed with exploration companies. The paper lost the case, but even so "there has been some positive change in government action".

"The practice of government in relation to oil-related information has changed. Today, information on oil and oil-related activities is being provided more proactively, thanks to a combination of media and legislative pressure in 2011 for government to comply with laws on the oil and energy sector."

The ease with which information is accessed also depends largely on what the information might be used for. "Broadly speaking, there is a lot of access to information. Where it becomes tricky to obtain is when you get into dark areas where there is the potential for things to be manipulated."

“For media, they know that there is the possibility that sensitive information can be made public. But if you go as an individual, it is easy to get the information.”

“Some information is available online, but the ability of the masses to consume this information is questionable.”

Clauses in the Constitution, and in Section 5 of the Act, contain limitations on access to information where said information “is likely to prejudice the security or sovereignty of the State or interfere with the right to the privacy of any other person.” However, even where this is not the case, “at times, they will pull the security or sovereignty card to deny you access to information.”

“There is also the issue of mindset, wherein most people in government think everything is top secret. They stamp everything as top secret! The good British left us all these things. Part of why the change is happening is because of progressive people in the system. It often boils down to the individual to say give this (information) or not.”

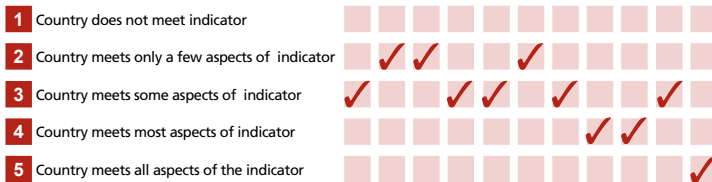
Where progress has happened, this progress can be traced to the pressure that the media has been placing on different sectors to make information available. “We realise that it will take years for the Defence sector to open up. Also, getting information on the personal wealth of certain political leaders is difficult. But the media have gone after government agencies, and so the public accounts committee, for example, is facing the pressure to open.”

“The government is not unresponsive, but it is slow to respond.”

Other factors that may hinder access to information include language, distance, and in some cases, having to pay for the required information.

Scores:

Individual scores:



Average score:

3.1 (2012 = 2.4; 2010 = 1.9; 2007 = 2.7)

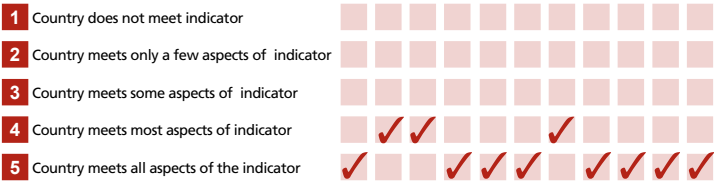
1.8 Websites, blogs and other digital platforms are not required to register with, or obtain permission, from state authorities.

Currently, permission is not required for the operation of websites, blogs and other digital platforms. "Bloggers and bloggers associations are currently blooming, and many people are getting information from online sources."

However, authorities are developing a law on social media and the general regulation of the Internet. It is understood, though, that Government is struggling to create restrictions for this law.

Scores:

Individual scores:



Average score: 4.7 (2012 = 4.8; 2010 = 4.1; 2007 = n/a)

1.9 The state does not seek to block or filter Internet content unless in accordance with laws that provide for restrictions that serve a legitimate interest and are necessary in a democratic society, and which are applied by independent courts.

There are no specific laws that provide restrictions on internet content, but the Uganda Communications Act of 2013 (UCC), contains provisions that could be used more broadly to do so.

Article 86 of the UCC Act notes that during a state of emergency:

- (1) The Commission may, during a state of emergency in the interest of public safety:
 - a. direct any operator to operate a network in a specified manner in order to alleviate the state of emergency;

- b. take temporary possession of any communication station within Uganda, and any apparatus which may be installed and used in the station, for a specified period not exceeding six months;
- c. in writing direct a licensed person, to intercept or detain a postal article, class, or description of postal articles, in the course of transmission within Uganda and deliver it to an officer specified in the order.

However, during the 48-hour social media blackout and the blockage of certain websites during Uganda's election, these requirements were not met, and could be challenged in a court of law. "The State is reported to have paid each operator 400 million shillings to shut down social media and mobile money platforms." It is understood that the Legal Brains Trust plans to take government to court for its actions in this regard.

"It was a political decision to shut down the space where people express themselves, but they pulled the security card in this case. There has been a move to use the security or public safety guys to encroach on people's rights."

During the media blackout, however, people were able to find alternative means to access social media and the Internet using VPN, "so that restriction didn't have too much of an impact."

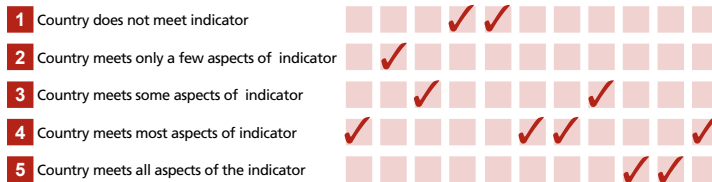
Providing some context on the national security concern outside of elections, a panellist stated, "There is hate speech, radicalisation and recruitment taking place online. However, there may also be overuse by security operatives. There is a risk that what's happening online or on radio presents risks to national security."

Another noted: "The police has a media crimes unit, which has been expanded to include a social media observatory unit. They hire young people who are tech savvy, and pay them to monitor trends; what conversations are taking place, and what people are talking about on social media."

An example of an arrest of a person in connection with an, 'online rumour forum providing unfiltered information about people, was cited. The forum was providing the residential addresses of prominent people in government, and "the way it was posted was that 'if you have a problem with so and so, this is their address'. That's why sometimes government needs to come in and restrict."

Scores:

Individual scores:



Average score:

3.3 (2012 = 2.4; 2010 = 2.9; 2007 = n/a)

1.10 Civil society in general and media lobby groups actively advance the cause of media freedom.

There are a handful of civil society and media lobby groups that advance the cause of media freedom. However, civil society groups tend to focus more specifically on their special issues and are more sectorial in their approach; while media lobby groups are “fragmented and not very committed.”

“Civil society is a large animal, and most groups tend to work in silos depending on their mandate and what they’re being funded for.”

“Most only see media as an opportunity for coverage, and are not advocating for media rights.”

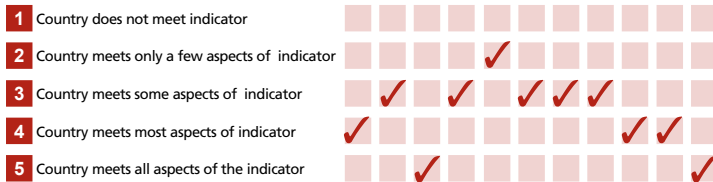
But there are media lobby groups that are actively involved and have a lot of space to engage. “The question is whether they are being listened to.”

The Advocates Coalition for Development and Environment (ACODE), continues to be active in pushing for media freedom, and carried out various initiatives to impact legislation on Access to Information; including sponsoring the private members bill alongside other civil society organisations (CSOs).

Human Rights Watch has also been active in defending the rights and freedoms of media practitioners; and other media lobby groups are engaged in this regard.

Scores:

Individual scores:



Average score:

3.5 (2012 = 4.4; 2010 = 2.5; 2007 = 2.4)

1.11 Media legislation evolves from meaningful consultations among state institutions, citizens and interest groups.

“There’s a culture of using the word ‘consultation’ but for different reasons and interests. At face value, there is consultation, but this consultation is not meaningful.”

There have been several instances where government held consultations and CSOs participated in them and provided their input, but when the legislation came out, it is clear that that input was not considered or respected.

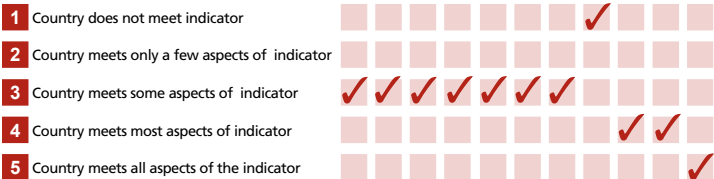
Noting that one-on-one engagements with government often proved more effective as they are less combative or threatening, a panellist argued that, “CSOs have to find both formal and informal ways of influencing in a deep way...we need to have leverage, we need to be more savvy, streetwise and articulate. We need to find more innovative ways of engaging.”

It also applies to policy issues. The Government of Uganda is cleverer than civil society. We are still not at that level of knowing how to navigate effectively.”

“If you can prove that you have leverage, then you can influence.” In this vein, panellists agreed that ACORD had done well – as could be seen from consultations on the NGO Act, but there is still much to be done in having the views expressed during consultations taken more seriously. In order to get civil society ideas into the *NGO Amendment Act of 2013*, “the strategy was to shift from being combative to engaging in constructive engagement. This included one-on-one consultations with the responsible ministry; and small strategic meetings with key technocrats to provide the necessary mileage and make the consultation more meaningful.”

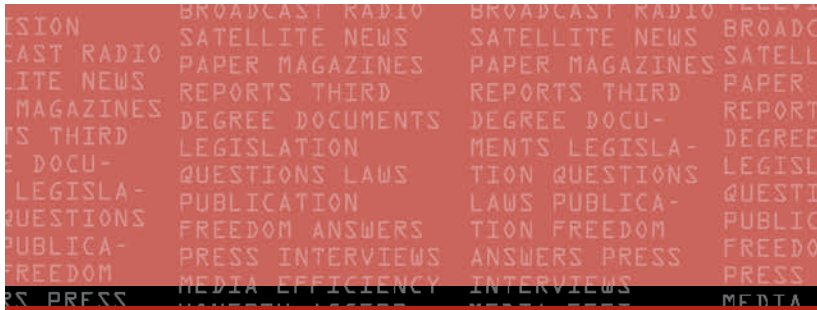
Scores:

Individual scores:



Average score: 3.2 (2012 = 2.3; 2010 = 1.5; 2007 = n/a)

Average score for sector 1: 3.6



SECTOR 2:

The media landscape, including new media, is characterised by diversity, independence and sustainability.



The media landscape, including new media, is characterised by diversity, independence and sustainability.

2.1 A wide range of sources of information (print, broadcasting, internet, mobile phones) is accessible and affordable to citizens.

Uganda's media landscape is very diverse, with numerous print and broadcast platforms available, which coexist alongside increasing options for new media.

Print Media

The more popular print dailies, distributed nationally, include:

New Vision – a joint public/private newspaper with circulation figures of 31,000 and an estimated readership of 10 readers per copy.

Bukedde – a popular daily in vernacular.

Daily Monitor – a privately owned newspaper whose circulation figures are unknown.

Red Pepper – a privately owned newspaper whose circulation figures are unknown.

Hello (is part of the Vision Group and is distributed weekly).

Most of the papers listed above sell for 2,000 Ugandan Shillings (USD0.60), which is less than the cost of a loaf of bread which sells for 3,500 shillings (USD1.04): many consider the money spent on mobile phone airtime a serious competitor. Unofficial 'sales' of newspapers also take place, where vendors will rent out the paper for readers at a price as low as 200 shillings (USD0.06), for a short period of time.

Circulation figures for papers other than New Vision are unknown, but a panellist remarked, "*The Nation* in Kenya circulates 150,000 copies daily. This is more than Uganda's entire print media circulation."

In 2014, there was a marked decline in circulation, which is viewed to have been the result of a price increment, as well as due to new media alternatives; including the ability to access these papers online. "Organisations used to budget for newspapers for their staff, but now they only go to (the) topmost person and to the library. So this has also affected circulation."

Radio and television stations amplify information contained in the newspapers through their broadcasts.

A few magazines also exist on the market. These include the quarterly *Bride and Groom* and *Flair Magazine*. *Flair* focuses on women's issues and women empowerment.

Television

Access to TV is limited primarily to urban areas due to the unavailability of electricity in most rural areas. Penetration outside the main urban centres is therefore low. According to the Afrobarometer data for the Uganda Round 6 survey conducted in 2015, 44% of urban households and 12% of rural households own a television set.

According to the UCC's 2015 third quarter (Q3) report, there are 28 operational analog TV stations, and 5 operational digital TV stations in Uganda. Panellists suggested that there are 47 registered TV stations in Uganda, but only about 20 of these are operational. These include the nationally available WBS, NTV, NBS, UBC, Star TV, Bukedde 1 and 2, Urban TV, U gospel, UBC magic and UBC 24.

The migration to digital has enhanced accessibility to the various stations available, but this has come at a cost of 150,000 shillings (USD45); an unaffordable sacrifice for many Ugandans, as a decoder is needed to access this (Many Ugandans are unaware that this is a once-off fee).

Uganda is currently in a dual phase as analog TV is still available, but a complete switchover to digital is expected within the next one and half years. Based on the cost implication for Ugandans, "one election candidate even promised going back to analog," as one of his campaign promises for the February 2016 election.

One of the panellists noted that there is a perception in certain circles that the distribution and or purchase of decoders has been viewed as an issue of corruption, as options cheaper than the 150,000 shilling decoder existed. Other service providers were eager to bring in these options but a commitment was made to only one service provider. "This was a meal ticket for a couple of middlemen."

Pay TV is also an option, but at a starting price of 18,000 Ugandan Shillings (USD 5.40) per month, this is a luxury that is not affordable for the majority of Ugandans. According to the UCC, there were 636,805 Pay TV subscribers in the third quarter (Q3) of 2015.

In some rural areas, people will go to TV halls or bars to watch football games broadcast on DSTV.

Radio

With over 90% penetration across the country, radio is the most widely accessible media platform, as one does not need to rely on the power grid to access it. Radio can also be accessed on many mobile phones, and with a mobile phone penetration of over 15 million registered users, this is a highly accessed medium.

Over 300 radio stations are registered nationwide, with the UCC noting in its 2015 third quarter (Q3) report that 292 FM stations were operational (and 12 stations non-operational). Many of these stations are restricted to certain geographical areas, as they “can’t go beyond their defined coverage area because many of them have the same frequency modulation number.”

Internet

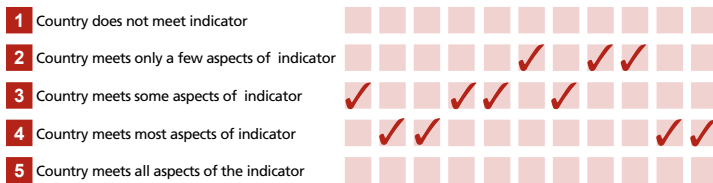
Most newspapers now have websites, which are being increasingly utilised for news by those with access to it, rather than hard copies of the paper.

According to the UCC, the internet penetration in Uganda stands at 37.4% (i.e. over 13 million internet users in Uganda), with many of these accessing the internet at

internet cafes. With increasing access to smartphones (mobile internet subscription stood at close to 6.5 million in the third (Q3) quarter of 2015), more people are accessing various media – particularly social media such as Facebook and Twitter. Accordingly, telecommunications providers are shifting their focus primarily to data sales; it must however be noted that data signals are not very strong outside of urban centres.

Scores:

Individual scores:



Average score:

3.1 (2012 = 3.2; 2010 = 2.3; 2007 = 2.6)

2.2 Citizens' access to domestic and international media sources is not restricted by state authorities.

Panellists agreed that there are no restrictions to citizens' access to domestic and international media, but noted that other social barriers such as cost and language may exist in hindering their access to these media sources.

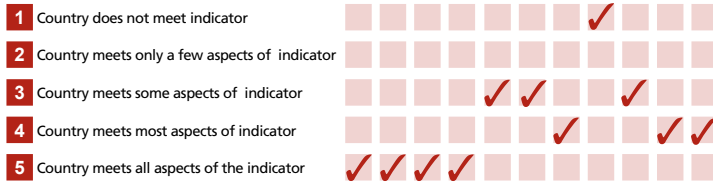
Furthermore, although there are no legal restrictions to accessing media sources, there have been incidences of state interference in the distribution of certain publications. For example, in 2010, when Dr. Olive Kobusingye, the sister of Dr. Kizza Besigye (president of the opposition Forum for Democratic Change), published her book titled *The Correct Line? Uganda under Museveni*, a large consignment was seized and impounded by the Ugandan Revenue Authority, and attempts were made to restrict wide circulation of the book. Many bookshops will not sell the book because they fear reprisal if they do, given the political content of the book. More recently, in August 2015, Daniel Kalinaki (former editor of the Daily Monitor) was detained at the Ugandan-Kenyan border, with copies of his book on contemporary Ugandan politics titled: *Kizza Besigye and Uganda's Unfinished Revolution*.

Section 34(1) of the *Penal Code Act*, which deals with the 'Power to prohibit importation of publications, etc.', states that, "Whenever the Minister considers it in the public interest so to do, he or she may, in his or her absolute discretion, prohibit, by statutory order, the importation of all publications or any of them, periodical or otherwise..." In March 2012, a consignment of 700,000 calendars with civic education on politics and elections, published by Twaweza, an East African region organization focusing on social change, were also impounded by the police. Using the Penal Code to fall back on, the police called in Morrision Rwakakamba, the organisation's Uganda country head to explain the content of the calendars.

In accordance with the *Anti-Pornography Act*, access to pornographic media/material is prohibited, yet there are a plethora of mediums publishing such images and internet sources are not blocked.

Scores:

Individual scores:



Average score:

3.8 (2012 = 4.5; 2010 = 4.3; 2007 = 4.0)

2.3 The editorial independence of print media published by a public authority is protected adequately against undue political interference.

The only print media with a government stake is *New Vision*, which is jointly owned by government (53%) and the private sector (47% listed on the Stock Exchange). The company's board is made up of 5 government appointees and 6 members from the private sector.

There were varied perceptions by panellists on how independent *New Vision* is.

On the one hand, panellists noted, "When you read the act, it would seem that *New Vision* is operating under the watchful eye of state and this may influence editorial policy."

One panellist posited that there might be political interference depending on the content, arguing, "If it involves the First family, there will be interference."

Another alleged that, "The truth is, sometimes when *New Vision* writers land on stories that implicate government; they'll want the *Daily Monitor* to run it. Although the perception is that it is an opposition newspaper; writers there will do this not because they've been told by their editors to do so, but because they think the story might not be published otherwise."

Others argued, however, "*New Vision* is not your typical government-owned newspaper, and it sometimes covers more than the private sector media." They also noted that there are particular situations where *New Vision* provides greater detail than its private media counterparts on issues that might seem contentious for the state.

"Politicians do not prescribe what should go in. The professional team debates issues, and decides on the merit of the story." The paper has an editorial policy, which, in line with Section 19 of the *New Vision Printing and Publishing Act*, allows the paper to be critical of, but not antagonistic to the government. Specifically, Section 19(b) states that in carrying out its functions, *New Vision* may "voice public opinion and criticisms of a given Government policy in a fair and objective manner, without becoming an institutional opponent to the Government or its interests".

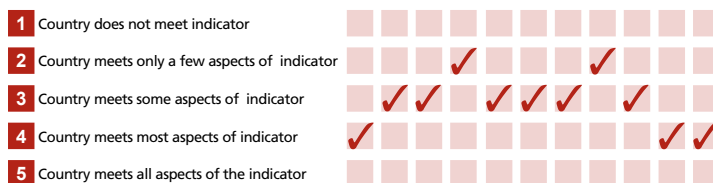
"This means that if we have all the facts correct, we can publish. We can write anything provided that the facts are there, and you are able to defend it. Some people have even been surprised by the types of stories that we run."

New Vision has also attempted to remain impartial in its election coverage and prior to the elections, engaged the major candidates and agreed to give them all space. Teams were also attached to the three major candidates in the election.

Panellists also noted that, "Political interference happens everywhere," and not only within the state media.

Scores:

Individual scores:



Average score:

3.1 (2012 = 3.3; 2010 = 2.8; 2007 = 2.8)

2.4 Transparency of ownership of media houses in print/broadcasting is guaranteed by law and enforced.

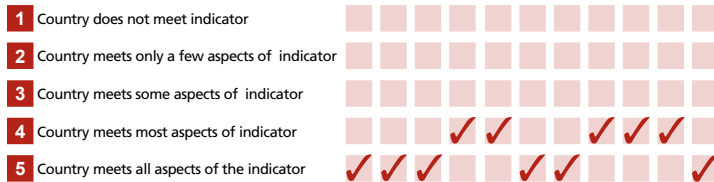
The ownership of media houses is generally transparent, and if the media house is listed as a company, ownership information can be accessed directly at the company registry. "There are no restrictions to stop you from accessing this information," and "People (are) generally aware of who owns what media."

"The information is easy to get. The only challenge would be if the registered owner is not the actual owner."

In the case of broadcast media, the government sources public input on whether or not a licence should be granted, prior to it being issued.

Scores:

Individual scores:



Average score:

4.5 (2012 = n/a; 2010 = n/a; 2007 = n/a;)

2.5 Adequate competition legislation/regulation seeks to prevent media concentration and monopolies.

Section 52 of the *Uganda Communications Act of 2013* speaks to the issue of fair competition and the equality of treatment. However, "I'm not sure if this is sufficient to control concentration of the media."

Section 52 of the Act states that:

The Commission shall, in the performance of its functions under this Act, promote, develop and enforce fair competition and equality of treatment among all operators in any business or service relating to communication.

Section 53 of the Act goes on to prohibit unfair competition by stating that:

- 1) An operator shall not engage in any activities, which have, or are intended or are likely to have, the effect of unfairly preventing, restricting or distorting competition in relation to any business activity relating to communications services.
- 2) For the purposes of subsection (1) the acts or omissions include:
 - a. any abuse by an operator, independently or with others, of a dominant position which unfairly excludes or limits competition between the operator and any other party;
 - b. entering into an agreement or engaging in any concerted practice with any other party, which unfairly prevents, restricts or distorts competition; or

- c. effecting anti-competitive changes in the market structure and, in particular, anti-competitive mergers and acquisitions in the communications sector.

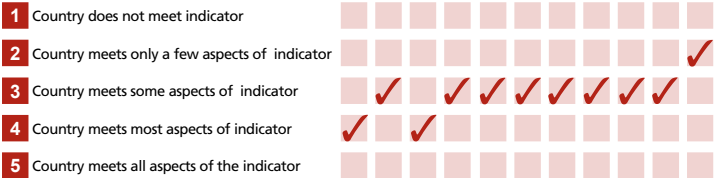
These clauses do not, however, prohibit cross ownership of different media platforms, and *New Vision and Monitor Publications* (of which the Daily Monitor is a subsidiary), both own media houses across print, radio and television. Panellists noted that in cross ownership, products can easily end up cannibalising each other, and a lot has to be invested in order to grow all media streams.

The Uganda Broadcasting Corporation, as the national broadcaster governed by the UBC Act of 2005, is mandated in Section 3 of the Act to serve as the common carrier for broadcasting. As such, other television and radio stations use their mast to broadcast; for this reason, the broadcaster does not see itself as being in direct competition with other broadcasters.

The UCC has not been contacted to test the issues surrounding cross-ownership. Depending on one’s reading of fair competition in the Act, “The provisions are there, but they have not been adequately defined or tested.”

Scores:

Individual scores:



Average score: 3.1 (2012 = 2.3; 2010 = 1.2; 2007 = 1.3)

2.6 Government promotes a diverse media landscape with economically sustainable and independent media outlets.

Panellists were divided on whether government promotes a diverse and sustainable media landscape, with some noting that “there are efforts to promote a diverse media landscape”, and others arguing that “there is no effort to protect small media”.

The public broadcaster, *UBC*, has several television and radio stations. Some have opened up more recently, increasing the diversity of offerings.

Digitisation also presents the potential for further growth in the broadcast sector; the Constitution and privatisation laws have helped to provide an opportunity for more media outlets to enter this space. However, “there is need for streamlining and realignment, as a greater sense of professionalism is (rightfully) being imposed by the market.”

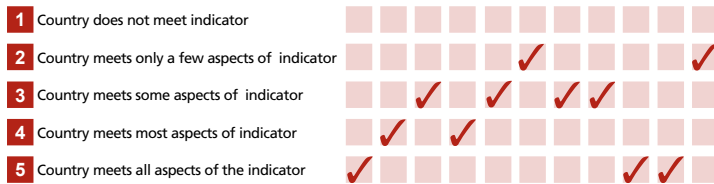
Panellists noted that although provisions exist to promote a diverse media landscape, “we liberalise everything, but we know in practice that if a media house is seen to be to the left, there will be a small caveat. When looking at the hard stuff, government – which is one of the biggest spenders – may impose restrictions.”

Currently, there are no tax breaks or subsidies to support the sustainability of print media houses, despite the exceptionally high costs associated with printing. There are efforts to advocate for decreases in the taxation of regional print media, “but nobody will hear of that.”

No subsidies or tax breaks exist for private broadcasters either.

Scores:

Individual scores:



Average score:

3.5 (2012 = 1.7; 2010 = 1.8; 2007 = n/a)

2.7 All media fairly represent the voices of both women and men.

There has been an improvement in coverage on both men and women's issues, and several papers have supplements that engage women on various topical issues. At the rural level, several radio stations dedicate more time to discussing women's issues; and NTV now has a channel entirely for women.

However, these platforms often take an entertainment-focused approach, covering topics such as fashion, relationships, and a range of 'softer topics'. As such, a number of issues remain about the representation of women and the inclusion of their voices in the media.

The media "trivialises women and places them at a lower scale of society" and content targeted at women, "is not very progressive".

"The content is not very engaging and is very simple. There is a generalisation that women would only discuss those simple things. Why aren't they as engaging with women? They are not sourcing women to articulate key issues that are more engaging."

In terms of language, the media continues to push and reinforce gender stereotypes. "For example, after that clip of the child being abused by the nanny went viral, people were asking where the mother was, and whether she should be working." Additionally, terminology used in supplements on women can be problematic. "This title or idea of 'the full woman' makes me wonder about what a half woman would be."

Panellists also noted that most feature stories are on men, and women are not used as sources for stories on the same scale that men are. Where women's voices are present, "it's always the same women appearing." There are many capable women with strong voices and views on 'hard topics', but "their views are not coming through."

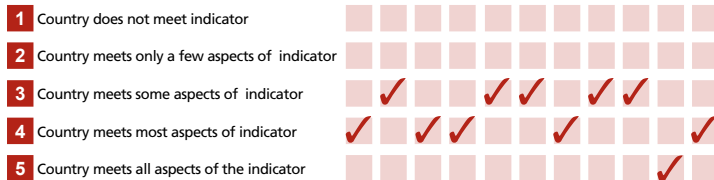
Despite the issues noted above, the media is becoming increasingly representative; although this is being pushed more by civil society than media outlets themselves. "Civil society has helped to mainstream gender issues" by placing pressure on media to have increased women representation, and for more balanced panels on TV and radio.

Panellists also noted that the editorial policies of the various media houses require revisions on issues covering gender.

"It is an issue of quality vs. quantity. The mainstream media have come a long way in advancing the cause of women and moving away from either sexualising or victimising them. But a lot still needs to be done to ensure fair representation."

Scores:

Individual scores:



Average score:

3.6 (2012 = 3.8; 2010 = 2.2; 2007 = n/a)

2.8 All media fairly represent the voices of society and its minorities in its ethnic, linguistic, religious diversity.

Not all voices in society are fairly represented.

Some minority ethnic groups are marginalised, and only “come out in a feature story once in a blue moon. They are hounded out of their natural habitat, for example the Ik people from the forests; and their voices are only heard when there’s been a disaster.”

Additionally, although there appear to be attempts to cover all ethnic groups, some minority groups are stereotyped in reportage about them. “For example, when a Karimojong man was convicted of murder, the media made a point of stating his ethnicity rather than simply stating his name. You wouldn’t see that with a different ethnic group. There is a condescending attitude towards them that also shows up in the press.”

This attitude is not only seen in dealing with ethnic minorities, but also with some religious groups. “With TV, we had an issue with *Bukedde*, and complained that whenever a Muslim person does something, they would highlight his/her religion and give a negative tone to that. However, they can also be commended for their Friday session for Islamic content. On the whole though, only 2% the entire media landscape cover Muslim community issues with special programmes,” pointed out one of the panellists.

Sexual minorities are not fairly represented in the media. “Sometimes we hear of them in terms of their struggles with the law, but no media is finding what the issues are regarding their existence, except when *Red Pepper* outed them.”

New Vision’s editorial policy specifically prohibits the media house from discussing and/or offering a platform for voices either for or against the Lesbian, Gay, Bisexual,

2.9 Media cover the full spectrum of economic, cultural, political, social, national and local perspectives and conduct investigative stories.

The media do cover a diverse spectrum of issues, though some are covered better than others.

With regards to economic stories, “there is an attempt to cover a range of topics, but adequacy is a different issue, and it depends on capacity.” Coverage is often limited because media houses might not have correspondents in the areas they wish to cover, and knowledge and capacity on economic issues may limit the depth with which stories are written. Additionally, economic stories are “not fully covered for vernacular papers and are not getting captured sufficiently.”

“When it comes to regional and international news and how these affect local issues, the media do not cover this very well, except at budget time.” Panellists noted that depth is often lacking in this regard, though print media make stronger efforts to cover these topics in detail.

Panellists also expressed concern with the ethics associated with covering the full spectrum of stories. One panellist noted that some papers have claimed to be able “to create a story in the newsroom and make up sources”. Another noted that some media houses simply source stories from other papers, copy them, translate and paste them as their own, without attributing the story to the real source.

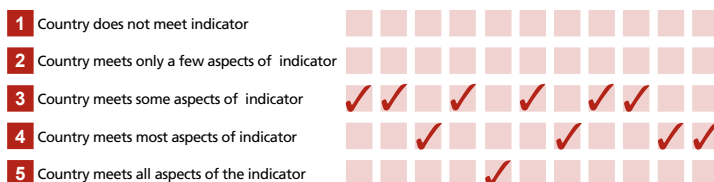
While some papers cover investigative stories, this comes with major challenges, and the quality of investigative journalism leaves much to be desired. “The issue is with skills, and then with retaining journalists. It takes time to train them, but then they move on to a different media house or they move on to more lucrative jobs in the corporate world, government agencies and NGOs.” Conducting investigative stories require additional time and resources which can become prohibitive; media houses also have to consider the safety of the journalist and the possibility of threats that may come with writing and publishing an investigative piece.

On the whole, local content and perspectives are covered very well, and panellists pointed to *New Vision* as doing an exceptional job in this regard.

Ugandan media have also strengthened their environmental reporting capacity, and this area has taken center stage; with some environmental journalists recently winning international prizes for their work.

Scores:

Individual scores:



Average score:

3.5 (2012 = 3.6; 2010 = 2.8; 2007 = 3.7)

2.10 Private broadcasters deliver a minimum of quality public interest programmes.

"Private broadcasters do not give us quality content."

"Yes, they provide a minimal amount, but the quality is questionable."

According to the Communications Act, private broadcasters should deliver a minimum quality standard in their programming, or face the prospect of being shut down. "If they are still running, perhaps they are meeting the minimum standards prescribed by UCC."

Of the more than 270 radio stations on the air, "there are a few that deliver public interest programmes, but most do talk shows and music."

Cost presents a major hindrance for private television broadcasters in providing quality public interest programming. "Private broadcasters simply cannot deliver on a minimum bouquet of public interest programmes due to cost. Even the public broadcaster is unable to fully deliver in this regard, and quality is iffy."

Private broadcasters tend to focus on programming that is cheaper to create, and that will draw larger audiences and provide higher ratings. They "recreate foreign shows such as *Cheaters*, which are very low quality, but everybody is watching."

Scores:

Individual scores:

1	Country does not meet indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Country meets only a few aspects of indicator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	Country meets some aspects of indicator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4	Country meets most aspects of indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Country meets all aspects of the indicator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Average score:

2.5 (2012 = n/a; 2010 = n/a; 2007 = n/a)

2.11 The country has a coherent ICT policy and/or the government implements promotional measures, which aim to meet the information needs of all citizens, including marginalised communities.

Uganda has an ICT Policy that is “coherent, progressive and revolutionary in many ways”. However, there is a “gap between policy and implementation”, and “the laws are not reflected in what the government actually does.”

Under the Uganda Communications Act, there are a host of other laws that deal with ICTs. The National Information Technology Authority (NITA) regulates the IT space, and there is a Ministry dedicated to ICT matters.

That said, the government could do much more to roll out the ICT policies more effectively.

“The authorities set up for the ICT policy are not very strong. While the policy is good, it was written by consultants and the implementation is slow”.

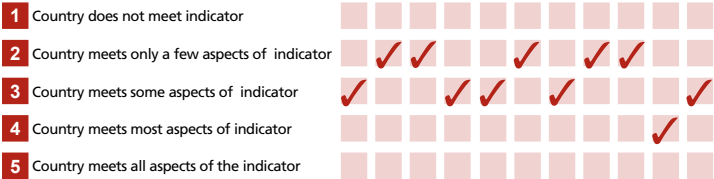
“Government functions are outsourced to consultants,” thereby hindering the process. NITA, for example, has a strong policy in place, but the authority still lacks the necessary infrastructure to operate effectively.

Furthermore, panellists noted that government does not have a clear understanding of what ICTs are, and what it means to be ICT compliant, “They all have websites and they think that this is what ICT compliant means. Not to mention that most of these websites are outdated.”

The cost of data remains expensive; the best quality for voice and data is not being maintained as “the regulator is in bed with the telecoms company”, and there are, “no deliberate efforts” to fully roll out the set policies.

Scores:

Individual scores:



Average score: 2.6 (2012 = 2.7; 2010 = 4.2; 2007 = n/a)

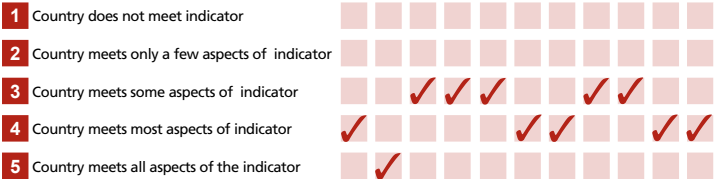
2.12 Government does not use its power over the placement of advertisements as a means to interfere with editorial content.

The government does not have a large enough advertising budget to exert control over media houses. "The budget has been cut for government, so private sector ads have taken over for the first time." In fact, more so than government, it is businesses that have tried to use their influence 'to punish the media', for the tone used in their content. As an example, a big advertiser retracted advertising from *New Vision* for a year because of a story it ran that made the company look unfavourable.

In the past, *The Monitor* has been denied ads by government due to its critical stance; but, "despite the bad relationship, they haven't used this threat again. Government has a limited budget so can't advertise on every channel." Given the size and scope of the *Daily Monitor*, this is one of the advertising platforms that Government would need to use to reach more people.

Scores:

Individual scores:



Average score: 3.6 (2012 = 3.3; 2010 = 2.2; 2007 = 2.0)

2.13 The advertising market is large enough to support a diversity of media outlets.

According to IPSOS¹, in 2014, the size of Uganda's advertising market stood at around 613 billion Ugandan Shillings (USD 212 million). Of this, approximately 56% went to radio advertising (note that Uganda has over 270 radio stations), 20% to television advertising, and 16% to print media. The allocation to social media advertising has been increasing year after year.

Panellists agreed that, "The size of the Ugandan market can't sustain all the media", noting that, "the economic slump is an issue, and money available for advertising funds is insufficient".

As an import economy, the bulk of advertising in Uganda comes from telecommunications companies and from the banks. "We don't have a big enough manufacturing sector to significantly cover these costs." Moreover, in the past few years, advertisers have steadily shown a preference for outdoor advertising rather than print or broadcast.

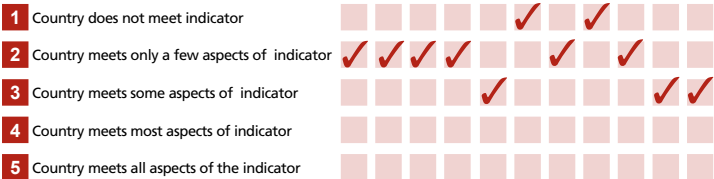
Advertising from government has also dried up, so much so that it recently directed its Public Relations practitioners to use their websites to advertise. This has been a major cause of concern for media houses (particularly print), who rely on advertisements for their survival.

Alongside the small advertising market, matters are made worse by corrupt officials responsible for placing the ads. These officials seek kickbacks from the media outlets who run their ads threatening not to advertise with them if such kickbacks are not provided.

¹ Nakaweesi, D. 2015. Uganda: The Struggle to Control Markets. Daily Monitor, 24 February 2014. Retrieved from <https://asokoinsight.com/news/struggle-control-markets-uganda/>

Scores:

Individual scores:



Average score: 2.1 (2012 = 1.9; 2010 = 2.0; 2007 = 2.4)

Average score for sector 2: 3.2

SECTOR 3:

Broadcasting regulation is transparent and independent; the state broadcaster is transformed into a truly public broadcaster.

Broadcasting regulation is transparent and independent; the State broadcaster is transformed into a truly public broadcaster.

3.1 Broadcasting legislation has been passed and is implemented that provides for a conducive environment for public, commercial and community broadcasting.

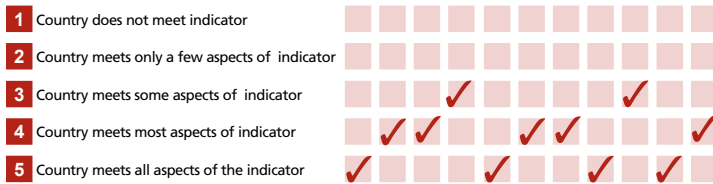
Uganda’s broadcasting legislation does not distinguish between the three tiers (i.e. public, commercial and community broadcasting), although Section 93(r) of the Communications Act of 2013 notes that, “The Minister may make regulations relating to the regulation of community broadcasting.”

With regards to the terms and conditions of a licence, Section 39(2) of the Act – without making explicit mention of ‘community broadcasting’ – also notes that, “A licence may include the provision of services to rural or sparsely populated areas or other specified areas and other conditions specified in Schedule 6.” (Aside from noting that, “(1) A licence issued under this Act may include the following conditions (c) the provision of services to disadvantaged persons”; Schedule 6 does not make any distinctions with respect to public, commercial or community radio).

The *Uganda Broadcasting Corporation Act of 2005* establishes the UBC as being 100% wholly owned, but not 100% funded by the government. Section 5 of the Act speaks to the transformation of the UBC as a public (as opposed to state) broadcaster.

Scores:

Individual scores:



Average score:

4.2 (2012 = 1.3; 2010 = 1.8; 2007 = 2.6)

3.2 Broadcasting is regulated by an independent body that is adequately protected by law against interference and whose board is not dominated by any particular political party and is appointed – in an open way – involving civil society and not dominated by any particular political party.

The Uganda Communications Commission (UCC) regulates broadcasting.

(Note that the new Communications Act of 2013 “dissolved the Uganda Communications Commission and the Broadcasting Council and reconstituted them as one body known as the Uganda Communications Commission.”).

Section 9 of the Act prescribes that the Board of the Commission “shall consist of the following”:

- a. a person with experience and knowledge in telecommunications, broadcasting or postal communications, who shall be the chairperson;
- b. a representative of professional engineers recommended by the Institute of Professional Engineers;
- c. one prominent lawyer who is a member of the Uganda Law Society;
- d. a person knowledgeable in the field of economics, financial management and public administration;
- e. a representative of the Ministry responsible for information and communications technology, who shall be an ex-officio member;
- f. the Executive Director;
- g. a representative of consumers recommended by the Uganda Consumers Association; and
- h. one eminent person of good repute and proven integrity representing the public.

As directed in the Act, all members of the UCC board are appointed by the Minister, with the approval of Cabinet. Section 8 of the Act establishes that the UCC “shall exercise its functions independently of any person or body.”

The independence of the board is, however, questionable.

One panellist noted that, “By virtue of being appointed by the Minister, the Commission is not independent. The process of selection is not public at all.”

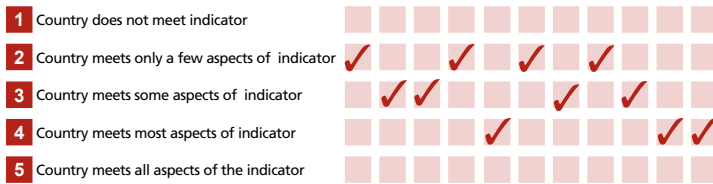
“The process is vulnerable to manipulation in that the Minister moves or sets standards, so we can’t deviate from this. This allows for the imperialism of a minister, or the Minister as a super power and a ‘super-minister’.”

Its independence is further questioned because it receives part of its funding from the line ministry. With regards to the remuneration of the Board, Section 13 of

the Act notes that, “The members of the Board may be paid remuneration or allowances approved by the Minister in consultation with the ministers responsible for public service and finance.”

Scores:

Individual scores:



Average score: 2.9 (2012 = 1.3; 2010 = 1.0; 2007 = n/a)

3.3 The body, which regulates broadcasting services and licenses, does so in the public interest and ensures fairness and a diversity of views broadly representing society at large.

Licensing procedures are detailed in Part 7 of the *Uganda Communications Act*, which sets out the general provisions related to licensing. In this section, the Act states that before granting a licence, the UCC should consider, “(a) whether the applicant is an eligible person; (b) the capability of the applicant to operate a system or service for which a licence is sought; (c) the objectives of this Act; and (d) whether the grant of the licence is in the public interest.”

Articles 27-32 speak specifically to broadcasting licences, the right to broadcast, and the requisite broadcasting standards.

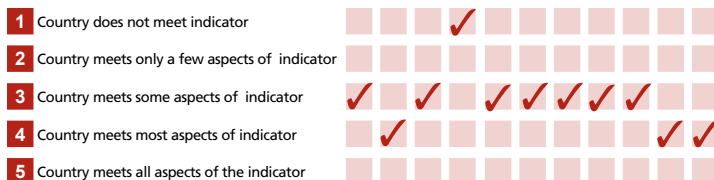
“On paper, it doesn’t look bureaucratic, but it may be different in practice.”

While some panellists felt that “the process of granting licenses is transparent, and rather liberal”, others were more critical, stating that the process is not objective, despite the Act prescribing that the Commission “function independently of any person or body”.

“Most licenses have gone to those with leanings to government, but there is no data to show whether those without have been denied. But that’s the perception.” The Act stipulates that the Commission must provide a written explanation of its refusal in cases where an application for a licence is refused.

Scores:

Individual scores:



Average score:

3.1 (2012 = 2.3; 2010 = 1.4; 2007 = 1.7)

3.4 The state/public broadcaster is accountable to the public through an independent board which is representative of society at large and selected in an independent, open and transparent manner.

Section 7 of the *Uganda Broadcasting Corporation (UBC) Act of 2005* outlines the composition of the UBC Board, stating that it should “consist of the Managing Director and not less than five and not more than seven other Directors,” each of whom are appointed for a period of four years (renewable for a second term).

This section also notes that all Board Directors will be appointed by the Minister “from among prominent Ugandans of proven integrity by virtue of their qualifications, expertise and experience in the fields of broadcasting, technology, media law, business management, finance and journalism.” (Note that the Managing Director is appointed by the Board). The Minister also determines the remuneration and allowances of the Board members. A panellist highlighted that Board members receive a fee of 2 million Ugandan shillings (USD595) per sitting.

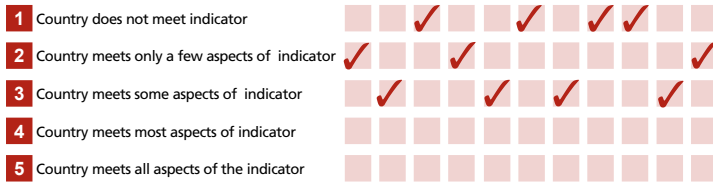
The Act does not specifically speak to the independence of the Board, nor does it speak to how the Board should be representative of society at large, other than the requirement mentioned above. “It can’t be independent, when the selection is about people who will serve the status quo.”

“The process is very informal, it is based on connections, and board members are chosen from a narrow enclave of people around the President. Even when consultation happens, it is very informal.” pointed out one of the panellists.

“There is a national feeling of mistrust with respect to the party and office bearers. There is no public process in the sense of public vetting, and so on,” added the panellist.

Scores:

Individual scores:



Average score:

2.0 (2012 = 1.0; 2010 = 1.1; 2007 = 1.0)

3.5 The editorial independence of the state/public broadcaster from political influence is guaranteed by law and practised to ensure balanced and fair news and current affairs programmes.

Article 5(h) of the UBC Act states that the function of the Corporation will be “to maintain a responsible editorial independence.”

Section 22 (a-g) spells out the Corporation’s editorial policy, and defines how the broadcaster should operate. Amongst these inclusions are the requirements that the Board shall in particular, have as its editorial policy:

- a. To establish effective machinery for a wide coverage of events all-over the world and Uganda in particular;
- b. To voice public opinion and criticism of a given public policy in a fair and objective manner;
- c. To collect, process, analyse and propagate news and comment truthfully, honestly, and fairly without jeopardizing peace and harmony in the country;
- d. To respect and uphold the sovereignty and unity of Uganda and to come out firmly on the side of Uganda in matters affecting such sovereignty and unity without affecting the truth, which must at all times be the guiding line and governing principle of the television and radio services.

While the law established the *UBC*’s independence as noted above, perspectives on whether the *UBC* practices its editorial independence differed, with some panellists stating, “This is practiced to a particular extent”, and others arguing that, “*UBC*’s content does not resonate with the needs of the people in that the content is not driven by the public.”

“The editorial policy is non-controversial, but as a public broadcaster, the *UBC* has to play it safe. But this doesn’t affect the breadth of issues that they cover, and they cover more than some of the private broadcasters.”

Scores:

Individual scores:

1	Country does not meet indicator					✓		✓									
2	Country meets only a few aspects of indicator	✓						✓									
3	Country meets some aspects of indicator		✓	✓					✓	✓	✓						✓
4	Country meets most aspects of indicator															✓	
5	Country meets all aspects of the indicator																

Average score:

2.5 (2012 = n/a; 2010 = n/a; 2007 = n/a)

3.6 The state/public broadcaster is adequately funded in a manner that protects it from political interference through its budget and from commercial pressure.

“*UBC* has to perform as a public broadcaster, but to operate as a commercial entity.” The Corporation is wholly owned by Government, but the financing of its activities, in large part, have to come from its commercial activities.

Section 14(1) of the *UBC* Act highlights the following funding mechanism:

The funds of the Corporation shall consist of:

- a. any grant of a capital nature from the Government;
- b. any loan from the Government, organizations or any person;
- c. any moneys that may become payable to the Corporation in the discharge of its functions and commercial activities;
- d. donations that may be made to the Corporation;
- e. television viewing licence fees and advertising revenue.

However political interference still presents a problem. “Funding is limited and the *UBC* is still reliant on government, so it is not completely independent.”

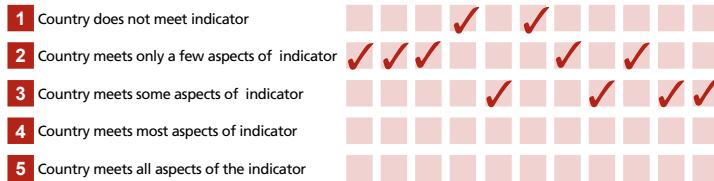
Due to funding constraints, the *UBC* has to function with outdated equipment, which may hamper its ability to perform better commercially, and thereby relieve it of both political and commercial pressures.

One panellist explained the difficulties that the *UBC* faces in remaining independent and relevant, while also serving as the common carrier for other

broadcasting stations, “This is a station that is owned 100% by government, but looks for its own funding and it should, in fact, be funded independently. But it is forced to operate in competition with other TV stations because it needs to gain its own funding, and therefore resemble them and stray from full public interest.”

Scores:

Individual scores:



Average score:

2.2 (2012 = 1.0; 2010 = 1.1; 2007 = n/a)

3.7 The state/public broadcaster offers diverse programming formats for all interests including local content and quality public interest programmes.

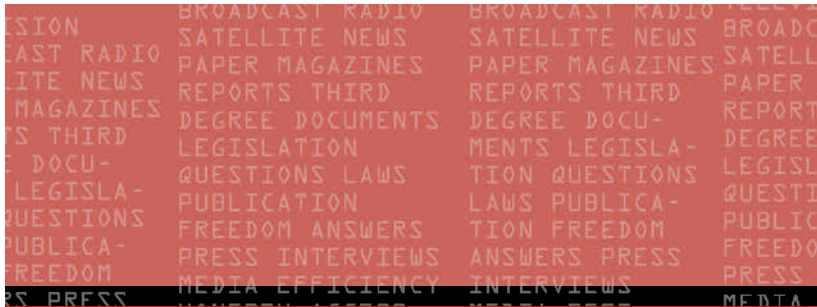
UBC has a number of Television channels (including *UBC TV*, *UBC Star TV*, *UMagic*, *UGospel*, and *U24*) and radio stations (including *Buruli FM*, *Butebo FM*, *Magic 100 FM*, *Mega FM*, *Star FM*, *UBC Radio*, *UBC West*, *Voice of Bundibugyo* and *West Nile FM*).

“There is diversity in programming, formats, language, and so on. And the reach is nationwide. But the problem is the quality.”

Across these channels, there is a diversity of programming, including entertainment and lifestyle programmes, talk shows, news, soap operas and other offerings. “Public education programmes are envisaged in the Act, but they have the funding to make those aspirations real.”

Funding is a major issue in getting the *UBC* to reach its full potential in terms of quality programming. “*UBC* is hamstrung by funding for the right people, equipment and HR capacity. It’s a very expensive model, and the taxpayer is not putting in the right amount of money.”

The Corporation does not benefit from a TV tax, and did not receive start-up capital when it was established under the 2005 Act, taking over *UTV* and *Radio Uganda*. Furthermore, some of the stations/channels set up are per directives



SECTOR 4:

The media practise high levels of professional standards.



The media practise high levels of professional standards.

4.1 The standard of reporting follows the basic principles of accuracy and fairness.

The standard of reporting depends largely on the media house being referred to, with some media houses following the basic principles of accuracy and fairness, and others, allegedly, ignoring these principles altogether.

In print media, *New Vision* and *Monitor* appear to have the strongest reputation in terms of accurate and balanced coverage, although one is perceived as being pro-state and the other as pro-opposition; and they have different reporting styles. “*New Vision* gives hard news, and is perishable. *Monitor* provides deep analysis and lasts longer.”

On television, *UBC* and *NTV* come out tops for their reporting standards, although “television is more entertainment focused, but their news programmes are 50/50 when it comes to accuracy and fairness.”

“With radio, it is difficult to tell because there are so many and they are spread out geographically.”

“As a consumer, my sense is that when I listen to radio and to TV, there are definitely quantitative improvements in reporting and fairness, but there are issues with the level of analysis. People are there at the scene, and so on, but the reporting is so shallow. Accuracy has improved, but quality is weak; like people are punching above their weight.”

Several media houses make use of freelance writers, and some panellists suggested that this might impact the quality of reporting, “Many media houses rely on freelancers, and it is difficult to control standards in this regard, because you’re addicted to content that you don’t own or audit.”

“A lot of editors don’t have the time to check the 5Ws (Who, What, Where, When, Why) and H (How). Because of the pace of reporting and the fierceness of competition, they can’t maintain those standards.”

The declining standard of reporting has also been attributed to the lack of work ethic, particularly amongst younger journalists. “I’m bothered by seeing a generation that doesn’t want to be bothered. Back in the day, even a notebook was admissible in court. But now, basic note-taking, which enhances accuracy, is lacking.”

“Most stories that are ‘he said, she said’, just don’t fit the bill. For example, there was a shooting incident in Kasese, where policemen shot 4 people. The police came out and said they were criminals, but reports did not include any other voices.”

The media can be credited for keeping the standard of their election reports high. “The fact that the elections didn’t result in violence shows media is trying, though to a limited degree.”

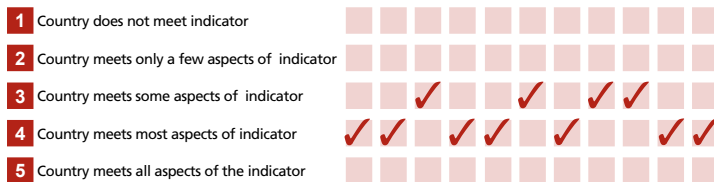
There is a general perception that “social media has compromised accuracy and fairness.” One panellist noted that, “We are seeing a lot of recklessness, and everything goes into social media without being vetted properly, including pictures. Social responsibility is being eroded.”

The role of editors in vetting stories and ensuring they present an objective account with the necessary voices is critical. “Accuracy and fairness are cardinal principles along which we orient all our work, and therefore we always ensure that the other party is heard. We won’t get away with it if it is not balanced, and for this, the editor has to be committed.”

The mainstream media have columns that carry retractions and/or corrections on stories that have been published.

Scores:

Individual scores:



Average score:

3.6 (2012 = 3.3; 2010 = 2.7; 2007 = 2.4)

4.2 The media follow voluntary codes of professional standards, which are enforced by independent/non-statutory bodies that deal with complaints from the public.

The Independent Media Council of Uganda (IMCU), was set up in 2008 with the help of Friedrich Ebert Stiftung, and at the time, the Council set up a code of ethics. "IMCU was started because people felt that it should not be the business of the state to regulate the media." However, the organisation is not very active; its independence has been compromised by the fact that at its head is a presidential advisor, and its code of ethics as well as the complaints procedure it has set up is not enforced.

"There is nothing to hold people accountable. There are no repercussions. Even at its formation, there was no buy-in from the media houses."

Other media associations have had the same problem, and the East African Media Institute (EAMI), which was very active at one point, no longer exists.

There is also a statutory media council, established by Article 8 of the *Press and Journalists Act of 1995*, whose functions are:

- to regulate the conduct and promote good ethical standards and discipline of journalists;
- to arbitrate disputes between - (i) the public and the media; and (ii) the State and the media;
- to exercise disciplinary control over journalists, editors and publishers;
- to promote, generally, the flow of information;
- to censor films, videotapes, plays and other related apparatuses for public consumption; and
- to exercise any function that may be authorised or required by any law.

There is also a statutory media council, established by Article 8 of the *Press and Journalists Act of 1995*, whose functions are:

- a. the director of information or a senior officer from the Ministry responsible for information, who shall be the secretary to the council;
- b. two distinguished scholars in mass communication appointed by the Minister in consultation with the National Institute of Journalists of Uganda;
- c. a representative nominated by the Uganda Newspapers Editors and Proprietors Association;
- d. four representatives of whom— (i) two shall represent electronic media; and (ii) two shall represent the National Institute of Journalists of Uganda;

- e. four members of the public not being journalists, who shall be persons of proven integrity and good repute of whom—(i) two shall be nominated by the Minister; and (ii) one shall be nominated by the Uganda Newspapers Editors and Proprietors Association; (iii) one shall be nominated by the journalists; and
- f. a distinguished practising lawyer nominated by the Uganda Law Society.

“The question now is if this is actually there.”

Panelists noted that the statutory body is not very active either. “For it to be active, people need to raise complaints. But people are not raising complaints to them because they don’t know about it.”

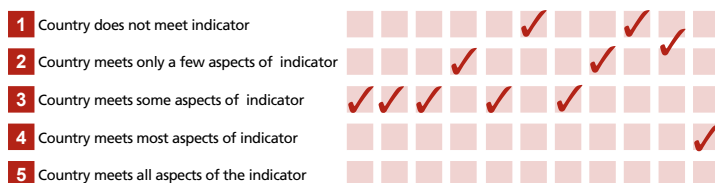
“As a statutory body, it should have regulations, but these haven’t been effected either.”

The media sector has not bought into either one of the councils; and the state itself has not used the statutory council to raise complaints. “The state should’ve been one of the entities exhausting the channel of the statutory media council. But the state itself doesn’t use its own body; and prefers to take them (the media), to court.”

Most media houses have in-house editorial policies and standards, as well as their own complaints and disciplinary procedures.

Scores:

Individual scores:



Average score:

2.5 (2012 = 2.6; 2010 = 2.2; 2007 = 2.1)

4.3 Salary levels and general working conditions, including safety, for journalists and other media practitioners are adequate.

Salary levels vary from one media establishment to the next, but in general, radio journalists get paid the lowest.

At *UBC*, entry level media practitioners start out at about 700,000 Ugandan shillings (USD208), senior reporters earn around 1.2 million shillings (USD356), and management are paid depending on how they were hired and how they negotiate their salaries and perks.

At *New Vision*, entry level journalists also start at 700,000 Ugandan shillings (USD208), with mid-level staff earning around 1.7 million (USD504).

At most radio stations “salaries depend on negotiation, the level of seniority, experience, and so forth.” At *Unity Radio*, which is considered one of the best paying radio stations in its region in the north of Uganda, reporters earn between 350,000 (USD104) and 500,000 shillings (USD149), deputy editors earn in the vicinity of 850,000 (USD252), and senior editors earn around 1.2 million shillings (USD356). In addition to using mostly freelancers, radio stations also buy much of their news content from news agencies.

However, these salaries are “deceptive because most reporters are freelancers, who, on average, probably get USD100 per month. Some get more...maybe up to USD 300.” The use of freelancers versus full time reporters is estimated at 50/50 at *UBC* and *New Vision*.

The low salaries of freelancers may affect the editorial standards and integrity because “if you’re paying a freelancer 6,000 shillings (USD1.80) for a story, or 30,000 shillings (USD8.90) for a feature, the story may be more valuable to them unwritten and unexplored depending on how they are paid. If the person who the story is on offers to pay them 3 million shillings (USD 893) to not write the story, or to change the angle, this affects the professional standard.” In some cases, freelancers have been known to double up as both a reporter and a salesperson.

This is not unique to freelancers though. In some media houses – particularly radio – media professionals can go for months without being paid. “Many journalists are not paid well, and that is why they insist on facilitation fees when they come to cover our stories.”

“People, and even NGOs, consistently corrupt journalists, and because of this, we don’t get the stories that we really want.”

There have been attempts to implement a national minimum wage, but this has been controversial; the amounts proposed are, “inadequate”, and the proposal

4.4 Journalists and other media practitioners are organised in trade unions and/or professional associations, which effectively represent their interests.

Although professional associations exist for media practitioners in Uganda, most of them are either defunct or ineffective.

The Uganda Journalists Association (UJA) is inactive. The National Institute for Journalists in Uganda (NIJU), established by the *Press and Journalists Act*, is not functional and EAMI is now defunct.

“The most effective body at the moment is a Facebook group run by ACME called ‘Ugandan Journalists’, which has about 600 group members. That’s the primary place to ask for help, for contacts, mobilise funds for injured journalists and to mobilise action on media issues.”

Regional and district associations are much more active and effective than the national organisations. Examples include the West Nile media club, the Northern Uganda media club, LUJA, and others, which “are very strong and vibrant because if you want to do any training with journalists, you go through them. Even those in the development sector work with them. They plan social events. In cases where a journalist is sick or dies, they mobilise funds to help the bereaved family. And if there is an arrest, they swing into action to condemn it.”

Some associations also exist based on the beat followed. Examples include associations for health journalists, parliamentary reporters, court reporters, and business reporters.

However, none of the associations noted above deal with media labour issues, and no unions specifically for journalists exist at the moment.

“There is no solidarity amongst media professionals, but this is not unique in Uganda, and results from the stiff competition amongst media houses. It is difficult to bring editors together for a single event, or to get media houses together around certain issues. For example, on the False News Law, the *Monitor* petitioned against this law, and a landmark ruling was made that concerns the media as a whole; but others didn’t show up.”

One panellist noted that, “Uganda news-owners and editors have bi-monthly meetings to engage on rallying points that they meet on, such as monies owed to industry.”

are inundated with a number of people, and you have to ask the question: What is it you are paying for.”

However, this practice, particularly in the media, is unacceptable. “Every media house has code of conduct and editorial policies, but there are people who still take brown envelopes, and that’s a moral issue.”

“Journalists themselves know it is wrong if they take money.”

“Journalists provide a service for which these chaps believe the money they pay is supposed to advance their cause. Facilitation is meant to pave the way for certain agendas to be pursued. We shouldn’t be morally ambivalent about what it is. The elites try to justify this. It has become the new normal.”

“It is an absolute no for a journalist to sign for money because if they are sent for an assignment, they should be free to write what they need to write, and should not be compromised in any way.”

New Vision and the *Monitor* have published notices within their papers making it clear that stories should be run free of charge, and calling on the public to call them if journalists ask for money when carrying out their job, “We have zero tolerance for this, so where it happens, we sack them. We have had meetings with NGOs to tell them they shouldn’t be paying. But when they come to complain, these NGOs are unwilling to address it when we say let’s catch them.”

However, some journalists create a different perception. “While the ads are out there, journalists give the impression that if we don’t facilitate, they won’t cover the story. We had an event where the speaker, a captain of industry, was surrounded by journalists. At that event, we said that we don’t facilitate journalists. And I can tell you, the story did not come out anywhere, and I made a conscious effort to look out for the reports. However, in other cases where we do facilitate, we always have some coverage. So facilitation does not guarantee, but it does raise the expectation of coverage.”

Beyond the ‘facilitation fee’ issue, there have also been incidences where reporters have threatened to leak a story if they are not paid a bribe. “We hear that if you have a potentially salacious or scandalous story, you could get a phone call that ‘we have this story about you, and if you do abcd, we can change it or not publish it’.”

Panellists also noted that certain tabloids, “Manufacture the stories, then try to extort money from you, or otherwise hang you out to dry with completely false news.”

It is not only the journalists, however, who are to blame for the breaches of integrity and incidences of corruption in the media. “The problem is that there are also editors who are extorting monies because they have the leverage.”

However, in many cases, invitations are sent directly to the journalist, rather than to the editor. “These people befriend the journalists and it becomes a personal thing. They pay the journalist to attend their events and write stories on them, instead of sending press invitations to the editor, because they think they won’t get coverage if they don’t pay. We will never send out a reporter without covering their expenses.”

Most media establishments have policies around the declaration of freebies. However, whether journalists adhere to these policies or not is a different issue.

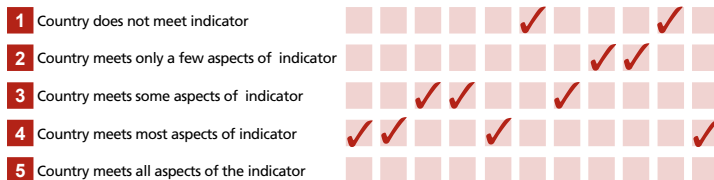
Despite the concerns noted above, generally the media is still trusted to a large extent, though this often depends on which media house is being referred to. “There are good journalists that have done very well and reported well without taking money.”

Panellists agreed that many organisations “Need to learn how to engage media to have maximum returns. They shouldn’t be buying coverage, unless it’s an advertorial or advertisement.”

“We have to be very clear that where the fee is a transaction fee, then it is corruption. Corruption may be on steroids, but let’s not be ambivalent about it.”

Scores:

Individual scores:



Average score:

2.8 (2012 = 1.9; 2010 = 2.6; 2007 = n/a)

4.6 Journalists and editors do not practise self-censorship in in the private broadcasting and print media.

“There are cases of self-censorship. Even in civil society, you think about what you say and how people perceive you and then you speak accordingly, especially when talking about those in power.”

“In the face of constant threats, journalists do censor themselves.”

“Over time, journalists and media houses have come to learn the issues that are likely to put them in trouble, and try to navigate safely around them by leaving out some sensitive information or abandoning the stories. The self-censorship often comes from the media house owners; more so than the journalists.”

“People leave out a lot of stuff for their own safety,”

“I got quite scared and I would restrain myself from stories that put my life in danger in the future.”

“Once you get a scary call, anyone will think twice.”

“When it comes to speaking truth to power and holding leadership to account, there is censorship, particularly where personal risk or commercial risk are involved.”

“There is constant tension between the newsroom and the marketing department. The newsroom is sometimes constrained because of the marketing interest.”

Media owners might also interfere with the tone of a story. For example, “MTN advertises with us, but we get many complaints from our callers, and the owner wants you to block those calls or put them off. So you have to make the choice to either sacrifice your integrity, or let it go and defend it later. The station had to come up with another policy that if it is not something new, then you have to stick to what was broadcast in the news. If something comes up that you want the newsroom to investigate, you are told, ‘MTN allows you to live, it pays your salary, so how dare you speak about them in that way’. And as the journalist, you don’t want to block your own ability to get paid.”

In addition to their efforts not to step on their advertisers’ toes, owners are also concerned about the issue of liability, and might block a story that could end up in the courts. “But self-censorship is sometimes misguided based on a reporter’s perception that certain things won’t run. If it is an investigative story, if for any reason we have to drop a story, the journalist must be involved, and will have to agree. But it’s very rare for us to drop an investigative story unless you fail to

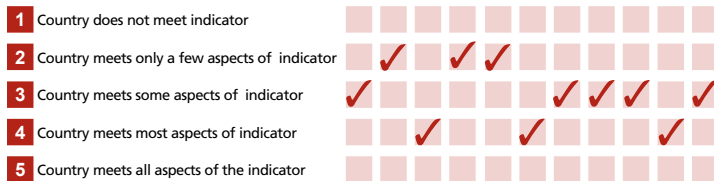
make the ends tie.” In this regard, having the evidence to substantiate the story is critical.

The degree of self-censorship that takes place depends largely on the management. “If you have a supportive management and practice, it usually helps give reporters confidence.”

While self-censorship is often prompted by the political and commercial pressure noted above, as well as by considerations for personal risk, it is also true that journalists might censor themselves based on who they are writing about. “As a journalist, you build friendships with the newsmakers, and you might censor stories that put those friends in a negative light.”

Scores:

Individual scores:



Average score:

3.0 (2012 = 1.8; 2010 = 2.0; 2007 = 2.0)

4.7 Media professionals have access to training facilities offering formal qualification programmes as well as opportunities to upgrade skills.

Several institutions of higher learning offer formal qualification programmes in media-related subjects.

Makerere University’s Department of Mass Communications offers degree programmes, (e.g. in Mass Communications or in Journalism), as well as diplomas (for example in environmental reporting). The Uganda Christian University in Mukono also offers a Bachelor Degree in Mass Communications.

“Overall, there is a need for more formal qualification programmes.”

“The universities do well to prepare them for the job. Maybe not in terms of practical training, but their programmes do enhance their ability to work through a story.” In regard to practical training “there is a need to try to create space for

undergrads to come in (to media houses), and we should use this to see what kind of gaps exist in the universities" in terms of their training of journalists.

The United Media Consultants and Trainers (UMCAT) School for Journalism and Communication, provides short courses (e.g. in creative writing, radio and television production, video journalism and photo journalism), diploma courses (e.g. in journalism and mass communications, film and television production) and certificate courses (e.g. in basic principles of journalism, filing and television production).

These educational offerings, especially the mainstream universities, are well recognised for their programmes. "You can definitely see the difference between those that have studied and those who haven't. When you take staff for training, even for short courses with donors, you definitely see the difference."

For the upgrading of skills, the African Centre for Media Excellence (ACME), offers some professional development courses, and has become increasingly efficient with its offerings. "ACME's course content has changed over the years. It used to conduct its training with assistance of the Reuters Foundation, but they have seen that it is more efficient for ACME to do its own training. The sessions are designed to help working journalists to upgrade their skills." Some universities also offer evening and weekend programmes to cater for working journalists.

While continuous professional development is important, it is a challenge for practising journalists to work and take courses at the same time. "From a practice point of view, it's a struggle to deal with courses and the work." Some media houses "provide flexi time for journalists who are studying, but this can be difficult on a practical level."

"A sandwiched arrangement is more helpful so that you're completely away for training for weeks at a time."

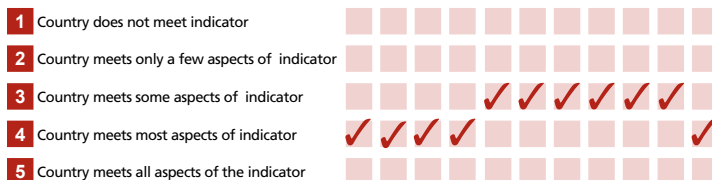
"At *UBC*, it is important to upgrade your skills to get a promotion; so many staff do it on a personal level. Some do get loans, and some self-fund. *UBC* also offers specialised trainings with various donors, such as (the) BBC, (as well as) Deutsche Welle, and has an in-house training department."

"*New Vision* has a strong in-house training programme for journalists specific to print."

Broadcast journalists – e.g. at Radio Unity – have also benefitted from training received through the BBC's training of trainer's initiatives.

Scores:

Individual scores:



Average score:

3.5 (2012 = 3.3; 2010 = 2.5; 2007 = 3.7)

4.8 Equal opportunities regardless of race or ethnicity, social group, gender/sex, religion, disabilities and age are promoted in media houses.

Although there are more women than men at entry level in the media, the management level is dominated by men.

“Women I’ve spoken to who have left (a certain media house) in the past 2 years, have cited issues such as unconventional working hours, the issue of low pay, starting families, and so forth. Some felt that they were not being given the ‘hard beat’, and for others, at university they studied PR, and were told that newsroom experience would be a stepping stone, so they had only planned to go in briefly. We need more female role models in the newsroom.”

“Conditions in the newsroom are rather hard, not that women can’t handle it, but you’re only left with the crop that really want to make career of it.”

Although most media houses describe themselves as equal opportunity employers, there are still discrepancies between men and women’s salaries for the same work. “There is not equal pay, especially at the management level.” In many cases (particularly in private media), new entrants have to negotiate their salaries and/or their perks individually.

“When it comes to talking about equal pay, they talk about equal opportunity and hide behind this. But when you look at it from a rights-based approach, you would find that things are not completely equal beyond encouraging women to apply.”

Sexual harassment – whether in-house or external – is also a reality that may determine women’s decisions to leave. “One woman said she was not going to complain, but she was going to leave the newsroom. We have a policy in place,

and could have instituted a hearing process, but she would rather talk to the individual than go through that process.”

With regards to equal opportunity in terms of ethnicity, “there is a widespread perception, right or wrong, that opportunities are skewed to people of a particular ethnicity, particularly in the public media. If you ask anyone off the cuff for their perception, people think most prominent positions in the media and in other jobs are held by those from the west (of Uganda).”

“Some people won’t bother to apply because they think (they) won’t be considered because of their ethnicity.”

Disputing this notion, one panellist noted that *New Vision* is an equal opportunity employer, which also conducts regional recruitment for more extensive coverage. Another added that *UBC* cannot be biased to a certain group because it conducts broadcasts in 27 different languages, and therefore requires a diverse staff complement.

One panellist argued that, “There is a general perception issue that needs to be located beyond the media. We should not downplay the perception that certain media houses favour certain ethnic groups at the expense of the others. There is a narrative that is building up and creating potential for future conflicts, and we have to ask the question: How do we mirror our society?”

“There is a deeper question of inclusion when it comes to the issue of ethnicity.”

At radio stations where broadcasts are done in a certain vernacular language, “recruitment would depend on (the) catchment area of that media establishment, where it’s located, etc., and you might not employ someone from a different group because of the language requirement.”

In terms of age, while there is no discrimination that takes place on this basis, most employees – particularly on radio – are young.

One panellist shared the view that, “Religion isn’t a big factor when it comes to employment in the media. It might also depend on (the) religious make-up of the area in which the media house is located, but there’s no discrimination in this regard.” Another pointed out, however, that this is not always the case, “On *NTV*, for example, only 3 out of 50 employees are Muslim, and there are no programmes for Muslims.”

With regards to disability, “employment on the radio depends on talent, so it is not an issue of physical ability. At *Radio Unity*, one of best newsreaders is crippled.” For some media, the employment of people with disabilities is not stated explicitly as a requirement by law. “We recruit based on talent and references.”

The way forward

1. What were the developments in the media environment in the last three/four years?

Positive

- The increase in the number of media houses – mainly radio and more TV stations – has increased the diversity and quality of coverage.
- There are enhanced training opportunities for media, particularly by ACME. Additionally, more development partners have been conducting media training; due to this, funding for the media sector is increasing.
- There is a push for increased training of journalists, but there is a need to consider practical ways in which journalists can access these learning opportunities.
- There is a greater understanding of the role of media.
- The enhanced partnership between the media and NGOs has helped to increase pro-bono legal services for media.
- Increased career opportunities in the field of journalism have encouraged people to remain in the industry.
- Even when people leave media, they still bounce back to provide support and feedback and training to the sector.

Negative

- There has been a deliberate pushback from the State on some of the media houses reporting on politics. This has resulted in media having to tread more carefully, be more cautious as well as an increase in self-censorship; while some journalists have been moved out of the country.
- There has been an explosion of social media without clear professional or ethical standards being applied.

2. What kinds of activities are needed over the next 3-4 years?

- **Pro-bono services for journalists:** Stronger efforts are needed by the media and media lobby groups to get more lawyers to provide pro-bono services for journalists. This could include, for example, developing a media lawyers' network to provide media support both in terms of research and defence.

- **Combatting corruption in the media:** The issue of corruption in the media (including facilitation fees) is highly problematic, and “we need to find ways of dealing with this”. Efforts to deal with this should include sensitising the public on this issue; making it clear to them that paying journalists ‘facilitation fees’, and ‘transportation fees’, as a condition to receive coverage is corruption.
- **Training:** In line with the point above, newsmakers – particularly civil society organisations – should be trained on how to make their news items more newsworthy. “There is a need for a conversation on how to engage with media-houses to ensure that what we present to them is newsworthy. There needs to be training on how to be more media savvy and to package news properly to be more appealing, etc.” Beyond this, media professionals require continuous training on the professional standards of reporting, as well as on media ethics and general professional development.
- **Self-regulation:** “We need to find a way of effectively beginning the conversation around the statutory vs. the independent media council and to enhance the self-regulation conversation”. Activities around the implementation of standards, voluntary codes, etc., are also needed.
- **Research on media issues:** There is a need to “build upon research and issues around what has been discussed at the AMB workshop.” (i.e. legislation and practice on freedom of expression, the nature of Uganda’s media landscape, broadcasting regulation, and the media’s professional standards). This could be spearheaded by ACME, as a neutral platform. “We need to keep the conversation and momentum going as a think-tank.”

The panel discussion took place in Lake Victoria Serena Hotel Lweza from 11th -13th March 2016.

Panellists:

Media:

1. Balikowa, David, retired journalist, media lecturer
2. Izama, Angelo, multimedia journalist, blogger
3. Kaija, Barbara, print media editor
4. Kasumba, Jane, public media broadcaster
5. Otto, Billie, broadcast journalist

Civil Society:

6. Awiidi, Solomy, gender activist
7. Bainomugisha, Arthur, Dr., human rights activist
8. Hadji, Ahmed, youth activist, faith group
9. Kagaba, Cissy, human rights activist (focus on anti-corruption)
10. Nambuya, Enid, trade/labour activist, lawyer
11. Rukare, Donald, Dr., lawyer

Rapporteur:

Ms. Nangula Shejavali

Moderator:

Ms. Reyhana Masters

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