UGANDA

	2011	2012
INTERNET FREEDOM STATUS	**n/a**	**Partly Free**
Obstacles to Access (0–25)	n/a	11
Limits on Content (0–35)	n/a	8
Violations of User Rights (0–40)	n/a	15
Total (0–100)	**n/a**	**34**

* 0=most free, 100=least free

POPULATION: 36 million
INTERNET PENETRATION 2011: 13 percent
WEB 2.0 APPLICATIONS BLOCKED: No
NOTABLE POLITICAL CENSORSHIP: No
BLOGGERS/ICT USERS ARRESTED: No
PRESS FREEDOM STATUS: Partly Free

INTRODUCTION

Internet penetration in Uganda has grown steadily following the deregulation and liberalization of the information and communication technology (ICT) sector in 1997, which ushered in reductions in mobile telephone tariffs and bandwidth prices, as well as greater availability of fiber optics bandwidth, increased ICT literacy, and supportive government-led ICT policies. As a result of these initiatives, the number of internet users has increased dramatically. However, in a country with a population of 34.5 million,[1] internet penetration and accessibility for the majority of Ugandans is still low, hampered primarily by high costs and poor infrastructure. Nearly 30 million people, the majority of whom live in rural areas, do not have access to the internet. Furthermore, for most internet users, the cost of access remains high and the quality of service inconsistent.

Perhaps the most dramatic development in telecommunications in the last decade has been the growth of mobile phone subscribers from less than one million in 2001 to more than 14 million in 2011.[2] Uganda is ranked among the ten African countries with the highest number of mobile phone subscribers,[3] and a small but growing number of Ugandans own a smart

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[1] Raymond Baguma, "Uganda's population now at 34.5 million," New Vision, October 30, 2011,
http://www.newvision.co.ug/news/18769-Uganda-s-population-now-at-34-5-million.html.
[2] Paul Tentena, "Uganda: Mobile phone subscribers hit 14 million," East African Business Week, June 20, 2011,
http://www.busiweek.com/11/news/uganda/1207-mobile-phone-subscribers-hit-14-million-in-uganda.
[3] Mark Page, Laurent Viviez, and Maria Molina, "African Mobile Observatory 2011: Driving Economic and Social Development through Mobile Services," GSMA, January 2011,
http://www.mobileactive.org/files/file_uploads/African_Mobile_Observatory_Full_Report_2011.pdf.

phone that helps them access the internet at a considerable fee. Overall, freedom to access the internet via computer-based applications and internet-enabled phone devices is generally unfettered. Rather, internet access is restricted mainly by economic and infrastructural constraints.

In early 2011, as demonstrations inspired by the Arab Spring erupted in North Africa, there were rumors that the government had ordered telecoms to block keywords such as "bullet," "Mubarak," and "Ben Ali" in SMS services, but the allegations were never confirmed. In April 2011, political and activist groups initiated a "walk-to-work" campaign to protest the government's apparent inaction in the face of spiraling food and fuel prices. The movement relied heavily on social media for mobilizing and publicizing the brutal response of security agencies to the campaign. In defense, the Uganda Communications Commission (UCC) directed internet service providers to temporarily block access to Facebook and Twitter; however, the directive was never carried out.

OBSTACLES TO ACCESS

The liberalization of the Uganda's telecommunications sector in 1997 created a very competitive environment that has nurtured dramatic growth in the expansion and usage of ICTs over the past 15 years. In 2007, a mere one million Ugandans were reported to be using the internet. As of the end of 2011, the Uganda Communications Commission (UCC) and the International Telecommunication Union (ITU) reported 4.6 million internet users (individuals using the internet at least once a month) in Uganda, amounting to 13 percent of the country's population of 34.5 million.[4] The growth in internet users coincided with an increase in subscriptions, with fixed-line internet subscriptions numbered at 88,000 and mobile broadband connections (through wireless modems) estimated at 850,000 in 2011.[5] In contrast, market penetration for voice technologies, both fixed-line and mobile, stands at 48.4 percent with nearly 75 million mobile telephone subscribers in 2011.[6] Mobile users account for more than 95 percent of voice connections. However, multiple SIM card ownership is common and estimated at 45 percent of total subscribers.[7]

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[4] Uganda Communications Commission (UCC), "2010/11 Annual Post and Telecommunications Market Review," http://www.ucc.co.ug/endOfFYReview2011.pdf; International Telecommunication Union (ITU), "Percentage of individuals using the Internet, fixed (wired) Internet subscriptions, fixed (wired)-broadband subscriptions," 2011, accessed July 13, 2012, http://www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx#.
[5] Ibid.
[6] International Telecommunication Union (ITU), "Mobile-cellular telephone subscriptions," 2011, accessed July 13, 2012, http://www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx#.
[7] UCC, "2010/11 Annual Post and Telecommunications Market Review."

There are currently 48 licensed telecommunications service providers, a good number of which offer both voice and data services.[8] More than 30 internet service providers (ISPs) offer both broadband and dial-up internet services.[9] The state-owned Uganda Electricity Transmission Company Ltd (UETCL), a licensed public infrastructure provider, has part ownership of Uganda Telecom (UTL). The rest of the licensed telecommunications service providers are privately-owned entities. There are no restrictions on licensing, and the entry of new providers in the market is by and large determined by market forces. There are no known obstacles placed by the government on entry into the sector.

The infrastructure of most internet operators currently consists of CDMA, GSM, VSAT satellite technology, and copper or optical fiber cables. In 2009, the country connected its national fiber backbone to the EASSy international submarine fiber optic cable system that was constructed along the east and southern coasts of Africa.[10] Ugandan telecommunications providers are also hooked to the TEAMs (The East African Marine System) and SEACOM marine fibers through Kenya, which sells bandwidth to ISPs in Uganda at a much cheaper cost than the previous satellite connections. Connection to these networks has not only led to exponential growth in Uganda's international bandwidth,[11] but also to decreasing costs of internet access alongside an increasing demand for data services and high speed internet. The highest growth rate has been registered in wireless broadband solutions, which accounted for more than 90 percent of internet subscriptions by the end of 2010.[12]

Many Ugandans access the internet through cybercafes, where it costs about 1,000 Ugandan shillings (US$0.40) for up to 30 minutes. Access to internet at workplaces, schools and libraries is also common. With mobile internet access becoming cheaper,[13] a growing number of Ugandans are able to use phones and other internet-enabled devices to access social networks, news sites, and other websites at a reasonable cost. For example, a mobile internet package through MTN Uganda, the country's leading telecom company, can cost Shs500 (US$0.20) for 10MB of data and Shs15,000 (US$6) for 300MB of data.[14] Free access to Facebook is also available to MTN and Orange mobile network subscribers.

However, even with the growing availability of cheap mobile internet bundles, internet-enabled devices are still costly in Uganda. In particular, excise duties and the value added tax

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[8] Uganda Communications Commission (UCC), "Telecommunications Service Providers,"
http://www.ucc.co.ug/index.php?option=com_k2&view=item&layout=item&id=66&Itemid=66.
[9] Ibid.
[10] "Welcome to EASSy," accessed June 29, 2012, http://www.eassy.org/index-2.html.
[11] "Uganda - Broadband and Internet Market, Convergence," BuddeComm, September 2011,
https://www.budde.com.au/Research/Uganda-Broadband-and-Internet-Market-Convergence.html?r=51.
[12] Ibid.
[13] "Ugandan telcos lower mobile Internet tariffs," IT News Africa, April 17, 2010,
http://www.itnewsafrica.com/2010/04/ugandan-telcos-lower-mobile-internet-tariffs/.
[14] "MTN Mobile Internet," accessed June 29, 2012, http://mtn.co.ug/MTN-Internet/MTN-Mobile-Internet.aspx.

(VAT) levy have curtailed sales of both internet and non-internet-enabled phone devices.[15] Mobile phone vendors such as Huawei Technologies, a Chinese firm, reported selling only 30,000 Android-powered handsets that enable mobile phone internet access in 2011, compared to 200,000 phones sold in neighboring Kenya where the VAT on mobile handsets was scrapped two years ago.[16] Furthermore, many Ugandans cannot afford personal computers with regular internet connections, and only about one million Ugandans have access to computers.[17] The repeal of import taxes on computers some years ago facilitated increased computer usage and ownership; however, further growth has been hindered by a 2009 government ban on the importation of used computers which are cheaper alternatives to new computer sets.[18]

Other impediments to increased internet usage include the high cost of modems, which range between US$24 and US$41. A monthly limited internet package of 1GB costs US$18 and could not last a whole month for users who would like to experience the full range of internet capabilities,[19] while an unlimited broadband internet connection from Orange Uganda costs US$124 for one month and up to US$673 for six months. Across the five main firms in the industry, the average monthly cost of a 1GB subscription is US$20, and speeds are coverage-dependent, ranging from 236KB per second to 7.2MB per second. With an average per capita monthly income of US$110 in 2011,[20] the high cost effectively prices all but the wealthiest Ugandans out of regular internet access.[21] Furthermore, only 6 percent of Ugandans are connected to the national electricity grid (2 percent for rural areas). A much smaller number use fuel-powered generators and solar energy, while the rest of the population has no access to electricity.

While Ugandans residing in urban areas are able to access the internet through cafes, workplaces and schools, those in the rural areas—where more than 80 percent of the population lives—remain disproportionately underserved by ICTs. According to a 2008 survey by Audience Scapes, an online research program, only 3 percent of Uganda's rural population has access to the internet compared to 16 percent in urban areas.[22] In addition to internet access being prohibitively expensive, ICT infrastructure is particularly inadequate in

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[15] David Mugabe, "Taxes hindering Uganda Internet penetration," New Vision Newspaper, September 27, 2011, http://www.africa-uganda-business-travel-guide.com/taxes-hindering-uganda-internet-penetration.html.
[16] Ibid.
[17] Isaac Imaka, "Uganda's journey to a computerised era," Daily Monitor, March 13, 2010, http://www.monitor.co.ug/News/National/-/688334/877862/-/wj8wrm/-/index.htm.
[18] Ibid.
[19] "MTN Mobile Internet."
[20] World Bank, "Gross national income per capital 2011, Atlas method and PPP," World Bank Databank, 2011, accessed July 18, 2012, http://databank.worldbank.org/databank/download/GNIPC.pdf.
[21] "Internet users in Uganda," Trading Economics, accessed June 29, 2012, http://www.tradingeconomics.com/uganda/internet-users-wb-data.html.
[22] "Internet Access in Uganda," Audience Scapes, accessed June 29, 2012, http://www.audiencescapes.org/country-profiles/uganda/country-overview/internet/internet-285.

rural areas, with private sector companies primarily investing in infrastructure projects in commercially-viable regions of the country. This disparity is exacerbated by low literacy rates in the same areas, which stands at 67 percent for rural Ugandans aged 10 and above,[23] and only 10 percent of Ugandans are estimated to be computer literate.[24]

In 2011, the Google Uganda domain became available in five local languages, making the popular browser more available to about five million Ugandans.[25] Nevertheless, Ugandans can only access news websites in three local languages (out of 40 languages and 56 native dialects) provided by the Vision Group, a media company partly owned by the government. The web versions of the newspapers include Bukedde.co.ug, Etop.co.ug and Orumuri.co.ug. Other news sites of major privately-owned newspapers are only accessible in English, which is not widely spoken in Uganda. The full extent of the internet's utility can only be enjoyed by all Ugandans with more widespread availability of content in local languages.

Over the past few years, the government has embarked on initiatives to improve rural connectivity, and a national ICT policy was finalized in 2010 to facilitate the proliferation of ICTs across the country. One of the policy's guiding principles is to "ensure access to IT services to men and women in both rural and urban areas."[26] Since 2007, Uganda's ICT ministry has been developing the National Data Transmission Backbone Infrastructure, which aims to ensure the availability of high bandwidth data connection in all major towns at reasonable prices.[27] The project, now under the provision of the National Information Technology Authority (NITA-U), involves the installation of over 1,500km of fiber optic cable and related equipment, including switches, optical transmission, data communication, fixed network, and video equipment, as well as computers and servers.[28] In addition, the UCC's Rural Communications Development Fund (RCDF) policy, established in 2001, aims to provide access to basic communications services within a reasonable distance to all Ugandans, leverage investment into rural communications, and promote ICT usage.[29] The

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[23] Uganda Bureau of Statistics, "Statistical Abstract, 2011," accessed June 29, 2012, http://www.ubos.org/index.php?st=pagerelations2&id=31&p=related%20pages%202:Abstracts.

[24] Uganda Bureau of Statistics, "Statistical Abstract, 2011."

[25] Tabitha Wambui, "Google Uganda launches two new local language domains," Daily Monitor, August 4, 2010, http://www.monitor.co.ug/Business/Technology/-/688612/970404/-/uithj9/-/index.html.

[26] Ministry of Information and Communications Technology, "Information Technology Policy for Uganda," Republic of Uganda, February 2010, http://ict.go.ug/index.php?option=com_docman&task=doc_details&gid=48&Itemid=61.

[27] Ministry of Information and Communications Technology, "National Data Transmission Backbone and e-Government Infrastructure Project," Republic of Uganda, accessed June 29, 2012, http://www.ict.go.ug/index.php?option=com_content&view=article&id=69:national-data-transmission-backbone-and-e-government-infrastructure-project&catid=25:the-project&Itemid=93.

[28] "NBI/EGI Project," National Information Technology Authority – Uganda, accessed June 29, 2012, http://www.nita.go.ug/index.php/projects/nbiegi-project.

[29] "Rural Communications Development Policy for Uganda," UCC, January 2009, http://www.ucc.co.ug/index.php?option=com_k2&view=item&layout=item&id=56&Itemid=59.

RDCF also oversees the setup of internet cafes, internet Points of Presence (rural wireless connectivity networks with a 5-10km radius at costs, speeds and types of services comparable to those in the capital city, Kampala), ICT training centers, and web portals for districts (local government units).

The ICT sector is divided into three levels: policy, regulatory, and operational. The policy and regulatory levels are overseen by the UCC and NITA-U, while the operational level is composed of telecommunications, postal, information technology (IT), and broadcasting operators. Uganda's policy and regulatory environment was established through the Telecommunications Sector Policy Framework of 1996 and the Uganda Communications Act of 1997. The Ministry of Information and Communication Technology was set up in June 2006 with the mandate of providing strategic and technical leadership, overall coordination, support, and advocacy on all matters of policy, laws, regulations, and strategy for the ICT sector.[30]

The Uganda Communications Commission (UCC) is the statutory body charged with the regulation of telecoms and ISPs in the country, and its policy goals focus on expanding telecommunications infrastructure and services. The body has taken steps to avail information about the regulatory process on its website and through publications and press releases. However, the general perception is that accessible, complete and understandable information is not available, and that the UCC is not entirely independent from the executive arm of government.

The UCC also promotes developments in Uganda's communications industry and issues licenses for ICT infrastructure and service providers. There are no restrictions on licensing, and the UCC issues two types of service licenses: Public Service Provider (PSP) and Public Infrastructure Provider (PIP).[31] The application fee for both license types is US$2,500 dollars (a PIP license requires a one-off initial fee of US$100,000), and annual fees range from US$3,000-$10,000.[32] 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.

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[30] Ministry of Information and Communications Technology, "About MOICT," Republic of Uganda, accessed June 29, 2012, http://ict.go.ug/index.php?option=com_content&view=article&id=55.
[31] "UCC Licensing Regime," UCC, accessed June 29, 2012, http://www.ucc.co.ug/index.php?option=com_k2&view=item&layout=item&id=52&Itemid=55.
[32] "Uganda Communications Fees Structure," UCC, 2008, accessed June 29, 2012, http://www.ucc.co.ug/images/stories/fees/Fees_Structure.pdf.

LIMITS ON CONTENT

To date, there are no known restrictions on internet applications. Both local and international online news, media and political blogs, various social media platforms such as Facebook and Twitter, as well as human rights websites are widely accessible. However, the first reported case of internet censorship in Uganda occurred in 2006 when the government allegedly blocked access to the news website, RadioKatwe.com, in advance of the presidential and parliamentary elections. The website published content submitted by internet users from all over the world that was critical of the government. Following orders by the UCC, local ISPs reportedly filtered the site by blocking its internet protocol (IP) address and nearly 700 other sites hosted by the same server, which was based in the United States.[33] Access to the website was later restored, but its administrators have since shut it down.

A second government attempt to interfere with citizens' online activity was reported in early 2011, as demonstrations inspired by the Arab Spring erupted in North Africa. There were rumors that the government had ordered telecoms to block and regulate the use of some keywords such as "bullet," "Mubarak," and "Ben Ali" in SMS services; however, these allegations were never confirmed. In April 2011, political and activist groups initiated a "walk-to-work" campaign to protest the government's apparent inaction in the face of spiraling food and fuel prices. The movement relied heavily on social media for mobilizing and publicizing the brutal response of security agencies to the campaign. In defense, the UCC directed ISPs to temporarily block access to Facebook and Twitter.[34] The regulator reasoned that the move was intended "to eliminate the connection and sharing of information that incites the public"; however, the directive was never carried out.[35] Later in 2011, a government minister accused the opposition of using social media to incite the youth to revolt the government.[36]

Although Uganda's media remains open and vibrant, the practice of self-censorship has been growing following the harassment and arrest of journalists as well as shut downs of media houses believed to be anti-government.[37] Reports of the persecution or prosecution of

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[33] Reporters Without Borders, "Net Censorship Reaches Sub-Saharan Africa," February 24, 2006, http://en.rsf.org/uganda-net-censorship-reaches-sub-saharan-24-02-2006,16569.html.

[34] Karen Allen, "African jitters over blogs and social media," BBC News Africa, June 15, 2011, http://www.bbc.co.uk/news/world-africa-13786143.

[35] Rebekeh Heacock, "Uganda: Government Attempts to Block Facebook, Twitter as Protests Continue," Global Voices, April 19, 2011, http://globalvoicesonline.org/2011/04/19/uganda-government-attempts-to-block-facebook-twitter-as-protests-continue/.

[36] "Uganda anger at opposition's Twitter 'insurrection'," BBC News Africa, August 22, 2011, http://www.bbc.co.uk/news/world-africa-14491135.

[37] See, "Freedom House Condemns Crackdown on Journalists, Social Media in Uganda," Freedom House, Press Release, April 22, 2011, http://freedomhouse.org/article/freedom-house-condemns-crackdown-journalists-social-media-uganda.

journalists or citizens for online expression have been rare; nevertheless, the self-censorship practiced by those in the mainstream media may well extend online.

In recent years, regime critics and opposition political parties have taken to the internet as a platform for political debate and an informal means of disseminating information to the masses. During the February 2011 elections period, crowdsourcing and crowd-mapping technology offered citizens a way to monitor various stages of the election process. Two websites, Uchaguzi and Uganda Watch 2011,[38] were created to monitor the elections, allowing citizens to report information and events via SMS texts as they happened. Integrating SMS, online forums, email and Twitter, the platforms attempted to support fair and transparent elections in real time. In addition, social media has been widely used as a platform for protest in Uganda, mainly by activist groups. For example, the continuing campaign against the government's proposed give-away of Mabira, Uganda's largest rainforest, to an investor has been sustained partly through SMS, Facebook, and email alerts. The president's proposal to clear parts of the forest to pave way for a sugar plantation is opposed by environmentalists, citizen groups, and some politicians who have used social media to disseminate alerts with key facts about Mabira and the environment in Uganda, and to occasionally call for action and demonstrations.

Despite growing internet usage in Uganda, the government, opposition groups, and civil society in Uganda have not fully taken advantage of the opportunities for mobilization offered by the internet. Most local websites carry very little up-to-date information, have few dynamic links, and contain little or no interactive features.

VIOLATIONS OF USER RIGHTS

Uganda's Constitution provides for freedom of expression, speech and association, as well as the right to access information. Uganda was among the first countries in Africa, and among only nine on the continent, to enact freedom of information legislation.[39] However, several laws—including the Press and Journalists Act, the Electronic Media Act, the Anti-Terrorism Act,[40] and sections of the Penal Code—appear to negate these constitutional guarantees for the freedom of expression. For instance, both the Press and Journalists Act and the Electronic Media Act introduce statutory licensing of journalists and create statutory regulatory authorities, such as the Media Council and Broadcasting Council, whose

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[38] Website links: Uchaguzi, http://www.uchaguzi.co.ug/; Uganda Watch 2011, http://www.ugandawatch.org/.

[39] The Access to Information Act provides for the right to access information pursuant to Article 41 of the Constitution, the right to prescribe the classes of information referred to in that article, the procedure for obtaining access to that information, and for related matters.

[40] "The Anti-Terrorism Act, 2002," International Commission of Jurists, accessed June 29, 2012, http://www.icj.org/IMG/ATA.pdf.

independence is believed to be compromised because of the government's major hand in their composition. The Penal Code still contains provisions on criminal libel and the promotion of sectarianism, for which penalties include lengthy jail terms. None of these laws contain specific provisions on online modes of expression, but they could arguably be invoked in relation to online communication. In any case, they create a "chilling effect" on freedom of expression generally.

In 2010, the government passed three cyber laws—the Electronic Signatures Act, Electronic Transactions Act, and Computer Misuse Act—which focus mainly on cybercrimes and terrorism. [41] The Computer Misuse Act seeks to prevent unlawful access, abuse or misuse of information systems through computers and electronic devices such as mobile phones. These laws are seen among local stakeholders as necessary to enhance safety and security on the internet.

Following the Al-Shabab terrorist attacks during the World Cup on July 11, 2010 in Kampala, Parliament hurriedly passed the Regulation of Interception of Communications Act, which requires telecommunication companies to install equipment that enables the electronic surveillance of people suspected of terrorism without the need of a court order. The Act also gives the government permission to tap into personal communications deemed to be a threat to national security. [42] This action can be requested by the Minister for Security and granted after an order by a High Court judge. In effect, the Act provides undue powers to state organs to intercept private communications and potentially threatens free expression through the restriction of content and access to information. Some media observers worry that the Act "will likely embolden the government to go after online work more aggressively. It will snoop around more, hacking into people's emails in the name of ensuring national security."[43]

In 2010, Timothy Kalyegira, editor for the now defunct online publication, Uganda Record, became the first journalist to be arrested for online content. He was charged with criminal libel over a story accusing the government of having a hand in the July 11th Kampala bomb blasts that killed 78 people. [44] Since then, Kalyegira has appeared before police 18 times with critics arguing that the government has deliberately delayed his case. After the incident,

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[41] "Laws: Cyber Laws," National Information Technology Authority - Uganda, accessed June 29, 2012, http://www.nita.go.ug/index.php/policies-and-laws/cyber-laws.

[42] Amnesty International, "Uganda: Amnesty International Memorandum on the Regulation of Interception of Communications Act, 2010," December 14, 2010, http://www.amnesty.org/en/library/asset/AFR59/016/2010/en/4144d548-bd2a-4fed-b5c6-993138c7e496/afr590162010en.pdf.

[43] Ibid.

[44] Anthony Wesaka, "Journalist remanded over bomb blasts story," Daily Monitor, June 1, 2011, http://www.monitor.co.ug/News/National/-/688334/1172874/-/c0wtytz/-/index.html.

Ugandan journalists predicted that there would be more online monitoring by the government.

Beyond the new Regulation of Interception of Communications Act, there is no direct evidence of government surveillance of telecommunications, although it is widely believed that security agencies, sometimes with the complicity of telecommunication companies, quietly monitor and sometimes interfere with the communications of government opponents.[45] Another potentially worrying trend is SIM card registration for mobile phone users, which started in March 2012. The exercise involves the recording of personal data, including photographic and biometric data.[46] According to the UCC, the registration requirement aims to curb crime conducted through mobile phones.[47] By contrast, internet subscription requires minimal personal information, and there are no identification or registration requirements needed to access the internet from cybercafes.

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[45] "Uganda's Opposition Calls for MTN Boycott," Telecom Africa (blog), March 29, 2011, http://telecomafrica.blogspot.com/2011/03/ugandas-opposition-calls-for-mtn.html.
[46] "Sim Card Registration," UCC, accessed June 29, 2012, http://www.ucc.co.ug/index.php?option=com_k2&view=item&layout=item&id=93&Itemid=77.
[47] Flavia Nalubega, "SIM card registration to curb crime – UCC," Daily Monitor, March 7, 2012, http://www.monitor.co.ug/Business/-/688322/1360918/-/4xpbt1/-/index.html.