



THE QUEST FOR SAFETY AND SECURITY OF JOURNALISTS IN UGANDA

**TRENDS
&
PATTERNS**

TABLE OF CONTENTS

EXECUTIVE SUMMARY	2
INTRODUCTION	5
1.0 Conceptualization of security, safety, journalists and Journalism in the contemporary world	7
2.0 Situating the security and safety debate in Uganda: The advent of state media control -vs-regulation	9
2.1 Airwaves liberalization: to control or to regulate?	10
3.0 Assessing Uganda’s legal framework: how protective of free speech?	12
3.1 Effect of the above laws on safety and security of Journalists	15
3.2 The Media Council	18
4.0 Trends and patterns in safety and security of journalists in Uganda	20
4.1 Unmasking the Changing forms of violations of safety and security of Journalists	24
4.2 Why the insecurity and lack of safety of Journalists: Going beyond statistics	24
4.2.1 Questioning Media Ownership and remote areas of operation	25
4.2.2 Poor skills/training of journalists	25
4.2.3 The Fight against Terrorism: How sensitive of Media Freedom?	26
4.2.4 Creation of Political/Security Media Watch Units	27
4.2.5 Draconian Employment Policies	27
4.2.6 Misconceptions of Media in a Multiparty Dispensation	28
4.2.7 The Proliferation of Security and Para-military agencies	29
4.2.8 Inactivity of Government to Punish the Perpetrators	31
4.2.9 Security agencies infiltration: Using insiders to fight insiders	34
5.0 Conclusion and Recommendations	35

EXECUTIVE SUMMARY

As the report documents, in the past three years, attacks on journalists have intensified and taken a new dimension in Uganda. The report considers the five fundamental questions that form basis of the debate on security and safety of journalists in Uganda. It seeks to establish what is the safety and security of journalists in light of the changing face of violations of freedoms of the media fraternity and who is perpetrating violations against journalists today. It further seeks to highlight the changing modes of violations today on journalists and situations under which they occur. It questions the extent of protection prevalent for journalists in Uganda in the legal frame work. Additionally, the report goes beyond the statistics of violations against journalists and questions why the insecurity and lack of safety of Journalists is on the increase today in Uganda before making recommendations on how to enhance the security and safety of journalists.

The report notes that security, as well, should be conceptualized in a wider scope than just mere physical protection from harm. It should also involve the psychological security of the journalists-the ability for one to do his/her job without the constant lingering fear that he is being watched or that a mere mistake in execution of his job will equip the state to come after him/her. This security should also be prevalent at the place of work-crafted in a semblance or a feeling of worthiness of a journalist to the employer should anything happen to the journalist.

The quest for safety and security of journalists should be widened to focus further on the threats to journalists during the periods of peace and tranquility in a country. Previously, efforts have been much focused on safety mechanisms during war time or situations of armed conflict. However, journalists are becoming a target of violence during social strife, riots, demonstrations both political and as demands for services among others.

In the same vein, conventionally, the issue of the safety and security of journalists has been discussed in the narrow confines of states and their obligations towards journalists and human rights. Emerging trends indicate that despite the fact that the state remains the main/central actor in relation to protection and violations of rights and freedoms of journalists-the sphere seems to have expanded, at least in Uganda in the past two years. What is now clear is the fact that non-state actors are also

increasingly becoming perpetrators of violence on journalists threatening their safety and security at an unprecedented rate. These non-state actors, in different parts of the world, have been manifest in form of 'organized crime syndicates, drug cartels, and militia...' and more specifically in Uganda, more seemingly harmless groups such as students, traders among others-manifest in various situations such as demonstrations and riots.

The report reveals that from the use of repressive legal regimes to harass journalists and threaten their security and safety, state agents and agencies-more specially the security agencies have taken on direct physical attacks/assault against journalists including shootings and attempted shootings. A critical analysis of journalists' safety and security trends and patterns in the past two years reveals mainly 3 themes worth noting:

- 1. Impartiality of the media and Multi-party Politics;** Since the re-introduction of the multi-party politics in Uganda, the media has repeatedly been accused of taking sides-being partisan in their reporting, siding more with the opposition. It no longer seen as non-aligned. This seems to be the extenuating factor behind increased threats against journalists, unfounded and biased as it.
- 2. Increasing culture of impunity:** In the past two years, despite repeated advocacy and petitions from various actors calling for government to take action against perpetrators of violence against journalists, nothing has been forthcoming. A growing culture of impunity is manifest in Uganda as the powerful get away with their illegal deeds committed against journalists.
- 3. Employment policies:** The 'Profit-first-safety-later' kind of approach to business in the media industry cannot be entirely separated from the quagmire that engulfs the media fraternity today. Most of the casualties within the media fraternity in the past two years are fallen prey to vagaries that could have been avoided if they were well trained in safety and security management and provided the right gear for protection especially those reporting in precarious situations. This however has not been the case.

Among the recommendations the report makes include;

1. The state parties to the various international human rights law instruments should be encouraged or directed to document and present in their state reports during reporting any state actions taken to protect journalists from harm during the execution of their work (Preventative mechanisms); mechanisms of accountability against the impunity of the perpetrators and to document 'the status of the judicial inquiries conducted on each of the reported cases of violence against journalists.
2. Massive sensitization campaigns targeting news organizations, media owners, editors, journalists and the general public on the emerging dangers facing journalists in their work today especially impunity and how this affects the democratization process of the country.
3. The media fraternity and more particularly employing agencies of journalists should endeavor to set up wide-ranging safety and security systems for journalists as part of the employment policies. These would include among others, safety and security training courses, health care and life insurance in case of accidents and injury on job, and adequate salary for part-time and full-time employees;
4. The quest for safety and security of journalists should be part of the curriculum of institutions of higher learning. In particular, focus would be geared towards institutions that disseminate or teach journalism and media studies to introduce a module that enhances journalists' readiness for precautionary measures during the execution of their work.
5. There is need to expose journalists to refresher course with special bias on safety and security in the practitioners' view. This would apply particularly to the old generation of journalists that has been practicing for some time and as thus not exposed to new emerging threats to media freedom.
6. There is evident need for inculcating within the training of security agencies a module on the role of the media in the democratization process of the country. This would be used as an avenue to depict the media as a complimentary institution to police work other than a disruption agent or oppositional.

INTRODUCTION

During the actual preparation of this report, one incident happened which puts more the issues under discussion into the spotlight and indicates the need for renewed energy in the quest for the protection of journalists from harm during the execution of their work. In an upcountry district of Uganda-Rakai, in Kalisizo Government Prison, there was an alleged escape of over 10 prisoners. Journalists ran to the place to cover the unfolding national story on the 18th March 2013. The Prison Warders descended on the unsuspecting journalists like wounded lions -beating them with a gun butt, stick, blows, and kicks among others, in total disregard of the fact that the journalists were doing their job. This ugly incident was captured on camera. The attacked journalists sustained injuries and cameras destroyed in the scuffle.

The attacks, widely criticized by the public were at first treated as usual skirmishes relegating them to the usual statements of the state- that investigations shall be carried out. It took the intervention of a journalists' rights body Human Rights Network for Journalists-Uganda for the authorities to act on such impunity. With immediate effect, the Commissioner General of Prisons apologized to the Media fraternity branding the attack by his officers as 'barbaric.'¹ At the conclusion of this report, the Officer in Charge of the Prison-a one Principal Officer 1 (PO1), Mr. Tom Okello had been suspended after almost a month since the incident happened; the officer was suspended for alleged negligence of duty and failure to refrain his officers from assaulting journalists.

This is but one of the many increasing cases of brutality that has been recorded against journalists in Uganda in the past two years. At the time of writing this report, the Officer in Charge of the Prison where this unfortunate, despicable event happened had been suspended from duty with immediate effect pending completion of investigations into the matter. It is a unique case, for it is one of the countable cases where the authorities have come out to claim responsibility and punish the perpetrators of violence against journalists, a situation that is encouraging impunity. In the mean time, the harassment

¹ See Ephraim Kasozi, *'Prisons boss suspended after attack on journalists'*, The Daily Monitor, Thursday, April 11 2013. Additionally, Julius Asiimwe, the Southern Region Prison Commander was also suspended. The Human Rights Network for Journalists has maintained that the suspension is welcome but this action falls short of what is required of the prisons authorities in as far as punishing all the culprits is concerned. HRNJ petitioned that Corporal Robert Ssemata, Corporal Frank Kyomwiru and Alex Mukisa who were on 21st March 2013 charged with 'Discreditable Conduct' be prosecuted as persons that took part in this incident. As at 19th April 2013, the Police had opened a file against the officers for malicious damage to property (the cameras destroyed) and assault on the journalists.

and intimidation of journalists continues in Uganda.

As documented in the reports for the past three years, attacks on journalists have intensified and taken a new dimension. Research reveals that from the use of repressive legal regimes to harassing journalists and threatening their security and safety, state agents and agencies-more especially the police have taken on direct physical attacks/assault against journalists including shootings and attempted shooting.

A critical analysis of journalists' safety and security trends and patterns in the past two years reveals mainly three (3) themes which are worth noting, as discussed below:

- 4. Impartiality of the media and Multi-party Politics;** Since the re-introduction of the multi-party politics in Uganda, the media has repeatedly been accused of taking sides-being partisan in their reporting, siding more with the opposition, especially the privately owned and critical media. It is no longer seen as non-aligned. This seems to be the extenuating factor behind increased threats against journalists, unfounded and biased as it.
- 5. Increasing culture of impunity:** In the past two years, despite repeated advocacy and petitions from various actors calling for government to take action against perpetrators of violence against journalists, nothing has been forthcoming. A growing culture of impunity is manifest in Uganda as the powerful and government agents get away with their illegal deeds committed against journalists.
- 6. Employment policies:** The 'Profit-first-safety-later' kind of approach to business in the media industry cannot be entirely separated from the quagmire that engulfs the media fraternity today. Most of the casualties within the media fraternity in the past two years have fallen prey to vagaries that could have been avoided if they were well trained in safety and security management and provided the right gear for protection especially those reporting in precarious situations. This however has not been the case.

The report considers the five fundamental questions that form basis of the debate on security and safety. Using past literature on the subject matters, the report establishes a trends and patterns analysis of security and safety of journalists in Uganda framed around the following;

1. What is the safety and security of journalists in light of the changing face of violations of freedoms of the media fraternity?
2. Who is perpetrating violations against journalists today?
3. What are the changing modes of violations today on journalists and when do they occur?
4. How protective is the Uganda legal frame work of journalists during the execution of their work?
5. Why the insecurity and lack of safety of Journalists on the increase today in Uganda?
6. What can be done to enhance the security and safety of journalists?

1.0 CONCEPTUALIZATION OF SECURITY, SAFETY, JOURNALISTS AND JOURNALISM IN THE CONTEMPORARY WORLD

a) Safety and Security of Journalists

The Federation of African Journalists has defined safety as ‘freedom from danger and, in the news gathering context; safety implies protection from a range of threats journalists encounter, including arrest, legal action, imprisonment, kidnapping, intimidation, bombs, landmines, being shot in the cross-fire and murder, amongst others.’² The list is not exhaustive hence leaving leeway for other kinds of acts that can be interpreted as threatening the safety of journalists.

Security, as well, should be conceptualized in a wider scope than just mere physical protection from harm. It should also involve the psychological security of the journalists-the ability for one to do his/her job without the constant lingering fear that he/she is being watched or that a mere mistake in execution of his/her job will equip the state to come after him/her. This security should also be prevalent at the place of work-crafted in a semblance or a feeling of worthiness of a journalist to the employer should anything happen to the journalist.

2 OSCE, ‘*Safety of Journalists Guidebook*,’ 2012 at 1.

The quest for safety and security of journalists should be widened to focus further on the threats to journalists during the periods of peace and tranquility in a country. Previously, efforts have been much focused on safety mechanisms during war times or situations of armed conflict. However, journalists are becoming a target of violence during social strife, riots, demonstrations both political and as demands for services among others.

In the same vein, conventionally, the issue of the safety and security of journalists has been discussed in the narrow confines of states and their obligations towards journalists and human rights. Emerging trends indicate that despite the fact that the state remains the main/central actor in relation to protection and violations of rights and freedoms of journalists-the sphere seems to have expanded, at least in Uganda in the past two years. What is now clear is the fact that non-state actors are also increasingly becoming perpetrators of violence on journalists threatening their safety and security at an unprecedented rate. These non-state actors, in different parts of the world, have been manifest in form of 'organized crime syndicates, drug cartels, and militia...' and more specifically in Uganda, more seemingly harmless groups such as students, traders among others-manifest in various situations such as demonstrations and riots.

The conceptualization of security here should be widened to include physical security-protection of a journalist from harm especially during the coverage of uprising-upheaval situations such as conflict and most recently demonstrations. In Uganda, the trends suggest that in the past 2-3 years, there has been increased threatens on journalists mainly engaged in covering demonstrations turned riots. In such situations, the potential perpetrators have been both the law enforcement agencies and the demonstrators as well. The law enforcement arm especially police has been ruthless with media for the publication of graphic photographs of human rights violations by police men and women during demonstrations. The violations have often ranged from unlawful arrests and detention, torture, assault, extortion, wanton shooting of live bullets leading to fatal injuries and deaths of un-armed civilians and abuse of tear gas. Often, the journalists covering such events have suffered the wrath of tear gas due to lack of protective gear. Others have been targets of security agencies deliberately being singled out and murder attempted on their lives.

Other means of insecurity has been manifest in 'oppressive political and commercial

pressures, and stifling forms of official regulation.'These can be easily dismissed off as not directly impacting on the safety and security of journalists, but we cannot ignore the fact that they 'also give rise to fear and uncertainty among journalists and other members of the media and so have a chilling effect on freedom of expression within whole societies.³

b) The advent of social media and redefinition of a Journalist

The use of social media which has increased all through Africa and Uganda as such has also added to the dilemmas surrounding the safety and security of journalists. Social media has opened the forum of information dissemination to the ordinary citizens with minimal effort through Twitter and Face book.

2.0 SITUATING THE SECURITY AND SAFETY DEBATE IN UGANDA: THE ADVENT OF STATE MEDIA CONTROL -VS-REGULATION

The clear correlation between the freedom of, access to information and a free media fraternity has further propelled the quest for a free media on the agenda of the international community. The need for a free press is indispensable to the use of the access to information laws by the citizens. Only with information can the people make critical assessment of their leaders-governance, demand accountability in a quest for transparent leadership essential for the democratization process. With information comes exposure of corruption cases, human rights violations and ultimately accountability.

Indeed, the freedom to access information for the citizens is largely dependent on the ability of the media to freely disseminate information, the fact that it may not be appealing to the government of the day, notwithstanding. This right has been fortified under Article 29 (1) (a) of the Ugandan Constitution 1995 to the effect that 'every person shall have the right to freedom of speech and expression, which shall include freedom of the Press and the Media.' This Article should be read together with Article 41 of the Constitution which provides that: '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

3 Id at 4.

interfere with the right to the privacy of any other person.' Article 41 of the Constitution is operationalised by the Access to Information Act 2005 and the Regulations there under which provide for the procedure of accessing information from the relevant public agencies. However as pointed out earlier, all this cannot be unless and until the media is free, safe and secure to disseminate information without fear of any ill will repercussions from the state agencies or interested non-state actors.

Much as the Constitution of Uganda is progressive in as far as guaranteeing human rights and more specifically, the freedom of expression, media and access to information, the existence of draconian provisions in subsidiary laws seems to have downplayed the constitutional guarantees. This, coupled with state conduct and practice manifest in statements and overt actions by its agencies both security and civilian (but public officials) have impacted negatively on the quest for safety and security of journalists. This report underscores both the actual and apparent/potential pivot centers that pose a threat to the security and safety of journalists.

2.1 Airwaves liberalization: to control or to regulate?

The increased number of media outlets in Uganda has come on the heels of the liberalization policy that the NRM government embarked on vigorously in the earlier days of its leadership. This policy passed in 1992 positively affected the media fraternity by breaking the monopoly of state owned Uganda Television and Radio Uganda which were the only avenues of communication in the country. The overwhelming quantity of the media houses in Uganda today-244 FM stations, 50 TV stations and over 50 publications has been attributed to this liberation policy in Uganda-letting the demand dictate who survives the fierce and sometimes unhealthy competition. Whereas the increasing numbers of these media outlets is welcome, there is indeed a neglected question of the quality of journalism exhibited by the different media houses. Arguably, this quality of journalism has been compromised by some times the ill trained journalists, thereby subjecting the profession to ridicule and continued state attacks under the justification of lack of professionalism by the current crop of journalists.

Additionally, the liberalization of the media/communications sector seems to have caught the government off guard as there from emerged various media outlets which

would not necessarily toll the government tune as the previously dominant media avenues of Radio Uganda and Uganda Television had been accustomed to doing. With increased media outlets-there has come an enhanced platform of voices of protest to government excesses, inefficiencies and challenges to the main stream ideology and ideas. This unprecedented explosion of media houses has contributed or pushed the government into a position of control rather than regulation in an effort to determine what kind of information is released by the particular media house and how favourable is it to the government and more importantly in a move to silence the emerging critical voices that are unfortunately perceived as challenging state authority.

One can rightly argue that the move for control has been largely occasioned by the misunderstandings (either deliberately or ignorantly) of the workings of a multi-party dispensation within which the country now treads. The quest for power by various political parties, the NRM inclusive, has led to an unannounced yet visibly manifest battle for the control over the media fraternity. As a result, the media houses perceived to be critical of the government have been pinpointed as saboteurs and oppositional while the state run media has been declared an extension of the NRM public relations body at a minimum or at best-a government mouthpiece, the requirement of being independent and impartial notwithstanding.

The government has repeatedly justified its intervention in the media fraternity basing on mainly three reasons; national security, media irresponsibility and infancy. According to the former Minister of information and National Guidance;

“ *The increase in the number of media outlets, following liberalization, has not been matched by laws and monitoring and supervisory mechanisms. So the government has not been able to regulate the activities of the media. As a result of the shortcomings in the legal framework, various interest groups have taken advantage under the guise of freedom of expression to publish material that endangers stability and national security...Our media cannot regulate itself because it is in its infancy. It needs nurturing and guidance. Left on their own, some media houses would cause incitement to anarchy and even to genocide.’*

The above state of affairs has played to the detriment of journalists. Clearly, journalists from media houses that are considered to be critical of and oppositional to the government views and governance style are not necessarily perceived as state allies.

Arguably, being dubbed oppositional by the government is a veiled threat to the security and safety of journalists working for such media houses. Conclusively, it is evident that the re-introduction of the multi-party politics came with it risks to the safety and security of journalists. This is more so when one considers that the multiparty dispensation has not been appreciated as simply as another mode of governance where difference of opinion is not tantamount to opposition or being a government enemy.

3.0 ASSESSING UGANDA'S LEGAL FRAMEWORK: HOW PROTECTIVE OF FREE SPEECH?

The first and most preferred guarantor of any freedoms and rights of any group of persons is the law. Where the law is conducive and facilitative of protection and enjoyment of human rights and freedoms, the operational environment space for citizens to express themselves is enhanced. In the same vein, the importance of a conducive legal framework for the media fraternity cannot be over-emphasized. The law should be the firm foundation upon which the safety and security of journalists rests. In Uganda, the past years have witnessed crafting of more laws that seek to place the safety and security of journalists in harm's way. In particular, the government ill will towards flourishing of the freedom of expression and the attendant media rights has been reflected in various inhibitive legislations already enacted or in the process of enactment. Arguably, without a conducive legal framework to protect journalists, their security and safety remains an aspiration to pursue further.

Below are some of the laws that have catalyzed the deteriorating safety and security of journalists in Uganda.

a) The Press and Journalist Act (2000)

This is yet another law that indirectly threatens safety and security of journalists. The Act maintains provisions that place restrictions on the identity of a journalist. To be a journalist, one has to be in possession of a practicing certificate attainable upon registering with a statutory Media Council which is supposed to issue practicing certificates. Alarmingly, the certificate is subject to suspension for a period of up to 6 months should a journalist be found 'guilty of professional misconduct.'

b) The Electronic Media Act (2000)

This Act provides for the establishment of a Broadcasting Council “to license and regulate radio and television stations; to provide for the licensing of television sets, to amend and consolidate the law relating to electronic media, to amend the Uganda Posts and Telecommunications Corporation Act; to repeal the cinematography Act and Television Licensing Act; to provide for other related matters”. The Act has been criticized for not guaranteeing the independence of the Broadcasting Council from the government whose motives are surely of control and not regulation. The Council has excessively broad powers to grant or withhold licenses on the basis of ‘an opaque set of conditions as well as power to seize and confiscate transmission equipment without a hearing or other forms of due process. The regulatory structure is vague and allows wide discretionary powers to the regulator. It is also susceptible to influence and manipulation by the executive.’⁴

c) The Penal Code Act (1950 amended in 2007)

The Penal Code is conceivably the mainly habitually used legislation in Uganda as a weapon to clamp down on freedom of expression generally and rights of journalists specifically. It boasts of numerous provisions that have undesirable repercussions for journalists that report on public/national affairs especially those where the state has particular interest.

According to section 41 of the Penal Code: a person who prints, publishes, makes or utters any statement or does any act which is likely to (a) degrade, revile or expose to hatred or contempt; (b) create alienation or despondency of; (c) raise discontent or disaffection among; or (d) promote, in any other way, feelings of ill will or hostility among or against any group or body of persons on account of religion, tribe or ethnic or regional origin commits the offence of promoting sectarianism and is liable on conviction to imprisonment for a period of no more than five years. Others are sections 179 and 180 on libel and defamation respectively. In the past, these provisions have been abused by the State due to their convenience and many journalists have fallen prey to such charges.

On a positive note though, the Penal Code provisions that sought to criminalize the publication of false news was struck off the law books in 2005 by the Supreme Court of the land. Similarly, in 2010, the provision of sedition was declared unconstitutional by

⁴ Id.

the Constitutional Court of Uganda. Nevertheless, some draconian provisions remain and as such are a source of danger to the safety and security of journalists.

d) The Access to Information Act (2005)

This law guarantees citizens the right of access to all information and records of government ministries, departments, local governments, statutory corporations and bodies, commissions and other government organs and agencies as provided for under Article 41 of the Constitution of the Republic of Uganda. The main purpose of the act is: 'to empower the public to effectively scrutinize and participate in Government decisions that affect them.'

The law also provides for the classes of information that are obtainable; the procedure for obtaining that access to the sought after information, and matters incidental or related thereto. Ideally, if well implemented, the Act is meant to provide a safe haven for journalists, for other than engage in the often dangerous investigative journalism to flush out government secret information in issues of national importance, one would rely on the Act.

A major set-back of this law and its potential to soften the burden of being government watch dogs on journalists has been the failure by the drafters to repeal the Official Secrets Act. This Act is a direct contradiction of the Access to Information Act 2005 and provides for the protection of 'official information' more specifically that information concerning national security.

e) The Anti-Terrorism Act (2002)

The Anti-Terrorism Act was passed on the heels of the 2001 Al Qaeda Terrorist attacks on the United States. The Act also tackles the media in a way –albeit negatively–in particular under section 9 (1) which criminalizes the publication and dissemination of news materials "that promote terrorism", a terminology that is not precisely defined. Any person convicted of this offence is liable "to suffer death", imprisonment not being an option. Additionally, under section 3 (1) c of the Third Schedule of the Act "journalistic material which a person holds other than documents" is exempted from the list of items that are subject to legal privilege during terrorist investigations thereby infringing on journalism ethics of source confidentiality and protection.

f) The Regulation of Interception of Communications Act (2010)

The Regulation of Interception of Communications Act 2010 comes as a counter-terrorism legislation aimed at tracking, intercepting and monitoring communications (telecommunications and any other related mode of communication) of suspected criminals in pursuit of their illegal agendas. The Minister of security, under the Act is mandated to establish a Monitoring Centre and has 'final responsibility over the administration and functioning' of this Centre. The Act also gives a provision for an 'interception warrant' to be issued by a judge when he or she receives an oral application from government if that agency has 'reasonable grounds' to believe that: a) felony has been or will probably be committed; b) the gathering of information concerning an actual threat to national security or any national economic interest is necessary; c) the gathering of information concerning a potential threat to public safety, national security, or any national interest is necessary; or d) there is a threat to the national interest involving the state's international relations or obligations.

The Act has been received with mixed reactions from the journalists who rightly believe that with interception of their communications, their safety and that of their sources who are supposed to be confidential can no longer be certain.

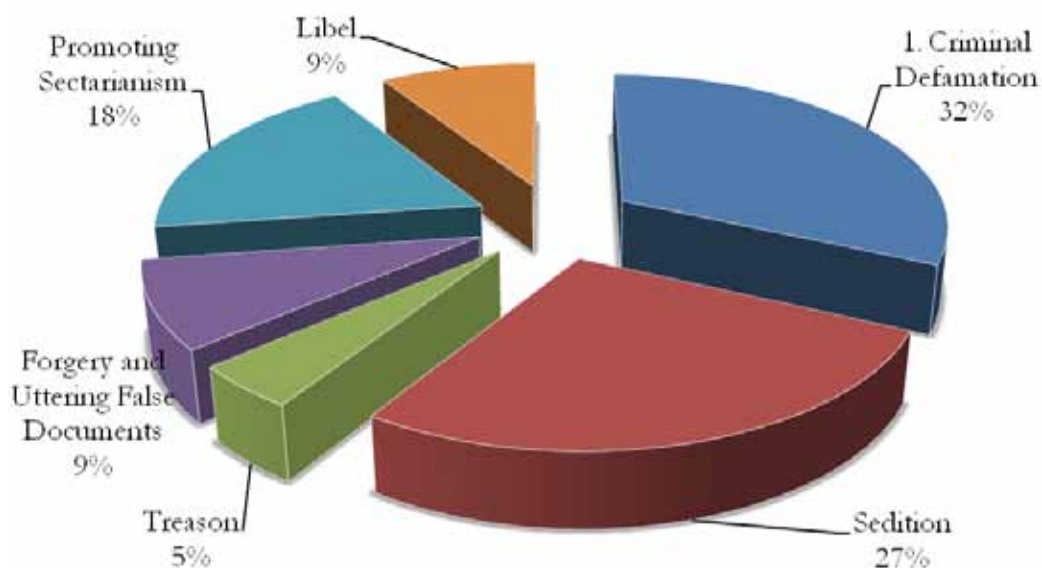
3.1 Effect of the above laws on safety and security of Journalists

The law has been an effective tool of threatening media freedom-safety and security of journalists. Draconian-colonial-style provisions have been used against journalists, arrested and charged before courts of law numerous times. The state has relied largely on offences of sedition and promoting sectarianism, criminal defamation, forgery and uttering a false document and incitement of violence as depicted in the table below for the past 2 years.

Table 1: Main Criminal Charges Slumped Against Journalists-2010/2011

Charge	Number of Journalists facing the Charge	Comment
1. Criminal Defamation	7	
2. Sedition	6	
3. Treason	2	At the writing of this report, 1 (one) of the journalists was acquitted
4. Forgery and Uttering False Document	2	At the writing of this report, the Court had dismissed the case against the journalists.
5. Promoting Sectarianism	4	
6. Libel	2	
7. Publishing False News	4	
Total	27	

Figure 1: Percentage Distribution of Main Criminal Charges Slumped Against Journalists-2010/2011

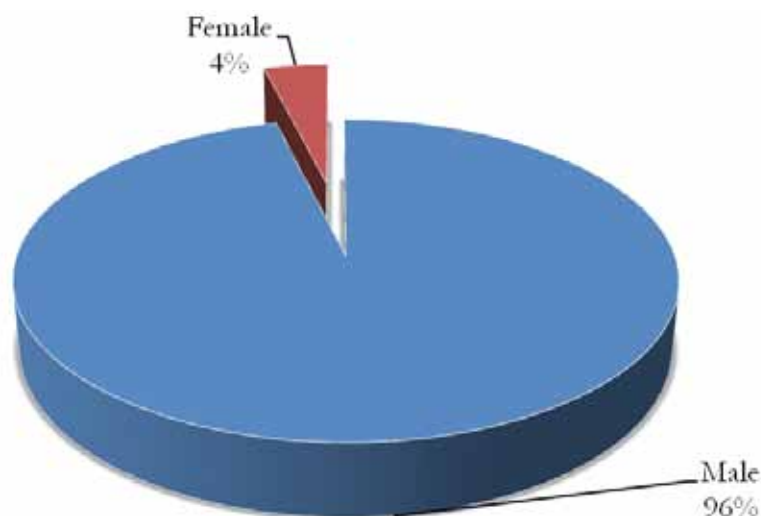


In many if not all instances, the state has always lost these cases as courts have progressively ruled in favour of the charged journalists. However, whereas the wins can be celebrated, what has been often neglected is the effect these charges and continued court battles-have had on the whole media fraternity especially in relation to their safety and security. In general, most of these cases have dragged on for months thereby occasioning not only loss of time for the journalists that repeatedly frequent courts for their hearings, but it has also drained them financially. This has been case for journalists that work for media houses without sufficient financial muscle to sustain the legal battles. As such, censorship has been rife for some sections of journalists that do not have standing legal representation-better to keep quiet than spend years oscillating between the courts and police interrogation. Trends indicate that male journalists have been the greatest recipients of this state use of the law to silence them and threaten their safety and security as depicted below.

Table 2: Gender Dimension of Journalists facing charges 2010/2011

Year	Gender	Number of Journalists
2011/2010	Male	25
	Female	1
	Total	26

Figure 2: Percentage of Journalists Facing Various Charges 2010/2011 in Gender Perspectives



The other effect of this use of laws should be seen in its negative effect of harassment and inconvenience. It has been argued that in some instances, the cases are initiated without sufficient evidence to sustain them in the courts of law. Nevertheless, the journalists are charged with the ultimate effect being sustained harassment under the guise of the law, which in turn has negatively affected productivity and committed journalism. Often, the charged have been (unconscious) ambassadors of the evils of state power to their fellow journalists who in turn have always opted for 'staying out of harm's way', by being cautious on what they publish-shelling away into censorship for the sake of their safety and security.

3.2 The Media Council

The above laws and policies have also provided for various statutory agencies aimed at regulating and monitoring the media in Uganda. Among them include the Media Council. The Media Council was formed by an Act of Parliament through the Press and Journalist Act CAP 105. It's meant to standardize the media governed by the Article 29 (providing for the right and freedom of media and expression) and also implementing Article 43 of the Constitution (providing for limitation of freedoms and rights). Indeed, the aspirations of the Council are noble aimed as enshrined under section 9 of the establishing Act at regulating the conduct and promote good ethical standards and discipline of Journalists; arbitrating disputes between the public and the Media; and the State and the Media; exercising disciplinary control over Journalists, Editors and Publishers; promoting the free flow of information and censoring Films, Video Tapes, Plays and other related apparatuses for public consumption.

The noble functions there under notwithstanding, many pundits maintain that the Media Council is not independent from the government-that if anything-it is an extension of government's arm of coercion albeit in a clandestine manner using the Council. This has sparked off a debate as to whether a statutory Media Council is necessary compared to the Independent Media Council which is a journalist run body aiming at self regulation and self censorship by the journalists than the state.

The Act lets loose the true understanding of the terms used in the provision such as 'prejudicial to national security, stability and unity, 'any matter injurious to Uganda's relations,' and 'economic sabotage.' The statements are too general, sweeping, and

ambiguous thereby increasing the potential for their abuse by the powers that be. To rule out the use/abuse of these sections of the Law by ambitious, overzealous state agents and agencies would be playing naïve to the quite clear danger that is manifest should such proposals be enacted into law. More threatening is the implicit provision of the law that the council can issue conditional license (which could be quashed easily if one diverts from the conditions set) and that the license is to be renewable every after one year. Simply put, the Council will have cause to renew or refuse to grant a renewal to someone to practice his/her vocation which is also a source of livelihood to these journalists. The fact that the proposed law bears hall marks of a fair hearing manifest in one having a platform to appeal both the refusal to grant a license and also revocation of a license does not at all take away the above glaring concerns. The concerns of these proposed provisions are well captured:

The proposals give excessive powers to the Media Council to determine what, for instance, counts for “material that is prejudicial to national security, stability and unity.” Yet composition of this same Media Council is being changed as to erode what little independence it still had. Crucially, the minister responsible for information will directly appoint the chairperson of the Media Council unlike under the current law whereby members elect one of their own as chairperson. This will increase the minister’s powers over the Council. If the bill becomes law, the Media Council will have excessive powers similar to those of the Broadcasting Council under the Electronic Media Act. Under this Act, the minister appoints the chairperson of the Broadcasting Council and the minister can issue policy directives which the “Council shall comply with.” It is little wonder that radio stations get shut down all the time. The proposed licensing terms thus provide a basis for the government to whip into line those supposedly stubborn publications by undermining, instead of enhancing, the independence of the Media Council.⁵

5 The proposals mandate the Media Council to register and license newspapers. This, pundits maintain is not in consonance with the provisions of international law which though receptive to the procedure of licensing broadcasters, it does not provide for an equally strict measure of licensing of newspapers. The requirement also seems to infringe on persuasion soft law in Africa as enshrined under Principle 8 (1) of the Declaration of Principles on Freedom of Expression in Africa which states that: ‘Any registration system for the print media shall not impose substantive restrictions on the right to freedom of expression.’

4.0 TRENDS AND PATTERNS IN SAFETY AND SECURITY OF JOURNALISTS IN UGANDA

Trends depict that the safety and security of journalists in Uganda today has been undermined by mainly three groups of people with each category applying various modes of attacks on journalists as summarized in the table below:

Category of Perpetrator	Mode of attack	Impact on the Journalists
1.The Government of Uganda through its numerous agencies such as the Police, Prisons, UPDF,	<ol style="list-style-type: none"> 1. Intimidation and Harassment 2.Physical assault and beatings; 3.Torture; 4.Denial of advertising deals to force censorship; 5. Strategic inconveniences through repeated Court appearances [defective and tramped up charges] and interrogations at police; 6. Confiscation of working equipment; 7. Deliberate destruction of working equipment such as cameras; 8.Unlawful arrest and detention; 9.Verbal threats; 10. Storming offices of media houses in such for subversive materials as defined by them 	<ol style="list-style-type: none"> 1.Increased censorship [‘killing’ stories that may not be appealing to the government] 2.Fear; 3.Abscondment from covering some events such as demonstrations for personal safety; 4. Change in editorial policy emphasizing more entertainment and non-contentious programmes than politics.
2. Private Individuals [Non-State Actors] these individuals have involved business men with connections to the ruling echelons	<ol style="list-style-type: none"> 1. Intimidation and harassment to cause harm; 2.Assault and battery; 3.Destruction of working equipment; 	<ol style="list-style-type: none"> 1. Abscondment from covering certain events; 2.Fear; 3.Censorship in story covering; 4. Halting investigative journalism.

<p>3. Employers-Mainly the media houses and private individuals owning media outlets- The 'attacks' by this category have been indirect-often passing as administrative directives/policies and employee contractual obligations and also omissions [not doing what is obliged of them to do to ensure safety and security of journalists].</p>	<p>1. Non-provision of good working conditions; 2. Security and safety trainings; 3. Partisan editorial policies; 4. Non-payment of salaries or meager salaries;</p>	<p>1. Mediocre journalism as per the wishes of the employee; 2. Lack of innovativeness; 3. No independence in story and event covering</p>
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Table 3: Sources of Violations and their impact on Journalists 2010/2011

Number Of Violations In 2010/2011	Number Of Violations In 2012	Source	Comment
31	46	Uganda Police Force	This is mainly done by District Police Commanders. There was an increase of violations done by the Uganda Police Force. This is partly attributed to the rampant demonstrations and riots in 2012 that were suppressed brutally by Police.
22	16	Private Individuals/ Non State Actors	These have included supporters of politicians-such as Members of Parliament especially during elections. Additionally are private individuals and students among other groups.

7	-	Media House/ Station Management	Mainly the radio station management.
5	13	Residential District Commissioner (RDC) /Local Government	The year 2012 recorded an increase in attacks on journalists at Local Government Level ranging from direct attacks by RDCs, district resolutions barring journalists from attending meetings, pressure on community radios to suspend or expel particular journalists whose programmes were considered inimical to what the area political leaders wanted.
13		Uganda Peoples' Defence Forces (UPDF)	The trends show an increase in these attacks in 2012.
28	14	Auxiliary Forces	This includes Intelligence Services/ Agencies of Chieftaincy of Military Intelligence, the Presidential Guard Brigade, Special Forces Group.
-	4	Judiciary	
TOTAL: 107 85			

Figure 3: Sources of Violations of Rights of Journalists 2011

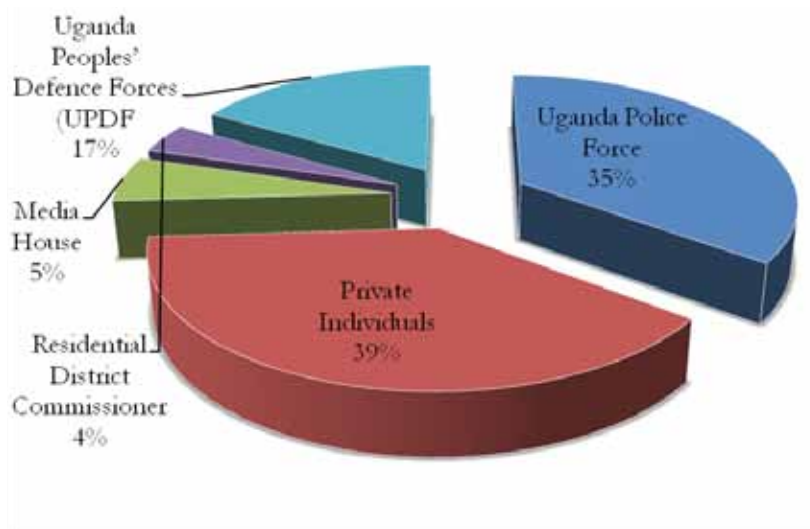
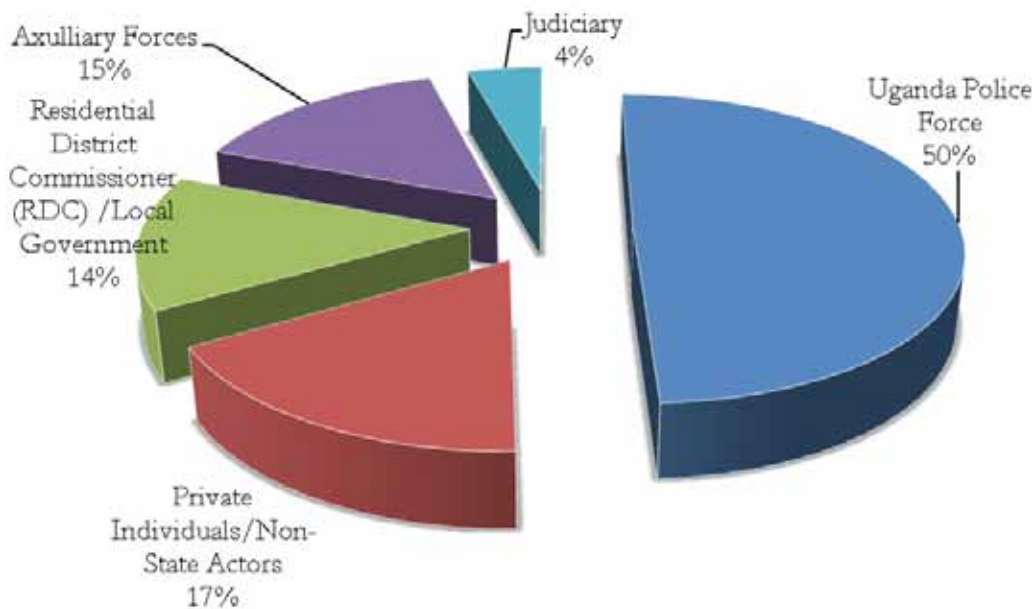


Figure 4: Sources of Violations of Rights of Journalists 2012



4.1 Unmasking the Changing forms of violations of safety and security of Journalists

Trends further reveal that in Uganda, reporters covering contentious issues such as politics, crime, and conflict and to some extent, corruption in the government agencies have been at the receiving end of various types of attack. In Uganda, journalists have also been targets of supporters of various candidates during the elections and bye-elections. The 2011 general presidential and parliamentary elections recorded a substantial number of cases involving attacks on the media personnel who were uncovering stories concerning illegal ballot stuffing, covering and publishing of interviews considered subversive in as far as opposition candidates were denouncing elections malpractice. Some of these attacks on journalists were perpetrated by the security detail of some of the ministers who were also contesting for the Member of Parliament position. Because the current legal framework accommodates serving government officials to remain in office even when campaigning, some take advantage of their accessibility to state machinery such as the security detail to harass journalists that they perceive to be giving them bad publicity in their quest for being voted.

The fact that the government and other actors are obliged to refrain from violating the rights and freedoms of journalists, we cannot under look the fact that the journalists too have not been entirely keen on their safety and security. Indeed, this cannot be blamed entirely on them, for the necessary requirements of under taking personal security are expensive requiring a substantive amount of money to execute.

Though on a small scale, in the past-kidnap, and shooting have also been a worrying mode of attacks on journalists in Uganda by security agencies. This level of insecurity has been rare in Uganda compared to other countries where journalists are murdered in cold blood or kidnapped never to be seen again alive or dead.

4.2 Why the insecurity and lack of safety of Journalists: Going beyond statistics

4.2.1 Questioning Media Ownership and remote areas of operation

In Uganda, particular attention has to be geared towards the safety and security of journalists operating from the rural areas on mainly community radios owned by private individuals possessing ties with the ruling government. Majority of the owners are Ministers, politicians and business community members that censor their staff from hosting any members from the opposition or any individuals that are critical of the government. The security of these journalists has been much threatened by the Residential District Commissioners (RDCs) based at district level harassing all media personnel thought to be anti-government. The potential of danger on such journalists is enormous considering the rural and closed nature of some of these districts-far from the cameras and defenders of media rights mainly based at the national capital level. The adoption and promotion of international standards for safety training and equipment, risk awareness skills for journalists has not been embraced fully by the employers of the journalists.

4.2.2 Poor skills/training of journalists

The situation has been worsened by lack of or/and poor training of the journalists especially those covering potentially dangerous and life threatening stories such as public order management in matters of personal physical security. The lack of equipment and knowledge or skills on security has only re-emphasized the plight of journalists in Uganda. Whereas the risks involved in covering politically sensitive events such as demonstrations cannot be eliminated in totality, they can be mitigated through these targeted trainings to journalists on how to assess and respond to risk to ensure their safety and security.

To most of these employers, the safety and security of a journalist has been a secondary issue if it matters at all. The level of protection has often not gone beyond the salary of the person with minimal or no benefit such as medical insurance if one is injured in the line of duty. The quest to out-edge competition has been a driving force to some of these media houses which have thrown priority of health of a reporter through the window overtaken by the need to get the hot story. The naïve, young journalists fresh from university and other institutions of higher learning looking for a big story to break into the ranks of journalism have been the unsuspecting victims in this battle for the top slot media house. The Committee for Journalists warns journalists;

“ *In this changing and dangerous climate, be guided by some basic principles: Be fully informed about security issues, make your safety a primary consideration, prepare yourself thoroughly for each assignment, look out for other journalists in the field, and take care of yourself before, during, and after assignment.*⁶

4.2.3 The Fight against Terrorism: How sensitive of Media Freedom?

The said Terrorist attack on Uganda by reportedly the Somali terrorist group Al Shabab in July 11, 2010 killing over 80 people, has also in a way contributed to the declining media freedom and safety of journalists. Riding on the fear and sentiments for justice among the populace, the government crafted various laws allegedly in the quest for better security and protection of the masses from such acts again. As such, the Regulation of Interception of Communications law was passed in 2010. The law equips the government with power to intercept communications between citizens in an effort to gather intelligence for better security and curbing of crime. The law therefore subjects even the confidential sources of the journalists to likely identification through interception there by making it difficult if not impossible to protect such informants yet they are central to the thriving of journalism especially investigative aspects.

The aftermath of the terrorist attacks also upped the agitation for the use of the already wanting Anti-Terrorism Act, 2002. Under this Act, section 9 (1) makes it a criminal offence, to publish and disseminate news or materials “that promote terrorism.” This provision, however does not precisely define “terrorism.” A person convicted of this offence is liable “to suffer death” without the option of imprisonment. The semblance of the definition of terrorism in the Act is so ambiguously defined that it leaves room for abuse or/and different interpretation subject to mis-use. For now, the law is much like a scare crow ready to be used by the State against any journalist-even if not yet used-any bad law on the shelf is an ever present potential danger in waiting. Such laws have been useful to the state for even if cases are not won-at least-the undeniable and probably most powerful win derived there from has been psychological insecurity among journalists-for these laws keep ‘journalists permanently on tenterhooks and perpetually second-guessing themselves.’⁷ In the same vein, section 3 (1) (c) of the third schedule of the act violates journalistic ethics by excluding “journalistic material

which a person holds in confidence and which consists of documents or of records other than documents” from the list of items that are subject to legal privilege during terrorism investigations.

4.2.4 Creation of Political/Security Media Watch Units

The creation of a Media Offences/Crimes Unit within the Criminal Investigations Department is yet another accentuating factor to the continued harassment of journalists in Uganda. The Unit’s only job is to monitor the work of journalists, what is published and by whom; record radio talk shows of journalists considered to be critical of government. The Unit is a permanent watching BIG BROTHER ready to act the executioner of the Media personnel found at the wrong side of the coin as determined by the Unit. The Unit is a scarecrow to freedom of expression and conscience. It has in the past subjected to repeated summons for statement taking; it maintains the journalists on tenterhooks by putting them under investigations continuously and jeopardizes their intellectual strength and peace by charges that are trampled up to get an opportunity to keep them on police bond. By this practice therefore-the freedom of a journalist is always at the mercy of the police which can revoke the bond any time and arrest the journalist. The Media Offences Unit and its attendant methods of work-the summoning, interrogation, statement taking, and weekly reporting of journalists at the premises of the Unit and police bond phenomenon is a loose noose in the neck of journalists that can be tightened anytime the government wills it so. This knowledge alone of an ever present stalker is enough to lead one to the conclusion that the media fraternity-journalists are an endangered species in the Country under government watch. The effect on journalists may not be manifest but undoubtedly, psychologically, majority of them are insecure and feel unsafe at the prevalent situation.

4.2.5 Draconian Employment Policies

The self-censorship by the media owners has largely been manifest in revised editorial policies and employment policies or provision, which essentially are the key guidelines to the employed journalists. The employment policies have come with suspension and dismissal of journalists that do not tow the known-official editorial policy, which is an often anti-opposing or critical view of the government by other stakeholders. The unprecedented dismissals or suspensions also affect the safety and security of journalists in as far as it denies them of their livelihood upon loss of employment. This is

the often un-debated form of insecurity that the media fraternity is facing-threatening lives beyond the individual journalists to that of their dependant families. This insecurity is perpetrated by the very media houses that journalists work for, albeit with external pressure, which would otherwise have been bastions of protection to their employees. This new threat to journalists is veiled in believable contractual related obligations hard to criticize as harassment yet indeed-its institutionalized intimidation and suppression of thought and expressions central to the flourishing of a democracy.

4.2.6 Misconceptions of Media in a Multiparty Dispensation

The increased attacks on journalists can be explained by the lack of appreciation of their role especially in a multi-party dispensation within which Uganda is now governed. With the opening up of political space came proliferation of political parties and oppositional individuals. This ultimately is indication of divergence of opinion from the ruling government's policies-opinions that are also worthy dissemination to the populace by the media. In Uganda, the trend has been that some media houses are perceived and indeed been tagged as conduits of oppositional sentimentalities and incitement of the public to rebel against the government. They are not necessarily viewed as platforms of sharing knowledge and information which is their sole function. Of course the new multi-party dispensation has reinvigorated the zeal by either political party to force 'journalists to advance their agenda by using them and their organizations as propaganda tools. If journalists refuse to be manipulated or to allow their independence to be compromised, then they become prime target for ridicule and violence.'⁸

Therefore as long as the government and its over-zealous security agencies and agents continuously feed this erroneous perception that media is oppositional because it passes out to the people different views, then guaranteeing safety and security of journalists will for now remain a mere aspiration.

8 See FEDERATION OF AFRICAN JOURNALISTS, '*Safety and Protection of African Journalists*', A workshop of the Federation of African Journalists in cooperation with the African Union Commission. 2-3 September 2010, Addis Ababa, Ethiopia at page 2.

4.2.7 The Proliferation of Security and Para-military agencies

The proliferation of numerous security agencies, both constitutional and administrative coupled with the emergence of para-military units attached to both government and private politicians/individuals has further exacerbated the plight of journalists during the execution of their work. Where the constitutionally mandated security agencies are three-Uganda Peoples' Defence Forces, Uganda Police Force and Uganda Prisons Services-the establishing laws of these institutions mandate them to establish security units where necessary to help them fulfill their mandate of security and safety of the citizens. Basing on this-many security and intelligence agencies have been formed apparently to curtail terrorism and crime in the country. Their presence has not come without problems.

Many operate in a clandestine manner normally armed but without identification visible to place them to a particular security agency. Because they disguise as civilians-they have been able to unleash violence against the journalists without fear of being accountable since they cannot be identified by uniform or any other identification card. Some work with the military while others with the police but in joint operations-a scenario that has blurred accountability lines hence encouraging impunity. With identification difficult of these agents, with no known mechanisms of accountability and disputed chains of command-impunity is further given a chance to flourish. The conduct of these security agents has been manifest in the situations of social strife-notably-opposition led demonstrations or riots or even during national or bye-elections-especially those that the government has an interest in.

Security Agency		Comment
1. Government Mandated	1. Uganda Peoples' Defence Forces [UPDF] 2. Uganda Police Force 3. Uganda Prisons Services	The greatest threat to safety and security of journalists has been in the past 3 years- the Uganda Police Force. It has employed all methods of harassment-ranging from assault, destruction of equipment, shooting among others. This has been manifest mainly during coverage of instances of civil strife and tensions such as demonstrations, strikes and riots.
1.2 Security Agencies Associated with the above three	1. Rapid Response Unit [RRU] 2. Joint Anti-Terrorism Task Force [JATT] 3. Chieftancy of Military Intelligence [CMI] 4. Presidential Guard Brigade [PGB] 5. Special Forces Group [SFG] 6. Internal Security Organization [ISO] 7. Black Mamba 8. Kiboko Squad	In the past, the PGB has also been implicated in harassment of journalists manifest in equipment confiscation, arrest and detention.
1.3 Local Government/District Security Related Units	1. Resident District Commissioners [RDC] 2. District Security Officers [DSO] 3. Gombolola Security Officers [GISO]	The security agencies operating at the district level have been and remain a great source of danger to journalists especially those operating at the rural-district level far from the eyes of the camera and attention accorded to journalists working in the urban centers.

<p>1.4 Individual Groups</p>	<ol style="list-style-type: none"> 1.Kikankane 2. Mwyo gwa ggwanga 3.Black Cobra 4.Red Brigade 5.Black Brigade 6.Bamboo Brigade 7.3k 8.Beyi Kali 9.Hakuna Kulala 	<p>These individual or political party affiliated groups have been very rampant during elections to take on any journalists they perceive to be giving bad publicity to their candidate. Their wrath was much tasted by journalists during the just concluded 2011 general elections and bye-elections. Accountability for such rogue-goon like groups has been elusive. Some of these groups in some instances have executed their illegal activities in police presence but often police has looked aside-an implicit act of condoning the violence.</p>
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4.2.8 Inactivity of Government to Punish the Perpetrators

The quest for security and safety of journalists in Uganda has been further hampered by the increasing impunity exhibited by the custodians of law and justice. Despite documented evidence both visual and print-the government has been slow if not entirely indifferent in bringing to book its agencies and agents that endanger the security and safety of journalists. The government has always expressed what it calls ‘concern’and has been very keen on maintaining the dictum of ‘ongoing investigations into the matter’ and that ‘action will be taken later against the culprit(s)’. The other semblance of concern has been manifest in paying back damaged property and contributing to the treatment of injured journalists by mainly the Uganda Police Force. The lack of punishment but rather protectionism of the government agencies of their own suspected of having meted out violence or threats of violence against journalists in the course of their duties vindicates impunity. As such, the likelihood that this will become an embedded culture within these agencies such as the police is worrying enough and a potential threat to the future of media freedom. Furthermore, according to the International Freedom of Expression Exchange [IFEX], ‘in nine out of

ten cases, the perpetrators of these crimes are never prosecuted. Impunity, which may be understood as the failure to bring perpetrators of human rights violations to justice, perpetuates the cycle of violence against journalists and must be addressed.⁹ Thus the UN maintains that while;

“ ‘...the problem of impunity is not restricted to the failure to investigate the murders of journalists and media workers, the curtailment of their expression deprives society as a whole of their journalistic contribution and results in a wider impact on press freedom where a climate of intimidation and violence leads to self censorship. In such a climate societies suffer because they lack the information needed to fully realize their potential. Efforts to end impunity with respect to crimes against journalists must be associated with the defence and protection of human rights defenders, more generally. In addition, the protection of journalists should not be limited to those formally recognized as journalists, but should cover others, including community media workers and citizen journalists and others who may be using new media as a means of reaching their audiences.’¹⁰

The trend therefore has been established-with no investigation and eventual punishment of the perpetrators of violence against journalists. Whereas the investigations are promised, they are never fulfilled-and no feedback from the authorities to the media fraternity and the public on the progress of the investigations. Consequently, it has become futile to report an attack on a journalist since there is no action taken against them ushering in a trend of “...broad cultural stigmas and a lack of faith that authorities would act upon complaints...¹¹. The unfortunate impact of these harassments of journalists to the public and media fraternity is summarized accordingly:

“Every journalist killed or neutralized by terror is an observer less of the human condition. Every attack distorts reality by creating a climate of fear and self-censorship”¹²

9 The International Programme for the Development of Communication, ‘UN Plan of Action on the Safety of Journalists and the Issue of Impunity,’ 2009 at 1.

10 Id at 4.

11 Barry James in *Press Freedom: Safety of Journalist and Impunity*. UNESCO-Publication, 2002.

12 The Silencing Crime: Sexual Violence and Journalists. A Special Report by the Committee to Protect Journalists. Committee to Protect Journalists.

The violations perpetrated in the rural areas are more problematic to follow up considering that the local police in such areas is not only thin on personnel but even the skills of carrying out thorough investigations and later prosecution of the perpetrators is questionable. Such as, the cycle of impunity in the face of inaction and injustice by the authorities is a green light to perpetrators to continue their despicable disregard of human rights and freedoms for the media fraternity. Some defenders of freedoms and rights of journalists maintain that the approach to overcome impunity should be holistic in nature concentrating on prevention than lamentations in the aftermath of violations against journalists.



‘Promoting the safety of journalists and fighting impunity must not be constrained to after-the-fact action. Instead, it requires prevention mechanisms and actions to address some of the root causes of violence against journalists and of impunity. This implies the need to deal with issues such as corruption, organized crime and an effective framework for the rule of law in order to respond to negative elements. In addition, the existence of laws that curtail freedom of expression (e.g. overly restrictive defamation laws), must be addressed. The media industry also must deal with low wages and improving journalistic skills. To whatever extent possible, the public must be made aware of these challenges in the public and private spheres and the consequences from a failure to act. The protection of journalists should adapt to the local realities affecting journalists.’¹³

Yet we all know that, ‘Ending impunity would be a very effective measure to guarantee a safe environment to the exercise of the right to freedom of expression.’¹⁴

13 Id at 2.

14 See Jānis Kārklīņš, ‘*Pan-African Conference on Journalist Safety and Tackling Impunity*,’ Addis Ababa, Ethiopia 14-15 September 2012

4.2.9 Security agencies infiltration: Using insiders to fight insiders

In a clear military method of work-the government agencies monitoring the media have in the extreme resorted to use the media personnel itself-selected individuals to monitor their workmates. The Human Rights Network for Journalists avers that:

“ ‘The security apparatus has also infiltrated into the news rooms where journalists have been recruited and have been put on the payroll of security to spy on fellow journalists and operations of newsrooms.’¹⁵

The above ‘Spy Journalist’ phenomenon has been complimented by impersonation of the media fraternity.¹⁶ In such cases, persons believed to be from the security agencies dress like journalists using media jackets from some prominent Television Stations and attend press briefing mainly of the opposition politicians. In some situations, these impersonators have attempted to undertake unethical activities within the media profession such as blocking the police from carrying out arrests of prominent politicians. Many a times, police has relied on these instances to allege that the media works in close collaboration with the opposition after all they (journalists) even shield them from arrests. Such cases have been deliberate revolving around planting rogue journalists to undertake rogue activities for the government especially through its police force to unleash state terror and censorship justifying their actions as needed for security reasons to maintain a media fraternity that has gone rogue.

15 See Human Rights Network for Journalists, *‘Unwanted Witness; Press Freedom Index Report’*, April 2011 at 20-21. The Network records two particular incidents involving police raids of particular Media houses at the time of carrying out some work which was supposedly not known by the State lest some one-an insider alerted the security agencies. In a similar scenario, HRNJ documented a case where a news manager on a prominent television station decries the sabotage of fellow newsmen/women who maintain constant contact with the Police to relay information on how their respective stations may be adhering to particular police or government orders about the conduct of the media.

16 Human Rights Network for Journalists, *‘Shrinking and Sinking; Press Freedom Index Report’*, 2011 at 24.

5.0 CONCLUSION AND RECOMMENDATIONS

7. It is high time to put in place mechanisms that protect journalists not merely as citizens but also as professionals facing potential threats every day in their line of work.
8. Guaranteeing safety and security of journalists cannot be divorced from a sustained abhorring of impunity by holding perpetrators of these crimes accountable. There is need to ensure prompt and impartial investigations into allegations of impunity by the State.
9. The fight against impunity should envisage the three pillars of ‘preventing, investigating and punishing crimes’ which are perpetrated to prevent freedom of expression and the right to receive information, and remedying the consequences of such crimes.’ In light of the above therefore, since most of the perpetrators are government agencies-hence posing a challenge to investigations-the use of international and regional bodies and mechanisms of State reporting should be emphasized.
10. The state parties to the various international human rights law instruments should be encouraged or directed to document and present in their state reports during reporting any state actions taken to protect journalists from harm during the execution of their work (Preventative mechanisms); mechanisms of accountability against the impunity of the perpetrators and to document ‘the status of the judicial inquiries conducted on each of the reported cases of violence against journalists.
11. Massive sensitization campaigns targeting news organizations, media owners, editors, journalists and the general public on the emerging dangers facing journalists in their work today especially impunity and how this affects the democratization process of the country;
12. The media fraternity and more particularly employing agencies of journalists should endeavor to set up wide-ranging safety and security systems for journalists as part of the employment policies. These would include among others, safety and security training courses, health care and life insurance in case of accidents and injury on job, and adequate salary for part-time and full-time employees;

13. The quest for safety and security of journalists should be part of the curriculum of institutions of higher learning. In particular, focus would be geared towards institutions that disseminate or teach journalism and media studies to introduce a module that enhances journalists' readiness for precautionary measures during the execution of their work.
14. There is need to expose journalists to refresher courses with special bias on safety and security in the practitioners' view. This would apply particularly to the old generation of journalists that has been practicing for some time and as thus not exposed to new emerging threats to media freedom.
15. There is evident need for inculcating within the training of security agencies a module on the role of the media in the democratization process of the country. This would be used as an avenue to depict the media as a complimentary institution to police work other than a disruption agent or oppositional.

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