

Mid-Year

Press Freedom Index Report

2010

Produced by:



HUMAN RIGHTS NETWORK FOR JOURNALISTS
(HRNJ-Uganda)

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Foreword

Shooting the messenger was wrong yesterday, today and will be, tomorrow

Half the year is gone. But journalists are counting casualties. Some are nursing wounds or bruised egos from the state oppression's machines – and from corners you would least expect – the public.

With the opening of media space, Uganda was once lauded as a haven of press freedoms. Over the years, however, the government looks to be like a chicken eating its own eggs.

In other words, what explains 30 journalists reporting assault or other forms of abuse in a space of six months?

Like the legendary general who shoots the messenger, the government and disgruntled public who are directing anger on the media, are looking in the wrong direction. What we ask from them however, the fourth estate must be safeguarded from abusive laws and individual perpetrators, if this country is to achieve its dreams and aspirations.

A full year is only two months shy, since CBS radios were closed. They remain closed and there seems no white smoke indicating they will return to air soon – yet, other radios closed along side the stations have been cleared and operating normally. I should note, though, those radio stations' have not remained the same in the duties to the public as unnecessary self censorship has been introduced to the state's advantage, but at the expense of the public's right to know.

For the hundreds of workers laid jobless due the closure of the CBS station, this is inhuman treatment and government's insensitivity and disrespect to people's jobs, let alone, infringing on the radio's right to broadcast.

The Broadcasting Council, in this regard has turned into a hand of injustice and to many in the profession, they have lost faith in it for failing to be fair and just in respect to the people and institutions it oversees.

The Police as well as Resident District Commissioners (RDCs) have proven to be the worst enemies of media freedoms. I call upon the two institutions to restrain from getting in the way of the public's right to access information. It is unacceptable for an institution such as the police that should have protected journalists in the line of duty, to turn around and carryout brutal acts, such as arresting them without trial and to stop at nothing but harming them.

Overzealous RDCs who have turned into media monitors without necessarily following the law have not made matters any better. RDCs worth the salt, should regard the media as partners in fostering democracy and empowering the people across the board. It is either the RDCs are ignorant in witch-hunting journalists or they lack what to do.

It is my plea as we enter into the second cycle of the year, which at large will cover general elections, that the police and other organs of the government, restrain from attacking the media personnel, and instead, render them necessary help, to carryout their duties.

Mike Ssegawa
Senior sub editor,
Daily Monitor
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Preface;

Human Rights Network for Journalists (HRNJ-Uganda) is an independent media advocacy network for human rights journalists in Uganda whose mission is to build a strong and credible human rights based media group that responds to critical aspects of human rights violations.

Under the strategic direction of Human Rights Network for Journalists –Uganda, efforts and resources are devoted to (i) Advocacy and Networking (ii), Documentation and Research (iii), Capacity building and Outreach and (IV) Institutional Development.

Acknowledgement;

Human Rights Network for Journalists (HRNJ-Uganda) is deeply indebted to all journalists, individuals, lawyers, editors and media houses that contributed to the documentation of these cases and production of this mid-year Press Freedom Index, 2010.

We would like to thank our development partners DANIDA, Foundation for Open Society Initiative (FOSI) and Media Legal Defence Initiative for the financial support which has enabled HRNJ-Uganda to not only produce this report but their contributions towards defending journalists to promote human rights and change people's lives.

Mid-year Press Freedom Index 2010

The report covers a period of six months between January and June 2010

Research Objective;

The objective of this report is to investigate, document and analyze information on all cases that have occurred between January and June 2010 which undermine the enjoyment of the right to freedom of expression and press freedom media in Uganda. The report gives an assessment on these rights and freedoms

To use the findings towards formulating better policies that advance the fulfillment of human rights obligations, for “End Impunity” campaigns and human rights awareness in Uganda.

Overview

The freedom to form opinions and express them without fear of repression is a fundamental tenet for the development of a pluralistic, tolerant, and democratic society. This right represents not only the right to privacy of individuals to hold opinions and

formulate thoughts, but also to express them in a public forum, especially as part of exercising the right to political participation.

Additionally, the right to access information, that is the right to seek and receive information, which also forms an important component of this right and which has added significance in the current age of information technology, is intrinsic to the transparent functioning of a democratic government and the effective and well-informed participation of civil society.

In this context, freedom of opinion, expression and information is one of the core civil and political rights as it is essential for the exercise of all other human rights. At a very basic level, the freedom to express ideas as well as to seek and receive information is essential for human rights defenders to obtain information about human rights violations, to inform the public and the State about their occurrence, and most importantly to demand accountability and to express their criticism of unjust laws, policies or practices.

It's against this background that Human Rights Network for Journalists-Uganda derives the interest to assess the observance of these rights and remind those in power of their obligations.

General observation

Freedom of expression and the media continues to be undermined in Uganda. Between January and June 2010, Human Rights Network for Journalists (HRNJ-Uganda) noted that state interference, judicial sanctions, police harassment, attacks on individual journalists, introduction of inhospitable media laws and public statements were mostly employed against journalists and the media.

Bowdlerization and trepidation in the media

Government is zealously tightening its control over the media ahead of 2011 general elections. Human Rights Network for Journalists -Uganda (HRNJ-Uganda) has keenly documented incidents in the period this mid-year index covered, and this position is based on incidents below;-

1. March 15th /2010 the minister in charge of Communication made a directive to have the Broadcasting Council (BC) and Uganda Communication Commission (UCC) merged following a cabinet decision. BC and UCC are statutory bodies created by the Communication Commission Act (Cap 109) and the Electronic Media Act (Cap 104). Under the Communication Commission Act, the commission is mandated to issue frequencies but not operational licenses for TV or radio. The UCC cannot control what is broadcast and the standard of broadcasting. On the other hand its powers are vested in all modes of communication including postal, electronic and others as a regulatory and licensing body while the BC is only limited to electronic media. Therefore, the merger of the two bodies (BC and UCC) violated article 79 of the Constitution of the Republic of Uganda which mandates parliament to formulate or amend laws.

2. January 29th 2010, cabinet passed *The Press and Journalists (amendment) Bill*. The bill is intended to amend the *Press and Journalists Act Cap 105* to provide for registration of news papers, to require that the editors of a news paper shall ensure that what is published is not prejudicial to national security, to rationalize the composition of the media council, provide for licensing of news papers, increase the membership of the disciplinary committee; provide for offences and penalties and to provide for expeditious disposal of complaints before the disciplinary committee. Well as it's important for the government to regulate the media, Human Rights Network for Journalists-Uganda urges government to revise the bill because it will infringe on freedoms greatly especially the right to freedom of speech, media freedom, and press once it's passed in its current form.

Inside media houses:

The chairman Broadcasting Council **Eng. Godfrey Mutabaazi** directed the management of Voice of Lango to suspend two presenters Akena Patrick Ronex and Joe Orech after hosting Uganda People's Congress (UPC) president Dr. Olara Otunu in the radio talk show. However, the letter signed by Eng. Mutabaazi did not give reasons for the suspension. In his letter, Mutabazi also demanded for recordings of the programme which the radio submitted. A staff who wanted to remain anonymous told HRNJ-Uganda researcher that during the radio show aired on 12th/04/2010 at 11pm Dr. Otunnu allegedly said that National Resistance Movement (NRM) government was responsible for the suffering of people in the 20-year old war in Northern Uganda.

"Throughout the fateful night I received calls including those from Gulu Resident District Commissioner Lt. Walter Ochora who demanded to know about what had transpired during the programme but I invited him to come to the radio and listens to the recordings," Akena Patrick Ronex told HRNJ-Uganda. Ochora booked for the show on the following day (13th/April/2010) allegedly to clarify about the alleged "lies" uttered by Dr. Otunu. HRNJ-Uganda has learnt that police on the 13th/July/2010 summoned the two presenters for interrogation and demanded for recordings. The duo confirmed the police summons but they said the interrogation took place on 14th/April/2010 since the day they were expected to report to police RDC Ochora was coming to meet them. "Police wanted us to give an account of what we asked Dr. Olara and the criteria we used to invite him but we restricted ourselves to the recordings which the station provided" Akena said. I was called by my director Hon. Felix Okot Ogongo who informed me that he had been called by President Museveni and expressed anger about the show and was not happy about what Dr. Otunu had said. Hon. Okot told me that the President Museveni threatened to close the radio if the radio does not apologize for the lies of Dr. Otunu. "We wrote the apology and aired it several times even during the show of RDC Ochora" Akena said. On 14th/April/2010 while at police, they noticed that there were police detectives from police headquarters in Kampala who were heading the interrogation.

Another staff informed the HRNJ-Uganda researcher that after one week of the interrogation, police detectives stormed the radio demanding for the list of contributors during the show and their telephone contacts but the radio insisted that the demands

were meant to infringe on the journalism professional ethics which require every journalist to protect his/her source.

Ssuubi fm was one of private owned radios switched off during the September riots that left around 40 people killed in cold blood and dozens admitted in hospitals as a result of gun shoots. Other radios suffered government's assault on the fundamental rights on the right to freedom of expression and press freedom include Radio Two commonly known as 'Akaboozi ku Bbiri', a Catholic based Radio Sapientia and the Buganda owned radios 89.2fm and 88.8fm which have remained closed since then.

However, apart from the affected radios making public apologies through press conferences and written apologies as a result of pressure from government, government has not justified for the closure of these privately owned radios. No radio was sued neither journalists fired under state duress was taken to court for the alleged flouting of broadcasting regulations.

Upon reopening in January 2010 *Ssuubi fm* had scrapped off its popular political daily talk show "Amazima Tegekweka" whose packaging and selection of guests were not liked by government. Sources say its one of the shows that the state accused of providing a platform to pro-Buganda agitators a day after Central Broadcasting Service (CBSfm) had been closed during the break out of the September riots. The show which was hosted by Robert Ssempala and aired between 7pm and 9pm week days. It was replaced by a music show called "Tuwaye". Ssempala has been also transferred to a mid-morning music show under the name of "Katupakase". The only remaining political talk show *Amazima Tegekweka* (previously called *Mmanya Omukulembezewo*) aired every Saturday features mainly pro-government and NRM people.

A directive has been made to *Ssuubi fm* newsroom that President Museveni's story should always be the lead story in every station's news bulletin and stories whose source is Mengo (Buganda Kingdom) with an element challenging the central government programmes or policies have been barred. More efforts to remain in good books with government have been added. All news bulletins are required to be pre-recorded and approved by either the managing director or programmes director before being aired.

Songs deemed critical to the government are banned from playing on *Ssuubi fm* especially those glorifying Buganda Kingdom or highlighting leadership challenges. A list of banned songs has been developed and some presenters have confirmed the development. "One staff who preferred anonymity told this researcher that "I have been confronted by my bosses in course of my shows over playing the banned songs and I was ordered to prematurely end them. It was hard to do away with these songs since they were requested by listeners during our shows until the management had to delete them from the on air computer".

It has been discovered by this researcher that during 'press reviews' programme, critical stories published in the print media are not highlighted however, its still hard to establish whether it's an order imposed on the presenter or it's a personal decision to censor such

stories since some presenters are not willing to speak. The radio managing director Ahmed Masembe when contacted by the research asked for more time to understand issues which were being raised by the researcher.

he station has also suffered unprecedented loss of staff in major departments especially programming and news room. Those include Irene Nakamate, Patrick Ssemuusi a.k.a Kawadwa, Male Musa, Kazibwe Bashir Mbaziira, Deo Walusimbi and Edward Mukwaaba Katende among others.

Journalists at different radios are suffering from extreme censorship as a result of proprietors holding individual employees responsible for legal or financial consequences arising from either critical story reporting or programming. At Radio One and Akaboozi, a staff employee who gave this information on condition of anonymity revealed that “A note has been placed on the news room notice board warning that a reporter will be liable or held to account for a back fire of a story whose facts have not been double checked. HRNJ-Uganda notes that although its important to cross the facts, many radio stations don’t provide facilitation to reporters and many stories have been censored even if facts of these stories are at hand.

Although it is important to promote professionalism within the media house, the level of censorship seems to be increasing at Radio One and Two. The new rule in the news room is that no story will be aired without a sound bite except court stories however good the story might be. Live reporting has been banned since the September riots according to one staff.

Presenters have been subjected to acts of intimidation in course of their work. During Mukono by-election on 25th/May/2010, Basajja Mivule a presenter with Radio Two received an intimidating text message from unidentified person warning him against the programme. The mobile phone text in particular threatened the presenter that his show was being monitored by security agents.

In the print media, either private or public censorship is taking shape. A senior reporter in one of Uganda’s profound news papers who preferred anonymity told HRNJ-Uganda researcher that critical stories have been dropped without any reason. “Since late last year, I have filed big stories on corruption and other human rights related stories but I have never seen them published neither any reason from my editor”.

Another reporter confessed that many journalists are looking for something else to do other than wasting time in a profession full of oppression and censorship even on stories that impact on lives of Ugandans and at the end of the day they are poorly remunerated.

Human rights Network for Journalists-Uganda (HRNJ-Uganda) has noted that censorship at the print media does not stop at reporters but also opinion contributors in these papers. “I have been called several times by editors of some papers in which i contribute in terms of writing opinions asking me to change the tone of my wordings” an opinion writer said.

Below are attacks recorded between January and June 2010 against print media and foreign media reporters

<i>Name of Print Media</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>June</i>
<i>The Daily Monitor</i>	-	2	2	-	-	1
<i>The New Vision</i>	-	-	1	-	-	-
<i>The Observer Media</i>	-	-	-	-	-	-
<i>The Independent Magazine</i>	-	-	-	-	-	-
<i>The East African</i>	-	-	-	-	-	-
<i>Bukedde</i>	-	-	3	-	-	-
<i>Red Pepper</i>	-	-	3	-	-	-
<i>Kamunye</i>	-	-	-	1	-	-
<i>Ggwanga</i>	-	-	1	-	2	1
<i>Eddobozi</i>	1	-	-	-	-	-
<i>Etop</i>	-	-	-	-	-	-
<i>Rupiny</i>	-	-	-	-	-	-
<i>Freelancers</i>	-	-	-	-	1	-
<i>Correspondents with International media</i>	-	-	1	-	-	-

- Cases recorded between January and June 2010 against electronic media (radios, local agencies and television) reporters

Name of radio, news agencies or television

	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>June</i>
<i>Uganda Radio Network</i>	-	-	-	-	1	-
<i>Media Plus</i>	-	-	-	-	-	-
<i>Liberty Broadcasting Service</i>	-	-	-	-	-	-
<i>All Karamoja fm</i>	-	-	-	-	-	-
<i>Alpha fm</i>	-	-	-	-	-	-
<i>Arua One fm</i>	-	-	-	-	-	-
<i>Baptist International Missions in Uganda</i>	-	-	-	-	-	-
<i>Beat fm</i>	-	-	-	-	-	-
<i>Bob Fm</i>	-	-	-	-	-	-
<i>Buddu Broadcasting Services -</i>	-	-	-	-	-	1
<i>Bunyoro Broadcasting Services-</i>	-	-	-	-	-	-
<i>Busiro Fm</i>	-	-	-	-	-	-
<i>Busoga Fm</i>	-	-	-	-	-	-
<i>Empanga fm</i>	-	-	-	-	-	-
<i>Campus fm</i>	-	-	-	-	-	-
<i>Capital fm</i>	-	-	-	-	-	-
<i>Central Broadcasting Service</i>	-	-	2	-	-	-
<i>Peace radio</i>	-	-	-	-	-	-
<i>Choice fm</i>	-	-	-	-	-	-
<i>Continental fm</i>	-	-	-	-	-	-
<i>Dembe fm</i>	-	-	-	-	-	-

<i>Dunamis fm</i>	-	-	-	-	-	-
<i>Spirit fm</i>	-	-	-	-	-	-
<i>East African radio</i>	-	-	-	-	-	-
<i>Family radio</i>	-	-	-	-	-	-
<i>Faith fm</i>	-	-	-	-	-	-
<i>Grace radio</i>	-	-	-	-	-	-
<i>Greater Afrikan radio</i>	-	-	-	-	-	-
<i>Hot 100</i>	-	-	-	-	-	-
<i>Impact fm</i>	-	-	-	-	-	-
<i>Kagadi Community radio</i>	-	-	-	-	-	-
<i>Kampala fm</i>	-	-	-	-	-	-
<i>King fm</i>	-	-	-	-	-	-
<i>KIU fm</i>	-	-	-	-	-	-
<i>Kyenjojo fm</i>	-	-	-	-	-	-
<i>Kinkizi fm</i>	-	-	-	-	-	-
<i>Kfm</i>						
<i>New life fm</i>	-	-	-	-	-	-
<i>Mama fm</i>	-	-	-	-	-	-
<i>Mega fm</i>	-	-	-	-	-	-
<i>Messiah radio</i>						
<i>Mubende Broadcasting and Technical Service</i>	-	-	-	-	-	-
<i>NBS Kodheyo 89.4fm</i>	-	-	-	-	-	-
<i>Nile fm</i>	-	-	-	-	-	-
<i>Open Gate</i>	-	-	-	-	-	-
<i>Power fm</i>	-	-	-	-	-	-
<i>Prime fm</i>	-	-	-	-	-	-
<i>Radio ABC</i>	-	-	-	-	-	-
<i>Radio Apac</i>	-	-	-	-	-	-
<i>Radio Bilal</i>	-	-	-	-	-	-
<i>Radio Equator</i>	-	-	-	-	-	-
<i>Radio Four</i>	-	-	-	-	-	-
<i>Radio Hoima</i>	-	-	-	-	-	-
<i>Radio Kiira</i>	-	-	-	-	-	-
<i>Kioga Veritas fm</i>						
<i>Radio Kitara</i>	-	-	-	-	-	-
<i>Radio Koboko</i>	-	-	-	-	-	-
<i>Radio Lira</i>	-	-	-	-	-	-
<i>Radio North</i>	-	-	-	-	-	-
<i>Radio One</i>	-	-	-	-	-	-
<i>Radio Paidha</i>	-	-	-	-	-	-
<i>Radio Pacis</i>						
<i>Radio Palwak</i>	-	-	-	-	-	-
<i>Radio Rhino</i>	-	-	-	-	-	-
<i>Radio Sapientia</i>	-	-	-	-	-	-
<i>Radio Simba</i>						

<i>Radio Sky net</i>	-	-	-	-	-	-
<i>Radio Two</i>	-	-	-	-	1	-
<i>UBC Radio</i>	-	-	-	-	-	-
<i>Radio Wa</i>						
<i>Radio West</i>	-	-	-	-		-
<i>Rock fm</i>	-	-	-	-	-	-
<i>Rukungiri fm</i>	-	-	-	-	-	-
<i>Sanyu fm</i>	-	-	-	-	-	-
<i>Star fm</i>	-	-	-	-	-	-
<i>Super fm</i>	-	-	-	-	-	-
<i>Ssuubi fm</i>	-	-	-	-	-	-
<i>Signal fm</i>	-	-	-	-	-	-
<i>Top Radio</i>	-	-	-	-	-	-
<i>Touch fm</i>	-	-	-	-	-	-
<i>Unity fm</i>	-	-	-	-	-	-
<i>Voice of Africa</i>	-	-	-	-	-	-
<i>Voice Kigezi</i>	-	-	-	-	-	-
<i>Voice of Life</i>	-	-	-	-	-	-
<i>Voice of Teso</i>	-	-	-	-	-	-
<i>Voice of Toro</i>	-	-	-	-	-	-
<i>WEBS fm</i>	-	-	-	-	-	-
<i>Life fm</i>	-	-	-	-	-	-
<i>Vision voice fm</i>	-	-	-	-	-	-
<i>NTV</i>	-	-	-	-	-	-
<i>WBS TV</i>	-	-	1	-	-	-
<i>Bukedde fm</i>	-	-	-	-	-	1
<i>Radio Rupiny</i>	-	-	-	-	-	-
<i>Radio Etop</i>	-	-	-	-	-	-
<i>Kingdom fm</i>	-	-	-	-	-	-
<i>Record TV</i>	-	-	-	-	-	-
<i>Top TV</i>	-	-	-	-	-	-
<i>NBS TV</i>	-	-	-	-	-	-
<i>UBC TV</i>	-	-	-	-	-	-
<i>Bukedde TV</i>	-	-	-	-	-	-
<i>Star TV</i>	-	-	-	-	-	-
<i>Record radio</i>	-	-	-	-	-	-
<i>Voice of Lango</i>	-	-	-	2	-	-
<i>Luo fm</i>	1	-	-	-	-	-

Nature of cases recorded between January and June 2010

<i>Types of cases</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>June</i>
<i>Extrajudicial or arbitrary killing</i>	-	-	-	-	-	-
<i>Cruel, inhuman or degrading treatment or punishment and torture</i>	-	-	5	-	1	1

<i>Illegal arrest or detention</i>	1	-	2	-	1	1
<i>Attacks and threats</i>	-	-	2	1	4	1
<i>Unlawful dismissal</i>	-	-	-	-	-	-
<i>Judicial Sanctions</i>	-	2	4	-	-	-
<i>State interference</i>	1	-	-	-	-	-
<i>Public statement</i>	-	-	-	1	-	-
<i>Police harassment</i>	1	-	1	1	-	-

Sources of attacks recorded between January and June 2010

Name of institution

<i>or Individual</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>June</i>
<i>Uganda Police Force (UPF)</i>		1	3	6	1	- 1
<i>Uganda People Defence Forces (UPDF)</i>		-	-	2	-	- -
<i>Political parties</i>		-	-	-	-	- -
<i>Para-military Groups</i>		-	-	-	-	3 -
<i>Regulatory bodies</i>		-	-	-	1	- -
<i>State</i>		2	-	-	-	- -
<i>Public</i>		-	1	4	-	1 1
<i>Categorized individuals; (Members of Parliament, Magistrate, Ambassador, Vice president</i>		-	-	-	1	3 1

Journalists at risk/ targeted most

<i>Category of journalists</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>Jun</i>
<i>Photo journalists</i>	1	-	6	-	1	1
<i>Reporter</i>	-	2	6	1	3	3

Media houses whose staff were targeted during the period

<i>Media houses</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>Jun</i>
<i>The Daily Monitor</i>	-	2	2	-	-	1
<i>Bukedde</i>	-	-	3	-	-	1
<i>Red Pepper</i>	-	-	3	-	-	-
<i>CBSfm</i>	-	-	3	-	—	-
<i>Ggwanga</i>	-	-	-	-	2	-
<i>Voice of Lira</i>	-	-	-	2	-	-
<i>DW radio</i>	-	-	1	-	-	-
<i>New Vision</i>	-	-	1	-	-	-
<i>Radio Two</i>	-	-	-	-	1	-
<i>Kamunye</i>	-	-	-	1	-	-

<i>Uganda Radio Network</i>	-	-	-	-	1	-
<i>Eddoboozi</i>	1	-	-	-	-	-
<i>Top radio</i>	-	-	-	-	1	-
<i>Luo fm</i>	1	-	-	-	-	-
<i>Radio Buddu</i>	-	-	-	-	-	1

Journalists underwent police harassment between January and June 2010

<i>Name</i>	<i>Media House</i>	<i>Times reported on bond</i>
<i>Angello Izama</i>	<i>The Daily Monitor Jinja road police</i>	<i>Seven times both at station and Kabalagala police station</i>
<i>Henry Ochieng</i>	<i>The Daily Monitor Jinja road police</i>	<i>Seven times both at station and Kabalagala police station</i>
<i>Akena Patrick Ronex</i>	<i>Voice of Lango station</i>	<i>Twice at Lira police</i>
<i>Joe Orech</i>	<i>Voice of Lango station</i>	<i>Twice at Lira police</i>
<i>Musa Kigongo</i>	<i>CBS fm station</i>	<i>Once at Masaka police</i>
<i>Dalton Kaweesa</i>	<i>The Red Pepper police station</i>	<i>Two times at Jinja road</i>
<i>Ben Byaruhanga</i>	<i>The Red Pepper police station</i>	<i>Twice at Jinja road</i>
<i>Johnson Kaweesa</i>	<i>The Red Pepper police station</i>	<i>Twice at Jinja road</i>

Journalists on trial by June 2010

<i>Name</i>	<i>Media house</i>	<i>Charges</i>
<i>Richard Tumusiime</i>	<i>The Red pepper</i>	<i>Criminal Defamation</i>
<i>Francis Mutazindwa</i>	<i>The Red pepper</i>	<i>Criminal Defamation</i>
<i>Andrew Mwenda</i>	<i>The Independent Magazine</i>	<i>Sedition</i>
<i>Charles Bichachi</i>	<i>The Independent Magazine</i>	<i>Sedition</i>
<i>Moses Akena</i>	<i>The Daily Monitor</i>	<i>Criminal Defamation</i>
<i>Otim Patrick</i>	<i>Mega fm/Rupiny</i>	<i>Treason</i>
<i>Daniel Kalinaki</i>	<i>The Daily Monitor</i>	<i>Forgery and Uttering false document</i>
<i>Henry Ochieng</i>	<i>The Daily Monitor</i>	<i>Forgery and Uttering false document</i>
<i>Kalundi Robert Sserumaga</i>	<i>Radio One</i>	<i>Sedition</i>
<i>Siraje Lubwama</i>	<i>The Daily Monitor</i>	<i>Sedition</i>
<i>John Njoroge</i>	<i>The Independent Magazine</i>	<i>Sedition</i>
<i>Andrew Mwenda</i>	<i>The Independent Magazine and Sectarianism</i>	<i>Sedition</i>
<i>James Tumusiime</i>	<i>The Observer</i>	<i>Promoting Sectarianism</i>
<i>Ssemujju Ibrahim Nganda</i>	<i>The Observer</i>	<i>Promoting Sectarianism</i>

Andrew Mwenda	<i>The Independent Magazine</i>	<i>Promoting Sectarianism</i>
Joachim Buwembo	<i>The Daily Monitor</i>	<i>Criminal Defamation</i>
Emmanuel Gyezah	<i>The Daily Monitor</i>	<i>Criminal Defamation</i>
Robert Mukasa	<i>The Observer Criminal</i>	<i>Defamation</i>
Bernard Tabaire	<i>The Daily Monitor</i>	<i>Promoting Sectarianism</i>
Angelo Izama	<i>The Daily Monitor</i>	<i>Criminal Defamation</i>
Betty Nambooze	<i>CBS fm</i>	<i>Sedition</i>
Angelo Izama	<i>The Daily Monitor</i>	<i>Libel</i>
Henry Ochieng	<i>The Daily Monitor</i>	<i>Libel</i>
Musa Kigongo	<i>CBS fm</i>	<i>Sedition</i>
Ben Byaruhanga	<i>The Red Pepper</i>	<i>Publishing false news</i>
Dalton Kaweesa	<i>The Red Pepper</i>	<i>Publishing false news</i>
Johnson Talemwa	<i>The Red Pepper</i>	<i>Publishing false</i>

Extracts

Ssembabule; 15th/June/2010; Ssembabule Grade one magistrate Kule Moses arrests reporters Matridah Nabukalu (Buddu fm) and Hanifah Namuwonge (Bukedde) over entering in court without his permission. Their pens and note books were confiscated. “We entered court in the middle of a session and started taking notes. He instructed police confiscate our note books and pens and arrested us. While in detention the magistrate said no journalists should enter his court unless registered by the court registrar.

He told us that after the registration, he (Magistrate) would give a permission to that effect saying his court was different” Nabukalu told HRNJ-Uganda. She said they were detained for more than two hours and released after the intervention of their editors.

Kampala 09th/June/2010; Police in Kampala have arrested and battered the Daily Monitor photo journalist Yusuf Muziransa for taking photographs of police brutal attacks on opposition political supporters.

The anti riot police and stick-wielding men assaulted president general for Forum for Democratic Change (FDC) and other leaders of the Inter-Party Coalition who had tried to hold a rally at the Clock Tower grounds demanding for disbandment of the Electoral Commission.

The Inter-Party Cooperation is a loose organisation of the major opposition political parties in Uganda namely; Conservative Party, Justice Forum, Uganda People’s Congress, Social Democratic Party and Forum for Democratic Change.

Mr. Muziransa who had covered the scuffle for around thirty minutes was confronted by a police officer identified as Mundu and demanded that he should vacate the venue.

“I identified myself to him as a photo journalist with the Daily Monitor but he insisted and hit my camera and it fell down. He went ahead and kicked and slapped me. As a

result I fell down which compelled fellow colleagues at the scene intervene” Muziransa narrated the ordeal.

Kampala 07th/June/2010; unidentified people attacked Ggwanga freelance journalist Dick Ssenyondo based in Masaka, Southern region on his way home and sustained serious injuries.

Ssenyondo explained that he was confronted by four unidentified plain-clothed men while at Kijjabwemi village, a Masaka town suburb on his way back home at 8pm who hammered him up. “Rescuers identified me on way who lashed me to the hospital” Ssenyondo said. A case was opened at Masaka police station under case reference number Msk/SD/25/25/5/2010.

Kampala, 29th/May/2010; Moses Kasibante of Ggwanga News Paper was arrested and tortured on 25th/May/2010 by Kalangala Action Plan Operatives in a numberless vehicle during the Mukono North by-election while at district headquarter polling station. The operatives confiscated his identity card and other valuable items. “I was arrested by plain clothed gun-wielding men who forced me into a numberless Toyota Prado which whisked me away. After few minutes of my arrest, I found myself detained in a safe house in Mukono with a yellow gate where I spotted a yellow bus which resembled the one commonly used by Kalangala Action Plan” Kasibante said. While in detention he was ill-treated and sustained serious injuries. After several hours of cruelty and degrading treatment, they started interrogating him until a phone call suspected to have directed operatives otherwise.

Kampala 25th/May/2010, Basajja Mivule a presenter with Radio Two received an intimidating phone text message from an unidentified person on the Election Day for Mukono by-election warning him against the programme. The mobile phone text in particular threatened the presenter that his show was being monitored by security agent and he risked his life to criticize the government.

Masaka, May/2010: Bukoto East Member of Parliament Alintuma Nsambu threatened Top Radio presenter Ssozi Ssekimpi Lwazi with violence over a radio programme. The show discussed the problem of child sacrifice which was rampant in the area and blamed the area MP Nsambu for neglecting the constituency. “He threatened to hurt me through a phone call after he accused me of talking ill about him during the show” Ssozi said

Kampala, 17th/May/2010: Ggwanga news paper photo journalist Alex Lubwama has been arrested by an operative attached to state house over taking his photograph. Mr. Lubwama who covered a court case involving four suspected conmen who defrauded more than 80 million shillings from hardware suppliers was arrested outside Kampala City Hall court on his way to office and dragged to the Central Police Station (CPS) Kampala.

Human Rights Network for Journalists-Uganda (HRNJ-Uganda) has established the names of the operative as Bashir Okwir who resides at Bugolobi Flats, a Kampala Suburb. He is part of an alleged group of conmen who was earlier granted bail

Lubwama alleged that his tools of trade were confiscated by the operative who declined to identify himself or give reasons for the arrest but grabbed him nevertheless. "I was taken to central police station Kampala and detained for hours without a single charge and later released as a result of an intervention from my colleagues" Lubwama said.

Rakai, May/2010: *Uganda Radio Network (URN) reporter Edward Bindhe received death threats over a story which exposed closed health centers as a result of drug shortage. "I investigated two health centers namely; Kabuwoko health center II and Kivumba health center III and found that they had been closed due to shortage of drugs" Bindhe said. He interviewed a clinical officer M/s. Nagawa who said that patients were abusing them which forced them close the centers.*

Bindhe allegedly suspected the calls to be coming from the in-charges of Kivumba and Kabuwoko health centers.

07th/05/2010 – *Eritrean Exiled journalist Yonas Embye received deportation threats from Eritrean consulate to Uganda His Excellence Issaias over his continued exposure of gross human rights abuse in Eritrea through organized demonstrations in Uganda's capital Kampala.*

Mr. Embye who fled Eritrea to Uganda following the government's continuous clamp down on private media, allegedly received threats from H.E Issaias, "While on streets of Kampala, Mr. Afeworki raised his head from the window of a car and threatened me with kidnap and to deport me back to Eritrea within 24 hours," Mr. Embye reported.

Upon receiving the reports, efforts have been made by HRNJ-Uganda to meet the consulate but audience has been denied. The secretary to the consulate M/s Adriam has delayed the appointment since 07th/May/2010 when the incident was reported. She only informed HRNJ-Uganda office on 14th/May/2010 that the consulate deals only with public service not with everyone which was outrageous.

03rd/05/2010; Vice President Attacks media over reports

The Vice President Prof. Gilbert Balibaseka Bukenya has publicly attacked the media over exposing his alleged wrong deeds in preparation for the hosting of Commonwealth Heads of Government Meeting (CHOGM) hosted in 2007.

Prof. Bukenya who chaired cabinet sub-committee on CHOGM is accused of flouting public procurement regulations when he authorized Shs. 13.9 billion to construct Munyonyo Commonwealth Resort, Shs. 9 billion procurement of the BMW cars and he used CHOGM funds to grade a road to his Garuga hotel.

Prof. Bukenya, who had also been shielded by Attorney General from appearing before the Parliamentary Public Accounts Committee to account for his actions, was forced by his boss (President Museveni) to appear before MPs.

While appearing before MPs on the 3rd/May/2010, he started off by attacking journalists whom he described as uneducated and uninformed. “They have been writing ill of me. News papers have accused me of going into hiding” Prof. Bukenya said. “Tomorrow they will write: Bukenya was grilled. Can you show me where I have been grilled?” Bukenya asked. He also ended his appearance before the MPs belittling Journalists when he said that they were not even an eighth of who he was but they go ahead to blackmail him. MPs warned Prof. Bukenya against using unparliamentary language.

Lira, April/2010; *Broadcasting Council (BC) directs the management of Voice of Lira to suspend the two presenters Akena Patrick Ronex and Joe Orech after hosting opposition political party Uganda People’s Congress (UPC) president Dr. Olara Otunnu*

Kampala, April/2010: *Kamunye news paper editor Moses Mugalula received numerous threats from Kyadondo south Hon. Issa Kikungwe over stories published by the paper regarding Democratic Party (DP) conflicts.*

Lira, 13th/April/2010; *Police in Lira have arrested Voice of Lira presenters for hosting opposition Uganda People’s Congress (UPC) president Dr. Olara Otunu. The presenters namely; Akena Patrick Ronex and Joe Orech are accused of hosting Dr. Otunnu who allegedly said that the National Resistance Movement (NRM) government was responsible for a 20 year war in Northern Uganda.*

Masaka 30th/March/2010, *Court in Masaka has charged a reporter formerly working with CBSfm Musa Matovu Kigongo with sedition. Prosecution alleged that Kigongo made seditious statement that linked government to the burnt tombs.*

Kampala 29th/March/2010: *Police in Southern Uganda region have arrested and detained a reporter formerly working with now closed Central Broadcasting Service (CBS) correspondent in Lyantonde Musa Matovu Kigongo over statements regarding the Buganda Kingdom’s burnt tombs in Kasubi.*

President Museveni has directed the security to arrest any one mentioning the National Resistance Movement (NRM) government as having master-minded the fire which gutted the Kasubi tombs.

Kigongo is the forth journalist to be arrested in connection with the burnt tombs after three journalists of the Red Pepper namely; Dalton Kwesiga, Ben Byaruhanga and Johnson Talemwa were arrested and charged with sedition at Nakawa court after running a story entitled “police quizzes Mengo ministers over Kasubi fire”.

Kigongo who was arrested along with Nyendo town Council councilor to Masaka municipal council Charles Zziwa at 10am at the orders of Masaka Resident District Commissioner Bamusedde Bwambaale. They were interrogated by Masaka police for more than four hours and later detained at Masaka police station.

Police argued that while on streets of Masaka town, Kigongo allegedly said that

President Museveni had an idea about the burning of Kasubi tombs. Police preferred libel charges against him pending to appear before court.

Kampala 26th/March/2010 – Three Red Pepper Publication journalists were charged with publication of false stories about the Kasubi fire.

Ben Byabara, the publication's news editor, Mr. John Talemwa, a reporter and Mr. Dalton, a sub editor were charged with sedition at Nakawa Chief Magistrate's court. The trio appeared before chief magistrate Deo Ssejjemba and denied the case. Prosecution alleged that on March 25th 2010 with intent to cause hatred, contempt and to excite disaffection against the government as per the law established, journalists published false information in two articles.

The stories under contention were titled; "Police quizzes Mengo minister over Kasubi fires" and "Katikiro Walusimbi grilled at CID for five hours" were allegedly published after the burning of the Kasubi tombs.

*They were however released on non cash bail of Shs 5 million upon presenting seven sureties who were each bonded at Shs 1.5 million each. The journalists were ordered to deposit their passports with court until the completion of the case. **Kampala – 22nd/03/2010;** The Daily Monitor correspondent based in Bugiri was last week arrested for allegedly attempting to cover a case in court.*

Asuman Musobya, who was locked up in the office of the districts junior intelligence officer, Mr. Ben Tumugabirwe, spent more than six hours in confinement, and was released without charge or recording a statement.

Before his arrest, Mr Musobya had been tipped off about the murder case due for court involving a Bugiri businesswoman Nalongo Zulaika Nakaziba who is allegedly accused of murdering her husband the late Tenywa Geoffrey and buried the body inside the house.

Information available indicates that Bugiri District Police Commander Owino Julius and District Criminal Investigation Officer Salongo James Lubambo, after learning about the presence of journalists at court premises picked Bugiri Grade One magistrate Flavia Nabakooza Kalungi and took her to Bugiri prison where she heard the case from.

Musobya, who followed the relocation of the magistrate to prison, was arrested by DPC Owino for insisting to cover the case and handed him over to the district's junior intelligence officer, Mr. Ben Tumugabirwe who detained Musobya in his office for more than six hours. After the hearing of the case, Musobya was released from detention without a charge.

Kampala - 24th/03/2010: Bukedde photo journalist Moses Lemisa who is admitted in the hospital as a result of assault by Presidential Guard Brigade (PGB) has received intimidating calls from within the army circles.

Lemisa, who was in coma for days, was on 17th/03/2010 assaulted for taking photos of dead bodies killed by Presidential Guard Brigade during the visit of President Museveni at Kasubi tombs which gutted fire.

He is suffering from breathing complications and swelling chest.

“I received a call on a private number asking for both the hospital I am currently admitted to and the where-about of the photos I took at Kasubi tombs. When I asked who the caller was, he identified himself as Captain Mwesigye,” Lemisa narrated. The caller demanded for photos and said he would get them at any cost.

Lemisa was kicked in the chest injuring his left arm by plain cloth gun wielding men. He was wrapped up by soldiers and ordered him to delete all photos of dead bodies and men started shooting in air. He however managed to escape.

Military shot a journalist, several attacked.

Kampala 17th/03/2010 – Gwanga news paper journalist Mukiibi Sserunjogi is in terrible state after the military shot at him and killing three innocent Ugandans at Kasubi tombs, a cultural and heritage site which was destroyed by fire yesterday 17th/03/2010. The tombs belong to Buganda Kingdom which is one of the largest and civilized kingdoms in Uganda based at Kasubi which is 3 kilometers from Kampala Capital. It is still not clear about what caused the deployment of military at a scene where thousands of Baganda were thronging to mourn for their destroyed tombs.

Mukiibi who was shot in his right leg knee explains that the shooting started at around 11am just out of the blue. “The military started shooting from outside of the burnt tombs and people decided to close the gate to restrict soldiers from entering but they (soldiers) used excessive force and broke into. Upon their entering, mourners were panicky and threw their hands in air and sat on their heels” Mukiibi Sserunjogi, a news anchor with CBS fm also a board member of Human Rights Network for Journalists – Uganda said. The soldiers pointed guns at me and some members of parliament whom I was standing with in a group and we all tried to hide. Mukiibi further explained that in the process he heard the opening of gunfire and a bullet hit his right leg and sustained injuries. “The same bullet killed unidentified person next to me. The deceased had squatted and the bullet hit him in the chest,” Mukiibi said. It was a deliberate move to kill us but thank God they did not succeed.

Attacks on Press Freedom and media take new dimension.

Three New vision photo journalists Benjamin Ssebagala, Moses Lemisa and Steven Musoke were assaulted by Buganda Kingdom sympathizers while executing their duties at the destroyed tombs. New vision is a government owned media which owns several

vernacular news papers, radios and a television. The trio was beaten after a section of the crowd accused them of not giving Buganda Kingdom and Kabaka (King) fair coverage.

DW radio Uganda correspondent Leila Ndinda was attacked and harassed by Buganda kingdom sympathizers at Kasubi, Kampala suburb when the Kingdom was mourning the fire which destroyed the tombs. “Upon my arrival at the destroyed tombs which is a cultural and heritage site, mourners started insulting and calling me a munyankole, a tribe shared by President Museveni which was accused to have allegedly burnt the tombs. They accused me for putting on a trouser. Immediately, they started pulling down my pant and others throwing stones at me,” Ndinda said. I was carried up in arms and my hand bag which had my recorder and other tools was taken away. Ndinda said, she was rescued by old men who hid her in a nearby mosque.

This day has seen new dimensions to violation of press freedom in Uganda. The public seems to be victimizing journalists who work for government owned media houses as the state continue to seek full control of the media and targeting critical journalists. Uganda Broadcasting Corporation (UBC TV) crew was blocked from accessing the scene and their vehicle was nearly smashed by sympathizers.

Hannington Muluuta one of the Corporation editors told HRNJ-Uganda researcher that it’s becoming risky for journalists working for government based owned media houses when it comes to covering public demonstrations or catastrophic events. “We are beaten by protestors and viewed as state spies who collect information in such incidents just to incriminate them” Robert Bwaita, a UBC journalist said. While at Kasubi I was asked to produce my identity card but had not moved with it but used my Passport which saved me.

Any negative story about Buganda kingdom ran by government Media is viewed to be having an influence from central government. Mid 2009, the Sunday Vision published a story indicating that the land title of Kingdom Headquarters (Bulange) had been used as a security to borrow money from a lender. The story raised tempers of many Bagandas which resulted into the kingdom’s parliament to announce an anti-campaign which mobilized the kingdom subjects not to buy new vision and Bukedde news papers respectively. The campaign lasted for one week and loses were registered by the company.

7th/03/2010 – Wavah Broadcasting Service (WBSTV) *Correspondent Paul Isabirye was arrested and his tools of trade were confiscated by officials of Agro Ways Warehouse in Jinja district for interviewing farmers who store their maize in the warehouse. Farmers were protesting President Museveni’s ban on the exportation of maize yet their produces were rotting in the store without local buyers.*

8th/March/2010 - The Daily Monitor photo Journalist *Kasamani Isaac was wrapped up by police, held for hours and his camera was confiscated. Police accused him of taking photographs at Mulago hospital where women of Inter party Cooperation were donating*

items to patients in labor-ward on women's day. While in detention police forced him to delete photos that he had taken. His colleagues rescued him detention.

February/2010; Government introduced a bill attempting to control the production of music. The aftermath of September a list of musicians allegedly producing critical music which the state termed to be inciting the public to violence have been threatened namely; Ronald Mayinja, Joseph Mayanja a.k.a Jose Chameleon among others. In the proposed law on the intellectual property rights, the government now seeks to license musicians.

4th/February/2010 -Two Daily Monitor journalists were charged with criminal libel at the Makindye Chief Magistrates Court over an article the State claims defamed President Museveni.

Mr. Henry Ochieng, the Sunday Monitor editor and Mr. Angelo Izama, a staff writer, denied the charges and were released on bail. The two journalists were interrogated at Kabalagala Police Station before they were whisked away to Makindye Chief Magistrate's Court where the charges were preferred against them.

Prosecution alleged that the two journalists on December 20, 2009 unlawfully published a defamatory matter in an article that appeared in the Sunday Monitor titled, "Will the people's power defeat President Museveni in the poll?"

Core to the case are allegations that the article compared President Museveni's regime to that of Philippines dictator Ferdinand Marcos who was deposed in 1986.

Court ordered the journalists to deposit Shs100, 000 each and each of their four sureties Mr. David Ouma Balikoowa, Mr. Nicholas Sengooba, Mr. Charles Mwanguhya and Mr. Hussein Kashillingi were ordered to deposit a non-cash sum of Shs500, 000

Mr. James Nangwala, the journalists' lawyer, said the article discussed the subject of two different regimes including the ruling NRM and contained nothing defamatory of Mr. Museveni.

Court also asked Mr. Nangwala to avail copies of a petition he filed challenging the law on criminal libel in the Supreme Court and ordered the journalists to report back to court on February, 25.

30th/Jan/2010: Besigye denied access to radio; Forum for Democratic Change (FDC) President Kiiza Besigye has been denied access to Luo fm in Pader district. The show that was meant to feature Dr. Besigye scheduled between 8:00am – 10:00am by senior employees was abruptly cancelled citing orders from above. "We booked the two hour slot at Shs 800,000 a fortnight ago but when we turned up to clear the bill prior to the planned show, the radio managers declined to receive the money" Aruu county MP Samuel Odong Otto said. It's alleged that Pader RDC Santo Okot intimidated managers not host Dr. Besigye.

In November 2009, Besigye was blocked from featuring on Nenah radio in Karamoja.

Media Amendment Bill produced from parliament

The Press and Journalist (amendment) Bill, 2010 was made on January 29th 2010. The Bill is aimed at amending the Press and Journalist Act Cap 105. The Bill is meant to provide for registration of newspapers; to require that the editor of a newspaper shall

ensure that what is published is not prejudicial to national security; to rationalize the composition of the media council; provide for licensing of newspapers; increase the membership of the disciplinary committee; provide for expeditious disposal of complaints before the disciplinary committee; provide for offences and penalties and to provide for other related matters¹. The provisions of the Bill have a potential to violate press and media freedoms and the freedom of speech as guaranteed under the Uganda Constitution 1995 and international human rights legislations. It's HRNJ-Uganda belief that the provisions of the Bill be reconsidered to provide media freedom in an accepted free democratic society.

8th/Jan/2010; Photojournalist arrested and detained by Police.

The Eddoboozi news paper freelance photojournalist Luswa was also been arrested by police over taking photographs of patrolling police. His camera and other tools of trade were confiscated and his photos were deleted. Luswa who was arrested at container village police post was detained for three hours and later released.

(Footnotes)

Observations and recommendations;

It is evident from the above that there is high level of impunity and unnecessary proposed legislations namely; the amendment bill to Press and Journalists Act 2010, the merger of the two regulatory bodies (Broadcasting Council and Uganda Communication Commission) among others. Unlawful arrest and detention has been used more often against journalists as well as torture; a case which is still fresh in the memories of Uganda is Moses Kasibante an editor with Ggwanga news paper. He was arrested and tortured by plain cloths gun-wielding men during the Mukono north bye-election early this year

Recommendations;

HRNJ-Uganda calls upon the government to allow the media to operate freely without interference and end physical attacks, intimidation and punish individual perpetrators of violence against the media.

We demand that the Broadcasting Council Chairman Eng. Godfrey Mutabazi resigns in the interest of the freedom of expression and media freedom ahead of the general elections in Uganda,

That parliament should quickly pass the 'Torture bill' which has been shelved for many years as a way of ending impunity to individual perpetrators of violence against us,

That parliament should reject the Press and Journalists amendment bill that requires annual licensing for the print media and certification of journalists,

That parliament should release the police report arising out of the Commission of inquiry on police brutality which was headed by Hon. Peter Nyombi to facilitate the along-awaited amendment process of Uganda police act and the penal code.

Let's unite in the defense of our freedoms and rights!

Human Rights Network for Journalists-Uganda (HRNJ-Uganda) here to defend journalists to promote human rights and change people's lives.

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