



MEDIA, CIVIL SOCIETY, GOVERNMENT HOLD CONSULTATIVE MEETING ON UGANDA'S MEDIA LAWS



On Friday, April 30, 2010, representatives from media houses, media associations, civil society, the government, and the diplomatic corps met at the Kampala Serena Hotel to discuss media laws in Uganda with a focus on suggested changes contained in the draft Press and Journalist (Amendment) Bill, 2010. The proposed Bill seeks to amend the Press and Journalist Act.



The consultative meeting raised strong concerns about the draft Bill. Participants said should the draft Bill become law, it will amount to a reversal in the fight for freedom of the media and freedom of expression in Uganda. They listed a number of provisions in the draft Bill that are objectionable in a free and democratic society. The provisions include annual licensing of newspapers on condition that they have the necessary equipment and do not publish material the government deems prejudicial to national security, stability, economy, foreign relations, and social harmony. They also said the proposed Bill grants the statutory Media Council too much power while further eroding the independence of the regulator, and restricts foreign ownership of newspapers. A jail term of up to two years or a fine of nearly a million shillings awaits anyone who does not obey the licensing requirements.



The Minister of Information and National Guidance, Hon. Kabakumba Matsiko, attended the half-day meeting, while Hon. Justice G.W. Kanyeihamba, former justice of the Supreme Court, delivered the keynote address. Justice Kanyeihamba said the proposed changes are not necessary because they will adversely affect press freedom and that in any case the existing laws are sufficient to address the government's concerns. Minister Matsiko countered that for as long as Ugandan journalism is still in its infancy and therefore unable to regulate itself, the government will step in so as to promote the interests of the public, for example by ensuring that journalists do not incite anarchy.

The meeting also heard from international media watchdog Article 19 and the U.S.-based Freedom House.



While some participants argued that the media fraternity should reject the proposals outright, the majority of participants emphasised the need for a serious engagement with the government with a view to ensuring that any changes to the media law regime enhance rather than hinder the free flow of

information. While appreciating the need for media regulation, the meeting noted that limitations on free expression and press freedom must be in conformity with Uganda's Constitution and international human rights instruments which the country is a party to. The Constitution provides that limitations on human rights, including the right to freedom of the press and other media, must be "acceptable and demonstrably justifiable in a free and democratic society". The meeting added that besides limitations being necessary to protect the rights of others and the "public interest", they must be clearly and narrowly defined—and not left open to multiple interpretation or abuse. Limitations or restrictions must also be applied in a manner that is not arbitrary.

Leading editors and representatives of media groups acknowledged the challenges and weaknesses of Uganda's media, including inaccurate reporting and unethical practices, but called upon the government to allow the industry to strengthen independent self-regulatory mechanisms to deal with such problems.

The issues raised at the forum will be included in a detailed memorandum now being prepared involving various stakeholders to be presented to the Cabinet through the Ministry of Information.

The consultative forum was convened by a coalition of publishing houses, including the Daily Monitor, The New Vision, The Observer, The Independent and The Red Pepper. It was organised by the African Centre for Media Excellence (ACME). The meeting came just days ahead of World Press Freedom Day, May 3.