Freedom House

Uganda

	2015	2016
Internet Freedom Status	Partly Free	Partly Free
Obstacles to Access (0-25)	11	13
Limits on Content (0-35)	7	11
Violations of User Rights (0-40)	18	18
TOTAL* (0-100)	**36**	**42**

* 0=most free, 100=least free

Population:	39 million
Internet Penetration 2015 (ITU):	19 percent
Social Media/ICT Apps Blocked:	Yes
Political/Social Content Blocked:	No
Bloggers/ICT Users Arrested:	Yes
Press Freedom 2016 Status:	Partly Free

Key Developments: June 2015 – May 2016

- Access to Facebook, Twitter, WhatsApp, and mobile money services were blocked ahead of the February 2016 presidential and parliamentary elections and during the May inauguration of President Museveni for another contested five-year term (see **Blocking and Filtering**).

- Pro-government Twitter bots mimicking human users manipulated online conversations during the elections period and skewed discussions in favor of incumbent candidate President Museveni (see **Media, Diversity and Content Manipulation**).

- Despite the blockings, Ugandans used social media and communications tools for digital advocacy campaigns throughout the year to demand better governance and expose electoral irregularities (see **Digital Activism**).

- An individual was arrested in June 2015 and charged with "offensive communications" for allegedly running a Facebook page under the alias Tom Voltaire Okwalinga that was known for its criticism of the government. Two other Facebook users were arrested for posting a photo depicting the president as dead (see **Prosecutions and Detentions for Online Activities**).

Introduction

Internet freedom in Uganda experienced a precipitous decline in the lead up to and aftermath of contentious general elections in February 2016. Unprecedented violations and restrictions included blocks of popular social media platforms and communications tools on two separate occasions, observations of pro-government commentators manipulating the online information landscape, a weakening judiciary coopted by the ruling party, and arrests of social media users for posting critical content.

Prior to this coverage period, Ugandans enjoyed a relatively open internet with few blatant incidents of censorship. Among the country's growing internet user population, who access the web primarily on mobile devices, social media use has proliferated in recent years, fueling greater citizen engagement with and information sharing about their country's affairs. As the country prepared for the 2016 general elections, in which the incumbent President Yoweri Museveni was seeking a seventh term, citizens ramped up their social media activity with the hopes of fostering a more democratic and accountable elections process. Their efforts were stifled when the government ordered service providers to shut down access to Facebook, Twitter, and WhatsApp for four days during the February elections, and again for one day during the president's inauguration to another contested five-year term in May.

A few arrests for posting or sharing content critical of the president on social media were reported during the coverage period, indicating the government's growing intolerance of critical online commentary. Robert Shaka was arrested in June 2015 and charged with "offensive communications" for allegedly running a Facebook page under the alias Tom Voltaire Okwalinga that was known for its criticism of the government. Two other Facebook users were arrested for posting a photo depicting the president as dead. Meanwhile, a series of surveillance revelations strengthened suspicions of unchecked government monitoring, though there were no incidents of abuse reported in the past year. Technical attacks against members in LBGTI community continued.

Obstacles to Access

ICTs uptake expand marginally in the past year, and costs, though improving, are still relatively high for the majority of Ugandans, especially those in rural areas.

Availability and Ease of Access

Internet access increased marginally in the past year, up from 18 percent in 2014 to 19 percent in 2015, though mobile phone penetration remained stagnant, at approximately 51 percent in 2015, according to the International Telecommunication Union (ITU).[1] Government data from the Uganda Communications Commission (UCC), the communications regulatory body, estimated an internet penetration rate of approximately 40 percent as of March 2016, which included mobile data alongside fixed-line internet subscriptions.[2] The steady growth in internet users can be attributed to the increasing use of mobile broadband for browsing, with 3G and 2G coverage reaching 27 percent

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1   International Telecommunication Union, "Percentage of Individuals Using the Internet," 2000-2015, http://bit.ly/1FDwW9w.
2   Uganda Communications Commission, "Postal, Broadcasting and Telecommunications Annual Market & Industry Report 1st Quarter January – March 2016," http://www.ucc.co.ug/files/downloads/Q1-Market-Report-for-Jan-March-2016-Mbaga.pdf

and 81 percent of the population, respectively, as of October 2015.[3] However, internet speeds are still very slow, averaging 1.9 Mbps (compared to a global average of 6.3 Mbps), according to data from Akamai's "State of the Internet" 2016 first quarter report.[4]

While internet access has become more affordable, particularly on mobile phones, costs remain relatively expensive for the majority of Ugandans. In its 2015/16 Affordability Report, the Alliance for Affordable Internet estimated that 500MB of mobile broadband costs over 15 percent of the country's GNI per capita of US$670, which is well above the target of 5 percent or less set by the UN Broadband Commission in 2011 as a goal for broadband affordability.[5]

Limited access to electricity further impedes access to ICTs and is mostly concentrated in urban areas. Meanwhile, only 18 percent of Ugandans live in urban areas,[6] resulting in a significant urban-rural divide in access.[7]

New investments in Uganda's ICT infrastructure aim to close the digital divide, with some assistance coming from global technology companies. In December 2015, Google launched its first Wi-Fi network in Kampala as part of "Project link."[8] Uganda's ICT ministry through the National Information Technology Authority – Uganda (NITA –U) has been developing the National Data Transmission Backbone Infrastructure since 2007, which aims to ensure the availability of high bandwidth data connections in all major towns at reasonable prices.[9] In October 2016, the government began offering a free trial of wireless internet access in Kampala Central Business District and parts of Entebbe.[10]

Restrictions on Connectivity

There were no reports of deliberate government interference with mobile phone or internet networks during the coverage period. However, in a negative development, the government restricted access to social media platforms and communications tools for the first time, ordering the shutdown of Facebook, Twitter, WhatsApp, and mobile money services on February 17, 2016—the eve of the 2016 elections. The shutdowns lasted four days. Platforms were blocked again in the lead up to incumbent President Museveni's inauguration on May 11, 2016 (see Blocking and Filtering).

ICT Market

Uganda's backbone connection to the international internet is privately owned in a competitive market.[11] The country's national fiber backbone is connected to the EASSy international

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3   Uganda Communications Commission, "A Study into Communication Services and Infrastructure across the Country," October 2015, http://bit.ly/2aBwso9

4   Akamai, "Average Connection Speed: Uganda," map visualization, *The State of the Internet Q1* (2016), http://bit.ly/1WRjumM

5   "The 2015-16 Affordability Report," Alliance for Affordable Internet, 2016, http://bit.ly/2epYu5r

6   Uganda Bureau of Statistics, "2015 Statistical Abstract," June 2015, http://bit.ly/1ZHSG8g.

7   Uganda's national literacy rate stands at 71 percent among persons aged 10 years and above. See: Uganda Bureau of Statistics, "2015 Statistical Abstract," June 2015.

8   Google, "Bringing Better Wi-Fi to Kampala with Project Link," December 3, 2015, http://bit.ly/1OyL7dq

9   Ministry of Information and Communications Technology, "National Data Transmission Backbone and e-Government Infrastructure Project," Republic of Uganda, http://bit.ly/1OEBpMj

10   NITA-U, Free Public Internet Access (WIFI), http://www.nita.go.ug/media/free-public-internet-access-wifi

11   Econ One Research, "A Case Study in the Private Provision of Rural Infrastructure," July 30, 2002, http://bit.ly/1jxsMXc.

submarine fiber-optic cable system that runs along the east and southern coasts of Africa.[12] Telecommunications providers are also hooked to TEAMS (The East African Marine System) and SEACOM marine fibers through Kenya. As of 2016, 23 ISPs are connected to the Uganda Internet Exchange Point (UIXP).[13]

The number of industry players has grown over the years, and many now offer comparable prices and technologies. There are no known obstacles or licensing restrictions placed by the government on entry into the ICT sector, and new players have entered the market with ease in recent years.

Currently, there are 22 telecommunications service providers that offer both voice and data services, including MTN Uganda, Uganda Telecom, Airtel, Smart Telecom, Africell Uganda (former Orange Uganda), Vodafone, Afrimax, among others.[14] All of these telecoms offer 4G LTE network speeds. Aside from the state-owned Uganda Electricity Transmission Company Limited, which is a licensed public infrastructure provider that has part ownership of Uganda Telecom, all of the licensed service providers are privately owned.

Regulatory Bodies

Uganda's telecommunications sector is regulated by the Uganda Communications Commission (UCC), which is mandated to independently coordinate, facilitate, and promote the sustainable growth and development of ICTs in the country. The UCC also provides information about the regulatory process and quality of service, and issues licenses for ICT infrastructure and service providers.[15] The commission's funds come mainly from operator license fees and a 1 percent annual levy on operator profits.

There is a general perception, however, that comprehensive and coherent information about the commission's operations is not always accessible, and that the body is not entirely independent from the executive branch of the government. For example, the ICT minister has the authority to approve the new regulator's budget and appoint members of its board with approval from the cabinet. There are no independent mechanisms in place to hold the regulator accountable to the public.

In March 2016, the government launched an effort to remove parliamentary approval of regulations made by the ICT ministry by introducing the Uganda Communications (Amendment) Bill, 2016 to Parliament, which amends section 93(1) of the Uganda Communications Act, 2013.[16] The amendment, if approved, would effectively eliminate the system of checks and balances on the minister's supervision of the communications sector.[17]

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12   Eassy maps, accessed August 28, 2016, http://www.eassy.org/map.html#

13   The Uganda Internet Exchange Point, "Connected Networks," http://uixp.co.ug/networks.

14   UCC, "Annual Report 2014/2015," Pg.15

15   UCC, "Communications Licensing Application Guidelines" Pursuant to the telecommunications (licensing) regulations 2005, UCC issues two types of licenses: Public Service Provider (PSP) and Public Infrastructure Provider (PIP). The application fee for both license types is $2,500 dollars (a PIP license requires a one-off initial fee of $100,000), and annual fees range from $3,000-$10,000. These licenses allow holders to either set up telecommunications infrastructure or provide telecommunications services. The UCC levies a 1 percent charge on providers' annual revenue, http://bit.ly/1Qi87iX.

16   Parliament of Uganda, "Govt seeks to amend UCC Act," press release, http://bit.ly/2auovS3

17   Robert Sempala, "Parliament should disregard UCC Bill of 2016," The Observer, March 25, 2016, http://bit.ly/2aAMOQz

Limits on Content

Following repeated threats to shut down social media platforms in the previous year, the government ordered service providers to block access to Facebook, Twitter, WhatsApp, and mobile money services in February 2016, as citizens prepared to head to the polls, citing "security reasons." The blocks were repeated in May, a day before President Museveni's inauguration to another five-year term. Pro-government Twitter bots mimicking human users manipulated online conversations during the elections period and skewed discussions in favor of incumbent candidate President Museveni. Despite the social media blocks, Ugandans actively used the tools for digital advocacy campaigns throughout the year to demand better governance and expose electoral irregularities.

Blocking and Filtering

Social media and communications platforms were shut down by the government on two separate occasions in 2016, both relating to the contentious general elections.

On February 17, 2016, as Ugandans prepared to vote for a new president and parliamentary representatives on February 19, citizens found their access to the Facebook, Twitter, WhatsApp, Instagram, and mobile money services completely inaccessible.[18] Telecom provider MTN confirmed in a Twitter post (even though blocked) that it had been instructed by the regulatory authority to block access to the platforms due to "security concerns."[19] President Museveni also confirmed the temporary blocking, declaring it a necessary measure to stop people using the platforms for "telling lies."[20]

Nearly 1.5 million users subsequently flocked to VPN services to bypass the blockade, demonstrating the futility of the restriction.[21] Access to the platforms was restored on February 21, 2016, four days later after the blockade, but was obstructed again for a day, on May 11, 2016, the day before President Museveni inauguration to another contested five-year term in office, again for security reasons.[22]

Following the first blocking incident, the UCC regulatory authority issued an apology on February 23, 2016 for any inconveniences caused to Ugandans in a post on their Facebook page but cited that their decision was in line the Uganda Communications Act, 2013,[23] which allows the regulatory body to "monitor, inspect, license, supervise, control and regulate communications services" and to monitor and enforce compliance relating to content. [24] While the UCC was somewhat transparent about their actions, the blocking of widely-used social media and communications platforms was disproportionate to the aims and lacked avenues for appeal.

Meanwhile, the 2014 Anti-Pornography Law threatens to hold service providers criminally liable

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18   "Uganda election: Facebook and WhatsApp blocked," BBC, February 18, 2016, http://www.bbc.com/news/world-africa-35601220; Morgan Winsor, "Uganda elections 2016 social media: Facebook, Twitter, Instagram, WhatsApp blocked during voting," International Business Times, February 18, 2016, http://bit.ly/1Q6UHWV

19   MTN Uganda, Twitter post, February 18, 2016, https://twitter.com/mtnug/status/700286134262353920

20   Tabu Butagira, "Museveni explains social media, mobile money shutdown," http://bit.ly/1PTKux9.

21   CIPESA, Ugandans Turn to Proxies, VPN in Face of Social Media Shutdown, http://bit.ly/1QieVgG.

22   James Propa, "Social Media Blocked in Uganda Ahead of President Museveni's Inauguration," Global Voices (blog), May 11, 2016, http://bit.ly/2aCLJFd.

23   Section 5(1) (b) and (x), Uganda Communications Commission Act, 2013, http://bit.ly/2fUA3SM

24   Uganda Communications Commission, Facebook post, February 23, 2016, http://on.fb.me/21kSIcf

for uploading or downloading vaguely defined pornographic material on their systems,[25] with penalties of up to five years in prison and fines of US$4,000. In August 2016, the minister of ethics announced that it had purchased a "pornography detection machine" from a South Korean company that would be able to monitor and potentially block pornographic material on electronic devices.[26] The announcement led to concerns that blocking and filtering would be employed to target not only pornography, which the authorities often conflate with LGBTI content, and other objectionable content. There have been no further updates as to whether the technology had been implemented as of October 2016.

Content Removal

In contrast to the government's targeting of social media and communications platform during this report's coverage period, there were no known instances of formal or informal content removal requests for political or social content online.

Media, Diversity, and Content Manipulation

The 2016 election period was characterized by an intensified government crackdown against the traditional media, which saw the shutdown of print and broadcast media houses perceived to be too critical of the government, as well as police attacks and journalist arrests. While online news media outlets remained relatively unscathed compared to their print and broadcast counterparts, the targeted crackdown engendered a culture of self-censorship among journalists both off and online.[27] Taboo topics include the military, the president's family, the oil sector, land-grabs, and presidential term limits. Nonetheless, critical commentary and opposition voices have become more vibrant online in recent years.

Despite the government's repeated threats against the use of social media over the past few years, which culminated in the days-long shutdown of several platforms during the February 2016 elections, candidates relied heavily on social media to engage with citizens and win their votes.[28] Research on social media trends during the 2016 elections found that auto-generated Twitter bots mimicking human users worked to manipulated online conversations by skewing discussions in favor of incumbent candidate President Museveni, leading to suspicions of paid pro-government trolling.[29]

Content available online in Uganda is somewhat diverse, though news websites provided by the Vision Group, a media company that is partly owned by the government, are only available in four local languages (out of 40 languages and 56 native dialects). Newspapers such as *Bukedde*, *Etop*, *Rupiny,* and *Orumuri* have created online platforms. Other news sites of major privately owned

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25   "Pornography" defined in the law as "any representation through publication, exhibition, cinematography, indecent show, information technology or by whatever means, of a person engaged in real or stimulated explicit sexual activities or any representation of the sexual parts of a person for primarily sexual excitement." Anti-Pornography Act, 2014, http://bit.ly/PeaDyk.

26   Yomi Kazeem, "Uganda's morals police are investing $88,000 in a 'porn-detection machine,'" Quartz Africa, August 3, 2016, http://bit.ly/2ateX95; Martin Kitubi, "Pornography detection machine arrives September - Lokodo," The New Vision, August 2, 2016, http://bit.ly/2elxjKZ.

27   Freedom House, "Uganda," *Freedom of the Press 2015*, https://freedomhouse.org/report/freedom-press/2015/uganda. Human Rights Watch, "Uganda: Intimidation of Media, Civic Groups," January 10, 2016, http://bit.ly/1ZfWDRd.

28   John Semakula and Carol Natukunda, "Presidential Aspirants Take Battle To Social Media," October 13, 2015, http://www.elections.co.ug/new-vision/election/1385966/presidential-aspirants-battle-social-media

29   CIPESA, "Analysis of Twitter Activity During the 2016 Presidential Debates in Uganda," February 2016, http://www.cipesa.org/?wpfb_dl=210

newspapers are only accessible in English, which is not widely spoken across Uganda. The Google Uganda domain is available in five local languages,[30] while the Firefox web browser can be accessed in two languages, Luganda and Acholi.[31] As of early 2016, Wikipedia can be accessed in Luganda with 709 articles translated.[32]

Blogging continues to be popular among young Ugandans who have boldly taken to the internet to push the boundaries on controversial issues such as good governance and corruption.[33]

Digital Activism

Internet use is steadily enhancing citizen participation in democratic processes as well as increasing public scrutiny of government actions. Crowdsourcing and crowd-mapping tools have given citizens the ability to monitor elections, and a number of civil society groups are increasingly using communications platforms and social media for advocacy and to call for protests.

For example, in June 2015, a two-day Twitter campaign under the hashtags #FreeDanny and #ImpunityUg were carried out to demand the release of an online youth activist Daniel Turitwenka (alias Danny-T), who had been detained by police as he visited a friend in prison.[34] He was released on the third day.

Digital activism was particularly profound during the 2016 elections period. A week before the elections in February, two bloggers identified voter-register discrepancies exposing 20,000 ghost voters in the national voter register.[35] Although initially denied by the electoral commission, it later admitted the discrepancy and addressed the concern.[36]

Activists also took onto the internet to call for peace during the elections period using the hashtag #IPledgePeaceUg, while #UGDebate16 trended during the live broadcast of the presidential debate, attached to Twitter conversations about key political issues discussed by the candidates. Significantly, the hashtags #UgandaDecides was widely used to monitor and discuss election issues, cover the campaign trail, and condemn election malpractices such as vote rigging and the intimidation of opposition leaders and journalists. Following the social media block, #UgandaDecides was used to share tips on how to bypass the blockade using VPNs.[37] Another popular hashtag, #FreeBesigye,[38] was used to demand for the release of the lead opposition candidate, Kizza Besigye, who was continuously arrested during the election period, including on Election Day.

Such forms of engagement with new digital platforms drew the attention and ire of government officials, who opted to restrict access to several platforms multiple times in 2016, though the blocks failed to deter users from accessing the platforms. In an impressive demonstration of digital activism

30   Tabitha Wambui, "Google Uganda Launches Two New Local Language Domains," *The Daily Monitor*, August 4, 2010, http://bit.ly/1QMW3Yk.

31   Mozilla, "Interview: Mozilla Uganda translates Firefox into Acholi," February 16, 2013, http://mozilla-uganda.org/?p=173.

32   Wikipedia, "Olupapula Olusooka," accessed February 1, 2016, https://lg.wikipedia.org/wiki/Olupapula_Olusooka

33   Joseph Elunya, "Controversial Ugandan Blogger Won't Budge," *All Africa*, August 26, 2012, http://bit.ly/1W2t7Cb. Ugo News. "Top 10 Ugandan Facebook Pages With Content That Will Change Your Life Forever," http://bit.ly/21vfz1s.

34   Prudence Nyamishana, After Youth Activists' Arrest, Ugandans Speak Out Against Police Impunity, http://bit.ly/1WRxPPp

35   Evelyn Namara, "Exposing voter-register discrepancies, a few days to Uganda's Presidential and Parliamentary Elections," February 10, 2016, http://bit.ly/1THFGAV

36   The Observer, "EC apologises for 20,000 'ghosts' on voters register," February 13, 2016, http://bit.ly/1OyRq0E.

37   CIPESA, "Ugandans look to bypass election social media ban," February 18, 2016, http://bit.ly/2avOiJp

38   Twitter, #freebesigye, https://twitter.com/hashtag/freebesigye

against online censorship, millions of VPNs were downloaded the day of the blocking, information about which was shared virally on Twitter (see Blocking and Filtering).

Violations of User Rights

An individual was arrested in June 2015 and charged with "offensive communications" for allegedly running a Facebook page under the alias Tom Voltaire Okwalinga that was known for its criticism of the government. A series of surveillance revelations strengthened suspicions of unchecked government monitoring in the past year. Technical attacks targeting LGBTI individuals continued.

Legal Environment

The Ugandan Constitution provides for freedom of expression and speech, in addition to the right to access information. However, several laws—including the Press and Journalist Act, 2000, sections of the Penal Code Act, 1950, and the Anti-Terrorism Act, 2002—appear to negate these constitutional guarantees for freedom of expression. For example, the Press and Journalist Act of 2000 requires journalists to register with the statutory Media Council, whose independence is believed to be compromised by the government's influence over its composition. The penal code contains provisions on criminal libel and the promotion of sectarianism, imposing penalties that entail lengthy jail terms. While none of these laws contain specific provisions on online modes of expression, they could arguably be invoked for digital communications and generally create a "chilling effect" on freedom of expression both online and offline.

The 2011 Computer Misuse Act includes provisions that can specifically limit freedom of expression online. Under Article 2 of the law, the dissemination of "offensive communication" is prohibited alongside child pornography and cyber harassment, and is vaguely defined as the use of "electronic communication to disturb or attempts to disturb the peace, quiet or right of privacy of any person." Offenses under this provision of the Act are considered misdemeanors and subject to fines, imprisonment of up to one year, or both.[39]

Meanwhile, the 2002 Anti-Terrorism Act criminalizes the publication and dissemination of content that promotes terrorism, which is vaguely defined, and convictions can carry the death sentence.[40] Amendments to the act enacted in June 2015 may impact internet freedom in its broad criminalization of the "indirect" involvement in terrorist activists and the "unlawful possession of materials for promoting terrorism, such as audio or video tapes or written or electronic literature."[41]

The independence of Ugandan judiciary has become more tenuous in recent years. As part of his efforts to consolidate power in the led up to the 2016 elections, the president promoted new judges to both the Constitutional and Supreme Court in September 2015. The process was criticized for lacking transparency and undermining judicial independence, while other critics called for more public scrutiny in the appointment of new judges.[42]

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39   Computer Misuse Act, 2011, http://www.ulii.org/content/computer-misuse-act.
40   Art.9 (b), The Anti-Terrorism Act, 2002, http://bit.ly/1ZRELPH.
41   The Anti-Terrorism (Amendment) Act, 2015, http://bit.ly/1LNgFg1.
42   Sulaiman Kakaire & Kiyonga D, "Museveni's choice of judges for promotion raises questions," The Observer, September 16, 2015, http://bit.ly/2aCxZNR

Prosecutions and Detentions for Online Activities

A few arrests for posting or sharing content critical of the president on social media were reported during the coverage period, indicating the government's growing intolerance of critical online commentary.

In June 2015, a man named Robert Shaka was arrested on charges of disseminating "offensive communication" under the 2011 Computer Misuse Act. Police suspected Shaka of running the popular Facebook account called Tom Voltaire Okwalinga (TVO),[43] which was well known for its politically charged posts that often accuse the Ugandan president and other senior leaders of corruption and incompetence.[44] He was released on bail.[45] Before his court hearing in February 2016, Shaka filed a petition to the Constitutional Court challenging the constitutionality of Article 25 of the Computer Misuse Act under which we was charged,[46] leading a judge to suspend his trial in April 2016 until his petition against the Computer Misuse Act can be heard."[47]

In March 2016, two Facebook users were arrested for posting a picture depicting the president as dead.[48]

Surveillance, Privacy, and Anonymity

There is a strong sense that government surveillance of citizens' communications has heightened in recent years, particularly as the government attempts to address the threat of terrorism in the region. A series of surveillance revelations strengthened such suspicions in the past year.

In July 2015, email leaks from the Italian surveillance firm Hacking Team revealed that the Ugandan government began talks in April 2015 with the company to purchase its sophisticated spyware known as Remote Control System (RCS).[49] While the leaked emails did not confirm the sale, they point to the government's intent to acquire such technologies that can monitor and intercept user communications.

A report by Privacy International released in October 2015 detailed the government's deployment of FinFisher intrusion malware under a secret operation codenamed Fungua Macho ("open your eyes" in Swahili).[50] According to the report, the malware was planted in the WiFi of several hotels in Kampala, Entebbe, and Masaka to illegally spy on targeted activists, opposition politicians, and journalists between 2011 and 2013. It is unclear whether FinFisher was still being deployed during this report's coverage period.

Another report from January 2016 by Unwanted Witness Uganda, a local internet rights organization,

43   Tom Voltaire Okwalinga, Facebook Page, https://www.facebook.com/tom.okwalinga.
44   Douglas Mpuga,"Social Media Critic Arrested in Uganda," Voice of America, June 13, 2015, http://bit.ly/1RkEaQx.
45   Tony Bath, "Social Media Critic Robert Shaka Released on Bail," Uganda Radio Network, June 15, 2015, http://bit.ly/1RSBOcG.
46   Betty Ndagire, "Museveni social media critic seeks stay of trial," Daily Monitor, February 4, 2016, http://bit.ly/1THsPgS
47   "Court suspends trial of Museveni critic," The Insider, April 22, 2016, http://bit.ly/2fvYVQv
48   "Two arrested over 'dead' Museveni picture," The Daily Monitor, March 7, 2016, http://bit.ly/2aoNVhL
49   Mujuni Raymond Qatahar, "Wikileaks Emails: Uganda To Buy 3bn Surveillance Equipment," Qataharray (blog), July 21, 2015, http://bit.ly/1XfOAok; Wikileaks, "Hacking Team," July 8, 2015, http://bit.ly/1jQARWv; Sadab Kitatta Kaaya, "Police in Shs 5bn spy deal," The Observer, July 22, 2015, http://bit.ly/1NR8x3t.
50   Privacy International, "For God and My President: State Surveillance In Uganda," October 2015, http://bit.ly/2aEfs3C

alleged that the telecoms service provider MTN Uganda shared the data of its 10 million subscribers to the ruling party's communication center, which the party subsequently used to send unsolicited messages on behalf of President Museveni's campaign.[51] Telephone companies reportedly "face undue influence and pressure from [the] government demanding for print-outs of phone calls made by any citizen without court orders... [which] have been used against activists or human rights defenders to justify their arrests, arbitrary detention or at times used as evidence in courts of law."[52]

The government's surveillance powers are governed by the 2010 Regulation of Interception of Communication (RIC) Act, which was hurriedly passed following the July 2010 Al-Shabaab terrorist attack in Kampala. Under the RIC Act, telecommunication companies are required to install equipment that enables real-time electronic surveillance of suspected terrorists. The RIC Act also gives the government permission to tap into personal communications for national security concerns,[53] which can be requested by the security minister and granted after an order by a High Court judge.[54] Service providers are further required to retain metadata for an unspecified amount of time,[55] as well as disclose the personal information of individuals suspected of terrorism to the authorities upon issuance of a court warrant or notice from the security minister on matters related to national security, national economic interests, and public safety.[56] Failure to comply with the provisions in the RIC Act can entail penalties of up to five years in prison for intermediaries, in addition to license revocations.[57] It is unclear the extent to which these provisions in the 2010 RIC Act has been implemented or operationalized.

In addition to the RIC Act, clauses in the 2002 Anti-Terrorism Act give security officers, appointed by the interior minister, the power to intercept communications of individuals suspected of terrorism and to keep them under surveillance, without judicial oversight.[58]

Anonymous communication is compromised by mandatory registration for mobile phone SIM cards and mobile internet subscriptions. Launched in March 2012, the process requires subscribers to provide a passport photo and ID, both residence and workplace addresses, and next of kin, among other personal details.[59] Civil society groups cited concerns that "the mandatory SIM card registration was carried out to enable the use of surveillance equipment purchased and installed by telecom companies."[60] In October 2015, the regulatory body issued a directive to telecom companies to deactivate all unregistered SIM cards by November 2015, which may have been linked to

51   Unwanted Witness Uganda, "Press Statement on MTN Uganda sharing Subscribers' data with ruling NRM party for Campaigns," press release, December 18, 2015, http://bit.ly/2anU7cL

52   Unwanted Witness Uganda, *The Internet: They Are Coming For It Too*, January 17, 2014, 39, http://bit.ly/1fTb1rH. These allegations were denied by the security minister, who claimed that any phone tapping is done in compliance with the law, upon issuance of a court order, and for a limited period against users suspected of "subversive activities" and criminal activity. See: Deo Walusimbi, "Muruli Mukasa: I replace Sejusa," The Observer, March 5, 2014, http://bit.ly/1kkKQUB.

53   Amnesty International, "Uganda: Amnesty International Memorandum on the Regulation of Interception of Communications Act, 2010," December 14, 2010, http://bit.ly/1MPUDx8.

54   Lawful interception is granted after issuance of a warrant by a judge if "there is an actual threat to national security or to any national economic interest, a potential threat to public safety, national security or any national economic interest, or if there is a threat to the national interest involving the State's international relations or obligations." See, Regulation of Interception of Communications Act, 2010 Section 5, September 3, 2010, http://bit.ly/1jQAVpl.

55   The Regulation of Interception of Communications Act, 2010, Section 11.

56   The Regulation of Interception of Communications Act, 2010, Section 8.

57   The Regulation of Interception of Communications Act, 2010, Section 62.

58   The Anti-Terrorism Act, 2002, Part VII—Interception of Communications.

59   Unwanted Witness Uganda, *The Internet: They Are Coming For It Too*.

60   Unwanted Witness Uganda, *The Internet: They Are Coming For It Too*.

government efforts to consolidate control in the lead up to the February 2016 elections.[61]

In response to growing concerns over infringements on users' right to privacy in Uganda, civil society pushed for data protection legislation in 2014,[62] which led to the drafting of the Data Protection and Privacy Bill, 2016 by year's end.[63] While the bill was initially well received, it was later criticized for being open to misinterpretation due to the broad and vague conditions in which personal data may be collected, such as for "national security" reasons.[64] Approved by cabinet, the Bill received its first hearing in parliament in 2016 but has not been passed as of the time of writing.[65]

Intimidation and Violence

While print journalists have long faced a high degree of harassment and occasional violence for their reporting, these types of violations are still relatively rare for the online sphere.

The Uganda Police Force established a Cyber Crimes Unit to fight malicious technical attacks in 2014,[66] which was criticized by observers as an effort to intimidate users and encourage self-censorship online.[67] The unit reportedly worked to profile "dozens of internet users, particularly those deemed to be opponents of the government,"[68] worrying activists as the country headed to the general elections in early 2016. In mid-2015, the Cyber Crimes Unit publicly stated its mandate includes "threats that could destabilize the country" committed on social media platforms.[69]

Technical Attacks

Technical attacks against vulnerable groups and marginalized communities, particularly the LGBTI community, remained a growing concern in Uganda in the past year. According to an LGBTI activist in Uganda,[70] a Ugandan social worker at the Most at Risk Populations Initiative had their email and Facebook account hijacked. The activists believe this may have been perpetrated the government given the sheer amount of information the social worker possessed about the LGBTI community through their work and private communications.

Hacking attacks against gay individuals for the purposes of blackmail were also reported. In one recent incident, the Facebook account of a closeted gay celebrity was hacked with screenshots taken of private messages pointing to his sexual orientation that were used to blackmail him.[71]

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70   Anonymous interview with Freedom House in September 2016.

71   Anonymous interview with Freedom House in September 2016.