Uganda Digital Rights Landscape Report

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1. Introduction

Over the past two decades, the civic landscape in Africa has gone through a plethora of changes that have shaped its impact, influence and perceptions in ways both positive and negative. These have run parallel to increased awareness about human rights, as well as the growth in availability of and reliance on information and communication technology (ICT).

The aim of this report is to improve understanding of the political and technological landscapes as they have shaped openings and closings of civic space in Uganda and how these have affected citizens' digital rights. The report will describe the main contours of the dynamic political, civic and technological landscapes. It will then conclude with recommendations for practice, policy and further research that the author believes is necessary in order to enable citizens and civil society organisations to more effectively open civic space and exercise, defend and expand digital rights.

In the following sections, the evolution of the relationship between civic space, its related actors and digital rights is presented.

2. Political landscape

As of 2019, Uganda was ranked 99th (of 165 countries) by the Economist Intelligence Unit on its democracy index. It also describes the country as a hybrid regime due to its authoritarian tendencies, despite democratic rules in place. Since the civil war of the 1980s, the country has not experienced particularly extreme political volatility, even though political tensions have been present for an extended period of time.

Since 1986, the National Resistance Movement (NRM) has been the ruling party under the leadership of President Yoweri Museveni. In recent years, various amendments have been made to the Constitution that have enabled Museveni's protracted stay in office.

In 2005, the Parliament of Uganda voted to lift presidential term limits (Lacey 2005) through an amendment of the Constitution. This move allowed Museveni to seek a third term in the elections of 2006; the same year also marked the first elections under a multiparty system (Makara *et al.* 2005). Taking a similar stance, in 2019 the Constitutional Court upheld an amendment that would allow Museveni (at the time 73 years old) to seek another term in office, including the freedom to contest the presidency indefinitely after the 2021 elections and past the age of 75 (Al Jazeera 2018). The 1995 Constitution prohibited anyone younger than 35 or older than 75 from serving as president.

These actions have been used by a number of opposition actors and pressure groups against the president and the ruling party, arguing that the state is autocratic, monopolistic and authoritarian. Further to this, they have continuously alleged that the first presidential election held in 1996 was rigged (Nalumansi 2016).

Among the main political parties in the country are the Forum for Democratic Change (FDC), which grew out of the NRM and is the largest opposition party, through which Dr Kizza Besigye has challenged for the presidency on four separate occasions since 2001. With no success at any of the elections, Dr Besigye has raised accusations of rigging by the president – on two occasions (in 2001 and 2006), taking the matter to the Supreme Court. On both occasions, there was a unanimous ruling that acknowledged there had been widespread rigging but that it had not been enough to warrant the reversal of the final result. Dr Besigye will not stand in the 2021 presidential race (Draku 2020).

Other long-term key opposition parties include the Democratic Party, the Uganda People's Congress and a more recent entrant, as of 2019, the Alliance for National Transformation, which was launched by a former FDC leader,

General Mugisha Muntu. Meanwhile, the National Unity Platform, a pressure group led by Member of Parliament (MP) Robert Kyaluganyi Ssentamu (also known as 'Bobi Wine'), has gained momentum in response to Museveni's plans to extend his 31-year term (Bariyo 2017) and has been particularly critical of the ruling party and its leaders.

Various laws have been introduced that have enabled the curtailing of critical voices, and the work of civic actors and the media, in addition to also affecting key rights such as access to information and freedom of expression. These laws have been introduced despite the 1995 Constitution, which states in Article 29(1)(a) that 'every person shall have the right to freedom of expression and speech which includes freedom of the press and other media' (ILO 1995).

Over the years, more laws and regulations have been introduced that largely protect the political interests of the ruling party and the president more than those of citizens. Coupled with an increased use of technology to underpin these developments, concerns over data protection, surveillance, digital inclusion and self-censorship have come to shape the political relationship between citizens, civic actors, the media and the state.

The International Center for Not-for-Profit Law (ICNL) notes that the legal framework for civil society in Uganda is generally supportive of civil society organisations, but only insofar as their sphere of activity is politically and socially acceptable to the government (ICNL 2020).

3. Civic space landscape

3.1 The early years: 2000–10

Aided by the 1995 Constitution, during this decade, civic space and actors were establishing themselves, seeking out niche areas of focus, often in the traditional human rights sphere. Among the highlights of these early years was the introduction of the Access to Information Act, 2005. However, its potential to support civic space has largely remained underutilised. Nonetheless, the act was used successfully by journalists in 2015 when a chief magistrate's court ruled in their favour against the National Forestry Authority, which had denied them access to information related to a World Bank grant (Mugagura 2015).

The first multiparty elections in 2006 marked the emergence of civil society with an interest in 'mobilising and facilitating citizen participation in political, economic and social processes aimed at promoting transparency and accountability in governance' (Mugisha, Kiranda and Mbate 2019). While civil society had often worked on issues of social concern, increasingly they were beginning to challenge state actions and inaction – often critically.

It was during this period after the 2006 elections that civil society organisations evolved to include rights-based and political issues in their work. Growing concerns over state actions contributed to rising civic concern and public outcry, which started emerging during the mid-2000s. Among these was the 2007 civic reaction against the state sale of part of the Mabira Forest to a private entity to expand its cane plantation (Kavuma 2011). In the years that followed, restrictions increased on assemblies led by political opposition members (United States Department of State 2008) – including of Dr Besigye, whose spate of repeated arrests by the state started during this period.

3.2 A wave of new laws: 2010–20

On 11 July 2010, Somalia-based militant Islamist group Al-Shabaab claimed responsibility for bomb attacks during the screening of the FIFA World Cup final at two separate venues in the capital Kampala. This resulted in more restrictive measures being written into law; for example, the Regulation of Interception of Communications Act, which served to reinforce the Anti-Terrorism Act of 2002, which had been introduced following the terrorist attacks in the United States on 11 September 2001.

In 2011, the second presidential election was held, which granted Museveni another term following a highly contested win. However, during this time more open public protest took place, aided by online platforms, such as the Walk to Work campaign against rising food and fuel prices. These public protests also resulted in the arrests of campaigners and members of opposition parties (Namiti 2011).

This saw the introduction of the bill for the Public Order Management Act (POMA) in Parliament in 2011. The bill was signed into law two years later on 2 October 2013. POMA sought to 'provide for the regulation of public meetings; to provide for the duties and responsibilities of the police, organisers and participants in relation to public meetings; to prescribe measures for safeguarding public order; and for related matters' (ULII 2013: 5). The act in effect also handed the police the power to regulate public meetings, including the power to prevent the holding of meetings and stop meetings already in progress.

Since its introduction, POMA has been used on numerous occasions against civil society, the media and members of the opposition. The lesbian, gay, bisexual, transgender and intersex (LGBTI) community has largely remained unable to organise publicly, while opposition actors have also faced restrictions. It is interesting to note that ahead of the 2021 elections, on 26 March 2020, the Constitutional Court annulled POMA and also declared all acts done under the law null and void. The court ruled that the law was inconsistent with the country's Constitution (Chapter Four 2020).

However, the Covid-19 pandemic has provided the excuse for the state to limit assemblies and public gatherings (Macdonald and Owor 2020) initiated by the opposition, despite the ruling party attracting large crowds at its own campaigns (Kizza 2020). This has raised concerns over the extent to which civic space will be utilised – or restricted – in the lead up to the 2021 elections.

Political issues were among those highlighted in a 2012 report by Human Rights Watch. It noted that evidence-based research and civil society organisations with an advocacy focus on controversial issues in the Uganda context – such as transparency in the oil sector; compensation and reparations for land acquisitions and sales; political and legal reform; and protection of human rights, including the rights of LGBTI people – had experienced decreasing room to manoeuvre (HRW 2012).

Meanwhile, religion, education, tribal affiliations, proximity to wealth and even gender have also had an influence on civic space and how civic actors are politically perceived and positioned in mainstream narratives online and offline. These differences have even been used in political power plays, such

as during the 2014 controversy around the Anti-Homosexuality Bill where religion was used against civic actors advocating against the bill, but was also used as the political moral high ground, which worked in favour of those seeking political seats in the 2016 elections (Amnesty International 2014).

The topic of corruption is one that civil society and the media have treated with particular scrutiny over the years due to the vast amounts of aid funding the country receives, but with limited transparency and accountability over its use – regardless of the presence of the Access to Information Act.

In 2012, international donors withheld aid following allegations of embezzlement of donor funds amounting to US$12.7m by the Office of the Prime Minister (Al Jazeera 2012). This act saw the government unable to pay the salaries of public service workers such as police and teachers. In response to rampant corruption, civil society organised the Black Monday Movement (BMM) – due to the movement leaders encouraging the wearing of black clothes on Mondays (Mujuni 2013). This served as one of the key early campaigns by civil society that started gaining traction in online spaces. It aimed to work against the theft of public money by government (Uganda National NGO Forum 2013).

In the months that followed the establishment of BMM, the movement's efforts were thwarted by police including through unwarranted arrests for 'inciting violence' (HRNJ – Uganda 2013; IFEX 2013). Actions such as those taken against BMM by the state served to influence other civic actors in the long run. The charge of 'inciting violence' is one that has remained in common use, including against political activists such as social justice activist Dr Stella Nyanzi and Bobi Wine, as well as journalists and civil society activists (HRW 2014).

In 2013, the Non-Governmental Organisations Registration (Amendment) Bill was introduced, which sought to amend the NGO Act. The bill aimed to limit the work and activities of NGOs and called for changes in the processes for registering with authorities. It also appeared to be a deliberate move by the government towards the control of NGO and civic activities (Article19 2015).

According to Amnesty International, by 2014 some organisations had stopped working, scaled back on activities or significantly changed their work on 'sensitive' content areas due to continued targeting by the authorities. Meanwhile, self-censorship due to fear of closure also became a key issue among human rights organisations (Amnesty International 2014).

It was around this time that Uganda's position in Freedom House's (2019) Freedom Index began to descend from 'partially free' to 'not free' (see Figure 3.1).

Figure 3.1 Freedom House ranking for ADRN countries, 2000–19[1]

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Zimbabwe											N/A		N/A							
Zambia											N/A		N/A							
Uganda											N/A		N/A							
Sudan											N/A		N/A							
South Africa											N/A		N/A							
Nigeria											N/A		N/A							
Kenya											N/A		N/A							
Ethiopia											N/A		N/A							
Egypt											N/A		N/A							
Cameroon											N/A		N/A							

🟩 **Free**   🟧 **Partially free**   🟥 **Not free**

Note: ADRN – African Digital Rights Network.

Source: Adapted from Freedom House (2019)

As such, these actions appeared to be increasingly shrinking civic space at a time when there was increasing public interest in political affairs, service delivery and state transparency, coupled with rising internet penetration and growing numbers of citizen journalists.

In 2014, several controversial laws were introduced that had implications for both civic and online spaces. Among these was the Anti-Pornography Act of 2014. The law fuelled a negative narrative against women, in particular, and went on to be used against women who fell victim to revenge pornography and had their nude images published or shared online without their consent (African Feminism 2020). The law also provided for the establishment of a Pornography Control Committee. In 2017, a nine-member committee was announced, accompanied with a budget of $516,000 per year (Gitta 2017) illustrating the state's commitment towards the work of the committee.

Upon the introduction of the Anti-Homosexuality Bill, a Minority Report arguing that the bill was discriminatory and that homosexuality was prohibited under existing laws was presented by opposing parliamentarians

1   Data not available for 2010 and 2012.

(Parliament of the Republic of Uganda 2012). However, although President Museveni expressed concern about the Anti-Homosexuality Bill, it was signed into law on 24 February 2014 and gazetted on 10 March 2014 (New Vision 2014). This led to a petition being filed by civil society on the constitutionality of the act. A few months later, in August 2014, the act was declared null and void by the Constitutional Court, on the grounds that there was no quorum in court when it was passed (FIDH 2014).

However, the increased national narrative around anti-homosexuality laws fuelled further stigmatisation of the LGBTI community and exposed civic actors in the space to even further homophobic backlash. Organisations working on sexual minority rights, in addition to general civic organisations, became the targets of office break-ins. Unknown parties reportedly took computing equipment and other electronic devices. Police responded with limited investigations and the prevalence of these raids continue to pose a threat to the privacy of information held by civic organisations (CIPESA 2019).

Uganda passed the controversial Non-Governmental Organisation Bill in 2016, which sought to govern the activities of civil society. This marked a new era of concerns, especially for entities dealing with contentious issues such as sexual rights, abortion advocacy, politics, transparency and land grabbing (Paulat 2015).

In 2017, the might of civic actors and social media users in Uganda came into the spotlight through the #FreeStellaNyanzi campaign, which also gained international following. It sought the release of Dr Stella Nyanzi, who had protested against poor service delivery by the state (Kelly *et al.* 2017). Dr Nyanzi was detained in April 2017 and charged with 'cyber harassment' for her use of Facebook to criticise the president and his wife Janet Museveni for their poor service delivery (Al Jazeera 2017).

The Ugandan feminists' voice online has also grown despite the continued pushback against it through trolling and cyber harassment (CIPESA 2020). In 2018, the state attempted to frustrate efforts by women who wanted to march in protest against the threat of continued violence against women. A march eventually took place in July 2018 (Sadurni 2018).

Some hope, and indeed protection for civic space and its actors, emerged in 2020 with the Human Rights Defenders Protection Bill. In July, a motion was passed for MP Komakech Lyandro to go ahead with the development of the bill (Kivumbi 2020).

Table 3.1 Civic space timeline

| Year	Shift	Implication
2002	Anti-Terrorism Act.	Exposes civic actors and the media to interception and intrusion on an undefined basis.
2005	Access to Information Act.	Civic actors and media can request state information more freely.
2006	President Museveni, leading the NRM, wins first multiparty elections.	Draws more civic actors into political discourse, and promotes public political discourse and participation.
2007	Civil society saves Mabira Forest.	Civil society advocates against state-enabled deforestation and wins.
2009	National Information Technology Authority Act.	The authority guides data collection and the policies shaping it.
2010	Regulation of Interception of Communications Act enacted, reinforcing Anti-Terrorism Act of 2002.	Communications of civic actors, critics of the state, opposition, etc. can now be more easily intercepted and surveiled.
2011	Public Order Management Act (POMA) introduced in Parliament in 2011 (signed into law two years later, on 2 October 2013).	POMA presents direct state control of civic space including over rights of association and assembly.
2012	Black Monday Movement (BMM) aims to work against government theft of public money.	BMM is one of the key early civil society campaigns that starts gaining traction in online spaces.
2012	State interest in purchasing digital communications interception equipment.	Likely targets of interception include state critics, civic actors, journalists and opposition members.
2013	Non-Governmental Organisations Registration (Amendment) Bill.	Potential to restrict the work of civic actors.
2014	Data Protection and Privacy Bill is drafted; Anti-Homosexuality Bill 2014 is assented to, but a few months later the Constitutional Court rules it invalid due to lack of quorum.	One of the few bills released for public commentary; civic actors point out gaps in the proposed law that expose individuals and organisations working on LGBTI issues to both state and non-state initiated violence.
2016	Non-Governmental Organisation Bill.	Affront to civic actors, especially those dealing with contentious issues such as sexual rights, abortion advocacy, politics, transparency and land grabbing.
2017	#FreeStellaNyanzi.	Amasses local and international following on social justice concerns.
2020	Constitutional Court annuls POMA and declares all acts done under the law null and void; announcement that Human Rights Defenders Protection Bill is to be developed.	Potential respite for the civic space and actors.

Source: Author's own.

4. Technology landscape

4.1 The early days

At the turn of the century, Uganda had an internet penetration of 0.2 per cent, showing its infancy at the time. There were limited national frameworks directly pertaining to internet infrastructure, regulations and use. However, usage was steadily growing and by 2005, internet penetration stood at 1.5 per cent. More media houses had started generating online content and so had independent individuals and entities, some of whom were very critical of the state. The government regulatory body, the Uganda Communications Commission (UCC), had been established in 1995 and in early 2003 set up the Rural Communications Development Fund, which sought to develop communications infrastructure beyond the country's urban centres and enable last-mile access. Internet penetration has increased substantially since the early days; at the end of June 2020, internet penetration stood at 46 internet connections for every 100 Ugandans, according to the Uganda Communications Commission (UCC 2020).

Figure 4.1 Percentage of the population with internet access in Uganda
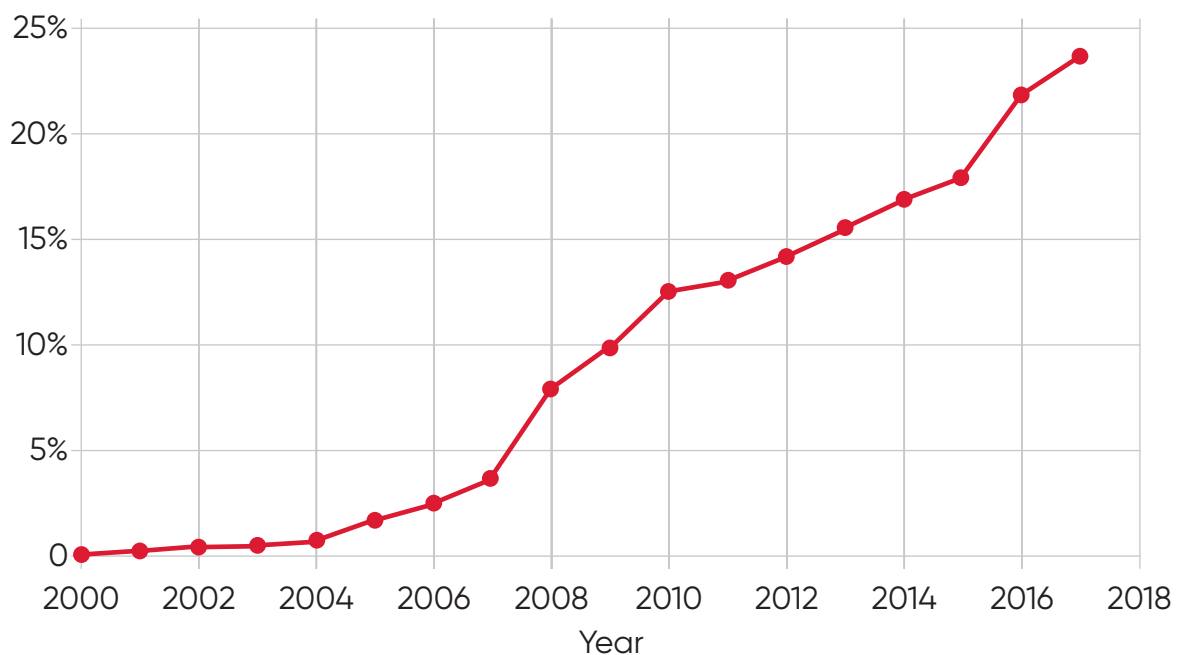
Source: Based on data from ITU (2020)

4.2 The dawn of digital restrictions

In 2006, the government ordered internet service providers (ISPs) to block access to a website that published anti-government stories, radiokatwe.com. It accused the website of publishing 'malicious and false information against the ruling party NRM and its presidential candidate' (CPJ 2006). This happened in the same year that the first multiparty elections were held in Uganda.

The practice of blocking or closing media houses would become a common form of censorship, often in the guise of maintaining public order or preventing incitement of violence. Often, it served to drown out criticism of the state. In 2009, the state closed (the now defunct) Broadcasting Council of four radio stations, which were accused of fanning ethnic tensions (Eastern Africa Journalists Association 2009). These actions contributed to self-censorship by journalists and ordinary citizens alike on digital platforms.

In response to the 2010 Al-Shabaab bombings in Kampala, and in the support of the 'national security' argument often cited by the state, in 2011 the Computer Misuse Act, the Electronic Signatures Act and the Electronic Transactions Act were signed into law with no process of public consultation. These have been used against civil society actors, as well as critics of the state.

In 2011, the second presidential election was held. During that year, the regulations accompanying the Access to Information Act of 2005 were introduced. However, despite this progressive law, the 1964 Official Secrets Act continued to be cited as the basis for not disclosing information that should be in the public domain, including through open access platforms (e.g. www. askyourgov.ug). Thus, the work of civil society has continued to be undermined due to limited access to information, despite the presence of this law aimed at promoting transparency and accountability of state organs (Kyogabirwe 2017).

Some early social media campaigns were tightly linked to shrinking civic space and social justice concerns, such as the 2011 #WalkToWork protest and campaign (Oola 2011), which were in response to rising fuel and food prices. Meanwhile, the state also recognised the engaging nature of social media. ISPs temporarily blocked access to Facebook and Twitter for 24 hours following the #WalkToWork protests. Earlier in the year, the state had issued a directive to telecoms companies to block and regulate text messages that could 'instigate hatred, violence and unrest' during the presidential election period (Echwalu 2011). However, this was also seen as a move to stifle communications.

In 2012, the #AskThePM hashtag campaign aimed to provide a platform for the then prime minister, Amama Mbabazi, to engage with Twitter users more immediately and directly. This campaign tried to address the public image of the Office of the Prime Minister, which had been accused of embezzling US$12.7m with disastrous consequences for public service delivery and infrastructure.

Meanwhile, in July 2012, according to a ministerial policy statement the Office of the

President was looking for funds to purchase equipment that would enable interception of communications (Kiggundu 2012). The government's interest in intercepting communications raised concern among civil society actors and the media.

In 2013, the Uganda Communications Act was introduced. It enabled the communications regulator to 'monitor, inspect, license, supervise, control, and regulate communications services' and to 'monitor, and enforce compliance relating to content' (Freedom House 2016). By 2013, the state announced that it would monitor social media users, 'who are bent to cause a security threat to the nation' (CIPESA 2013), reigniting language used upon the introduction of the 2002 Anti-Terrorism Act and the Regulation of Interception of Communications Act of 2010. Both acts had elevated the surveillance powers of the state, reinforcing a culture of self-censorship online and raising surveillance concerns among civil society. The 2014 call for public commentary on the Data Protection and Privacy Bill did little to alleviate surveillance concerns.

In 2013, two newspaper outlets were closed following allegations of the distribution of a letter detailing an alleged assassination plot of officials opposed to the president. This led to a widespread campaign for press freedom (Natabaalo 2013). The hashtags #MonitorSiege and #RedPepperSiege were used to generate awareness and to challenge the state's actions. The media houses were re-opened after 11 days.

In 2015, amendments were made to the Anti-Terrorism Act of 2002 to align the law with international requirements by providing for aspects of terror financing and money laundering. Police were consequently granted the power to conduct surveillance of online transactions with the aim of establishing the sources of funding of terrorism activities. In the same year, the crackdown on commentators who relied on social media had already begun, with voices critical of the ruling party and independent media being curtailed. This was often in the guise of promoting public order and unity, as well as preventing the spread of false information, but damaged open dialogue on elections, including by hampering free speech. Among these was the arrest of state critic Robert Shaka on allegations of being behind the pseudonym Tom Voltaire Okwalinga; and, under Section 25 of the Computer Misuse Act, on charges of using computers and other electronic devices to issue 'offensive communication' (NITA 2011). There is no evidence to suggest that Shaka was responsible.

Mass surveillance concerns were also heightened in 2015, following reports that Uganda had procured Remote Control System (RCS), a product developed by the Hacking Team (an Italian company that sells intrusion and surveillance technology), which enables access to major operating systems and mobile platforms (Frenkel 2015).

In February 2016, the country held elections that in the lead-up had seen civic actors and opposition members face arrest and intimidation. These elections were the first time that social media platforms were aggressively used for campaigning

in the country. Amama Mbabazi took to YouTube to officially announce his intention to contest the presidential election. Not long after, Museveni released a video alleging Mbabazi aides were linked to sectarian content shared on WhatsApp (Aine 2015). Shortly thereafter, the authorities announced that a cybercrime unit had been established and its head appointed (Anena 2015). This alludes to the immediate measures often taken by the state in response to the use of new avenues for communication, especially by opposition or critical voices.

During the 2016 elections, Uganda hosted its first ever live televised presidential debates and provided an opportunity for citizens to scrutinise candidates' manifestos, including through the #UGDebates16 hashtag (interspersed with various other hashtags). However, on election day (18 February) social media and mobile money transactions in the country were shut down following a directive from the communications regulator to ISPs to disable all social media and mobile money services due to a 'threat to public order and safety' (CIPESA 2016). In May, a day before President Museveni was inaugurated for another five-year term, access to social media platforms including WhatsApp, Facebook and Twitter was again blocked (Nanfuka 2016).

In May 2018, the government passed the Excise Duty Amendment Act, which introduced an excise duty tax of 200 Ugandan shillings (US$0.05) per user per day for use of services such as WhatsApp, LinkedIn, Facebook and Twitter. This became commonly known as the 'social media tax'. The tax slashed the number of internet users in the country by five million within three months of its introduction (*ibid.*). In the same year, the state-run UCC called for all 'online data communication service providers, including online publishers, online news platforms, online radio and television operators' to apply and obtain authorisation from the commission (UCC 2018). This raised surveillance and censorship concerns across a broad spectrum of online users including bloggers, civic actors and media houses. In 2020, an October deadline was published.

With the introduction of more blatant mass surveillance, such as through CCTV cameras under Chinese telecoms company Huawei's 'Smart City' programme across Kampala, the potential for its misuse remains high (Woodhams 2020). In 2019, Huawei also was named in a *Wall Street Journal* exposé, which reported that staff in the Huawei Uganda office had helped police hack into the encrypted communications of an opposition figure and thus aided the security officers in foiling public mobilisation plans (Mwesigwa 2019).

Since then, online campaigns in support of social justice activist Dr Stella Nyanzi have gained global attention. Further campaigns in support of Bobi Wine also gained traction, with the #FreeStellaNyanzi and #FreeBobiWine often supporting each other. The campaign #SocialMediaTax (and related campaigns) also served to voice public discontent with the introduction of taxes on social media and mobile money transactions, and calls for their reversal. The state continues to disapprove of civic protest both online and offline.

Table 4.1 Technology timeline

Year	Shift	Implication
2003	Rural Communications Development Fund.	Aims to address last-mile connectivity.
2006	ISPs block access to radiokatwe.com.	Online censorship.
2009	State closes Broadcasting Council of four radio stations accused of fanning ethnic tensions.	Contributes to self-censorship online.
2009	National Information Technology Authority – Uganda is initiated.	Aims to coordinate and regulate information technology services in Uganda.
2010	Al-Shabaab bombings.	Sparks hasty release of cyber-related laws.
2011	Computer Misuse Act, Electronic Signatures Act and Electronic Transactions Act signed into law.	No process of public consultation; state granted excessive powers.
2011	SMS texts are regulated/blocked; ISPs temporarily block access to Facebook and Twitter for 24 hours.	Fears of an 'Arab Spring' are prevalent, leading to blocking of communications.
2012	Mandatory registration of SIM cards.	Concerns over data privacy and surveillance are heightened due to the amount of data citizens have to part with.
2013	Police shut down media houses for publishing/broadcasting a classified internal government letter, which allegedly contains the succession plans of the presidency.	The hashtags #MonitorSiege and #RedPepperSiege are used to create awareness and challenge the state's actions; media houses re-open after 11 days.
2013	Security minister announces that the government will start monitoring social media.	Promotes self-censorship among media, internet users and civic actors.
2013	Uganda Communications Act.	Threatens digital rights as it grants the state more power, with limited oversight mechanisms.
2014	Data Protection and Privacy Bill drafted.	Civic actors point out gaps in the bill.
2015	State procures Remote Control System.	Allows access to major systems and mobile networks.
2018	Social media tax introduced through Excise Duty Amendment Act.	Reduces online engagement, forcing some users offline.
2018	Online content regulations.	Potential for direct censorship.
2019	CCTV cameras installed across Kampala.	Raises concerns over monitoring and selective use of data.
2020	Deadline for registration as an online content producer.	Potential direct censorship, self-censorship and surveillance.

Source: Author's own.

5. Conclusion

Uganda's civic and digital rights landscape has been shaped by a mixed bag of dynamics over the years. This has been due to the rushed release of laws; the surge in numbers of civic actors; a constantly evolving technological landscape, alongside the prioritisation of political interests over civic needs; and the abuse of state power.

Regressive laws have threatened the civic space, often being used selectively at critical times, such as in the lead-up to elections. Their presence remains a potential threat to the expansion of the work of civic actors. More recent shifts, such as the annulment of POMA and announcement of the development of the Human Rights Defenders Protection Bill, bring some hope of the easing of restrictions on civic space. Despite this positive step, the full potential for digital rights and online civic engagement to be realised remains weighed down by restrictions, which fuel self-censorship, impact affordability and enhance the perception of surveillance.

This report has demonstrated the potential that civic actors have to advance civic space and mobilise for digital rights. However, there remains a reactive nature as opposed to a proactive nature to this mobilisation, requiring more cohesion between the different actors (e.g. in the fields of tech, legal, policy and human rights). Often, gaps have been exploited to isolate groups (e.g. the LGBTI community) from more cohesive actions.

Civic space has adapted over the years, in line with state actions and laws. However, this has not kept civic actors safe from various forms of suppression tactics such as trumped-up charges, arrests, harassment, blocking of websites and intimidation aimed at stifling their work. Ultimately, the closing and opening of civic space is not uniform and does not affect everyone equally. Where some spaces are closed or more threatened (e.g. media and some civic actors, such as LGBTI groups), others remain less affected (e.g. the academic and research space may be less affected due to its proximity to mass public discourse and actions online and offline).

6. Recommendations

More state surveillance capacities call for more digital security and digital resilience skills and capacities for civic actors.

The shift towards more online interaction and engagement has created more opportunities for many retrogressive laws to be used. Thus, there is a need to more collectively organise civic actors on problematic clauses through an assortment of measures; for example, strategic litigation, online campaigns and evidence-based advocacy.

Given more sinister methods of information manipulation, such as online content regulation and social media taxation, it is fundamental to measure what narratives are lost when these avenues are used and the impact on digital rights.

Civic actors need to be more proactive in their measures to promote digital rights and protect civic space; for example, by working towards legislation that promotes digital inclusion and affordability in order for the government to comply with international human rights laws and norms.

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