

HRNJ-Uganda statement; Press freedom continues to diminish in Uganda.

Kampala, 18th/April/2012, Attacks on journalists has escalated in the past six months despite government's commitment to adhere to International Human Rights obligations, with 32 cases of attacks since the review by the UN Human Rights Council, says report.

Despite government's voluntary commitment to investigate and prosecute the perpetrators, there has been no particular action taken resulting into an increment in the attacks. Print media journalists were most targeted with 13 attacks, followed by radio with 11 and 8 from television.

The Freedom of Expression and Information (FOE-I) Country Status Report in relation to the Universal Peer Review Mechanism (UPRM) released by Human Rights Network for Journalists-Uganda on 18th of April 2012 in Kampala shows that more than half of the attacks were committed by the police.

The attacks ranged from shooting, physical attack, unlawful arrest and detention/ incarceration of journalists, denying access to news scenes, confiscation of equipment, defective and tramped up charges, to verbal threats.

The report, the first of its kind in Uganda, is a culmination of a series of literature studies, interviews and consultations undertaken with a view of establishing current FOE-I trends.

This represents a worrying trend of events against the media in Uganda where the year 2011 witnessed a total of 107 cases of attacks on journalists compared to 58 in 2010 and 38 in 2009. This is contrary to the over six (6) recommendations on media freedoms that the government accepted to uphold and protect.

The UPR was established at the creation of the Human Rights Council on 15 March, 2006 by the UN General Assembly under resolution 60/251. This resolution mandated the HRC to "undertake a universal periodic review, based on objective and reliable information, of the fulfillment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States.

It's a very important mechanism because it provides an opportunity for all States to declare what actions they have taken to improve the human rights situations in their countries and to overcome challenges to the enjoyment of human rights. It also includes a sharing of best human rights practices

around the globe. Currently, it's the most outstanding mechanism in the area of Human Rights. We believe that it has the potential to provide a meaningful response to various complaints. The UPR is considered as the only unique process that reviews all the UN member states evenly, so we wouldn't expect Uganda to accuse the other member of being biased. This stands to be the single most important conception in the new UN human rights machinery from which Ugandans are likely to benefit a lot.

Close to 12 thematic cluster reports originating from Uganda were drawn and submitted to the OHCHR in Geneva on or before the 14th March, 2011. Among these reports, three (3) were submitted by stakeholders from Uganda on freedom of expression and information. These were later to form part of the 10 page stakeholders' summary as information to be considered during the review.

HRNJ-Uganda submitted a five (5) page report to the OHCHR about six (6) months before the 12th session of the HRC. The information documented the plight of journalists in Uganda and the status of freedom of expression at the height of the standoff between the security organs and major opposition groups which saw a number of radio stations being closed and open public debates and discussions.

Recommendations regarding media freedoms and especially on extending an open invitation to the special rapporteur on freedom of expression were reserved. The government noted that such an invitation had to be approved by cabinet following a particular procedure. However, government sternly rejected the recommendation citing security concerns.

At the adoption session, six (6) months after the review, which happened on the 16th March, 2012, the working group report on Uganda was formally adopted by the HRC. At this session, stakeholders were allowed to make comments before the outcome report is adopted.

New Media Bills and Old Laws Narrowing Operating Space for Journalists

Whereas Uganda is ranked among the countries with a relatively free media, media freedoms have greatly and continuously been hindered by laws and policies that are maintained on the different statute books. On the positive side, media freedom is guaranteed under the Uganda constitution. Article 29(1) of the constitution provides that every person shall have the right to freedom of speech and expression which shall include freedom of the press and other media. Several laws have been made to enforce this article including the Press and Journalist Act; the Electronic Media Act, the Uganda Communications Commissions Act, among others. However, the same laws have provisions that aim at

taking away the very rights they are meant to promote, through claw back clauses and/ or clauses that give them excessive powers that have resulted in abuse of media freedoms.

Since the review, little or nothing has changed to review the said laws and bring them into compliance to international standards. Both penal laws and administrative (or laws meant to control media) are still in operation. These have hindered media freedoms. Several journalists have been charged and continue to answer charges under these laws, while other media houses remain in self-censorship for fear of being closed down using the same laws.

RECOMMENDATIONS

- Government should enforce its commitment to protection of journalists and media freedoms
- Individual law enforcement officers including policemen should be held liable for their acts of violence against journalists
- Government should stop enacting laws that are in contravention with provisions of the Constitution and International Instruments.

We hope that the Uganda government walks the talk of implementing its commitment it voluntarily undertook in line with the international obligations.

To view the report: http://hrnjuganda.org/UPRM_report_latest.pdf

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