

Legal and Regulatory Framework Affecting CSO's Online and Offline Activities in Uganda

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Introduction

Uganda's stance in promoting and protecting human rights is embedded in the 1995 Constitution. Some considerable progress has been made in this regard as seen in various initiatives by government, such as the setting up of the Uganda Human Rights Commission (UHRC) established by article 51 of the Constitution and the Equal Opportunities Commission (EOC) established by article 32 (3) of the Constitution, both of which seek to protect rights of citizens especially vulnerable groups such as women, children and people with disabilities. Additionally, Uganda has ratified key international and regional human rights instruments such as the International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social, and Cultural Rights (ICESCR), Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Convention on the Rights of the Child (CRC), Convention on the Rights of Persons with Disabilities (CRPD), and the African Charter on Human and Peoples' Rights. Despite these developments, civic space in Uganda

continues to decline as witnessed in the increasing violation of fundamental human rights and basic freedoms such as freedom of assembly and association, free speech, right to information and privacy offline and online.

Since 2005, Uganda has been governed under a multi-party political system. In February 2016, President Yoweri Museveni was re-elected for the fifth time in office since coming into power in 1986.¹ Similar to the past elections, the 2016 polls were marred by reports of voter intimidation, vote rigging and harassment of media and opposition parties.²

Uganda's population was estimated at 36.6 million in 2016³ and, while per capita GDP was at USD 700 in 2015⁴. A Bank Poverty Assessment found a decline in the proportion of Ugandans living in abject poverty, from 31.1% in 2006 to 19.7% in 2013.”⁵

1. Electoral Commission, 2016 General Elections, <http://ec.or.ug/?q=2016-general-elections>

2. Human Rights Watch, Uganda's Deteriorating Human Rights Record up for Review, <https://www.hrw.org/news/2016/11/02/ugandas-deteriorating-human-rights-record-review>

3. UBOS 2016 Statistical Abstract, http://www.ubos.org/onlinefiles/uploads/ubos/statistical_abstracts/2016%20Statistical%20Abstract.pdf

4. World Bank, Uganda Data, <http://data.worldbank.org/country/uganda>

5. World Bank, 2016 Poverty Assessment report, <http://pubdocs.worldbank.org/en/381951474255092375/pdf/Uganda-Poverty-Assessment-Report-2016.pdf>

Civil Society Organisations (CSOs) can play an active role in the development of a country. They are usually agents of accountability and transparency and usually aim to ensure that government delivers services to its citizenry in an effective manner. There are about 13,000 registered CSOs in Uganda, with majority working towards demanding accountability and transparency of government, and promoting both state and non-state actors' observation of human rights.⁶ A 2006 report by DENIVA cited Uganda's political, social, economic, cultural and legal environment as "somewhat more disabling than enabling for civil society."⁷ Nine years later, the 2015 CSO sustainability index for Sub-Saharan Africa observes the same hurdles.⁸ Among common challenges faced by CSOs are internal administrative hurdles and restrictive legislation seeking to regulate their activities. In 2016, reports of break-ins into the offices of human rights defenders drew criticism from civil society, which questioned the failure by law enforcement agencies to comprehensively investigate the break-ins.⁹ Meanwhile, the country's Non-Governmental

Organisations' Act, 2016 and the Public Order Management Act, 2013, attracted criticism for being broad and vague as they criminalise and discourage criticism of government, limit access to information for citizens, and have a chilling effect on debating of public issues.¹⁰

Just as the Ugandan government is placing restrictions on civic space offline, so has been its interest in restricting online freedoms. With about 16.7 million internet users in Uganda and a 61% telephone penetration rate (mobile and fixed subscriptions)¹¹, there is growing use of Information and Communication Technologies (ICT) as tools for demanding for good governance, better service delivery, and for election monitoring, among others.

Many CSOs are increasingly taking on digital activism in Uganda. For instance, in the past, initiatives like the 'Save the Mabira forest' campaign saw the use of mobile phone SMS to mobilise citizens to rally around preventing the takeover of Uganda's largest rain forest for industrial

6. Uganda National NGO Directory, <http://www.ugandangodirectory.org>

7. Civil Society in Uganda: at the crossroads? [Http://www.civicus.org/media/csi_uganda_country_report.pdf](http://www.civicus.org/media/csi_uganda_country_report.pdf)

8. 2015 CSO sustainability index for sub-saharan Africa, http://ngoforum.or.ug/wp-content/uploads/downloads/2017/03/2015_CSOSI_Africa.pdf

9. DefendDefenders, 2016, Uganda: Government should immediately take steps to end pattern of office break-ins, <https://www.defenddefenders.org/2016/05/uganda-government-immediately-take-steps-end-pattern-office-break-ins/>

10. Civic Freedom Monitor: Uganda, <http://www.icnl.org/research/monitor/uganda.html>

11. UCC, 2016, Post, Broadcasting and Telecommunications Market and Industry Report, THIRD QUARTER (JULY-SEPTEMBER 2016), http://ucc.co.ug/files/downloads/Market_&_Industry_Report_for_Q3_July-September_2016.pdf

investment.¹² Today, numerous CSOs are utilising social media platforms such as Facebook, Twitter, YouTube and WhatsApp for their activism work. On Twitter, hashtags such as #Action2015Ug, #2011Promises, #UgandaDecides, #LightTheWayUg and #ACC2015 have been created to supplement CSOs' advocacy activities, with a reported "31,224,247 online impressions"¹³ made in 2015.¹⁴ One of the prominent initiatives in 2016 was the "Topowa (do not give up) Campaign,"¹⁵ conducted during the 2016 general elections to urge Ugandans not to give up on requiring their leaders to take action on promises they made in previous campaigns before voting them into power. The campaign was run by a consortium of 600 democracy activists and used a variety of platforms, including traditional and social media, to mobilise citizens to vote in

the elections. Overall coordination was under the Coalition for Democracy initiative (CEDDU). Considering increased use of ICT by CSOs, their online activities are likely to be affected by existing legislation enacted to fight perceived concerns such as cybercrime or to protect national security, as such laws are often used to curtail voices critical of government.

In this analysis, the Collaboration on International ICT Policy for East and Southern Africa (CIPESA) provides an overview of existing legislation affecting the work of CSOs offline and online. Areas of focus under this review include freedom of association and assembly, freedom of expression, the right to privacy and the right to information.

12. Esther Nakkazi, "Ugandans mobilise to save Mabira forest from sugarcane plantation", *the Ecologist*, September 20, 2011, available at http://www.theecologist.org/campaigning/wildlife/1057616/ugandans_mobilise_to_save_mabira_forest_from_sugarcane_plantation.html

13. Online impression interactions through social media in form of replies and mentions, these could be tweet mentions or replies or comments and replies to Facebook posts

14. Uganda National Ngo Forum, *Annual Report 2015*, <http://ngoforum.or.ug/wp-content/uploads/downloads/2016/07/UNNGOF-Annual-Report-2015.pdf>

15. CEDDU, *Launch of the Topowa Campaign*, <http://www.ccedu.org.ug/news-events/latest-news/309-launch-of-the-ccedu-topowa-campaign-2.html>

Legal and Regulatory Overview

Freedom of Association and Assembly

Freedom of assembly and association is guaranteed under Article 29 of the Constitution of the Republic of Uganda, 1995. Uganda has also signed and ratified several international human rights instruments that promote freedom of assembly and association.

However, these freedoms are restricted by article 43 of the Constitution on general limitations on enjoyment of human rights and freedoms, which prevents persons from violating the “fundamental or other human rights and freedoms of others or the public interest.” Nevertheless, public interest under this article does not permit limitation of rights “beyond what is acceptable and demonstrably justifiable in a free and democratic society, or what is provided in the Constitution.”

“Every person shall have a right to freedom to assemble and to demonstrate together with others peacefully and unarmed, and to petition.” Uganda Constitution Article 29(1)(d) and (e)

More visible limitations to freedom of assembly and association have been a result of the Public Order Management Act, 2013 (POMA). The Act provides for duties and responsibilities of Police and participants in public meetings and prescribes measures for safeguarding the public during public demonstrations.¹⁶ Section 4 of this law defines a public meeting as “a gathering, assembly, procession or demonstration in a public place or premises held for the purpose of discussing, acting upon, petitioning or expressing views on a matter of public interest.” This law, to a wider extent, has been used to restrict movement of civic actors who seek to hold genuine and peacefully demonstrations.¹⁷

¹⁶. See, POMA Sections 8 & 9

¹⁷. Ivan Okuda, 2015, Public Order Management Act: Bad law or poor enforcement? The Daily Monitor, July 14, 2015, <http://www.monitor.co.ug/SpecialReports/Public-Order-Management-Act-Bad-law-or-poor-enforcement-/688342-2787698-seic5jz/index.html>

On January 30, 2016, the president of Uganda assented to the much-criticised Non-Governmental Organisations Act, 2016. The Act creates an NGO Bureau with the power to revoke an organisation's permit if it deems it to be engaging in "any act which is prejudicial to the interest of Uganda and the dignity of the people of Uganda" and also creates various offences and penalties for NGO workers. All NGOs are required to register with the National Bureau of NGOs as provided for under Section 29(1). Unregistered NGOs that conduct activities risk hefty penalties as stipulated in Section 40.

The Uganda Penal Code Act Chapter 120 criminalises homosexuality, under Section 145 and any person who commits this offence is punishable by life imprisonment. The Act has been used to deter registration of LGBTQI organisations. While CSOs can also register as companies limited by guarantee under the Companies Act of 2012, there have been limitations on registration of some organisations.¹⁸ For instance, the Uganda Registration

Services Bureau (URSB) has denied reservation of names for organisations whose work is considered unlawful. Some of the affected organisations include the LGBTIQ network Sexual Minorities of Uganda (SMUG), whose application was rejected on grounds that the nature of its work is prohibited by the Penal Code Act.¹⁹ The organisation has since filed an application in the High Court of Uganda, challenging the refusal by the URSB to reserve their name, arguing that the denial of registration as a company limited by guarantee strips them of their freedom of association and equal protection of the law, thus making them unable to participate in civic engagement.²⁰

Although the Anti-Homosexuality Act, 2014 was annulled in August 2014, having drawn criticism by both local and international actors for severe infringements on freedom of association, the LGBTIQ community still feels insecure when it comes to their communications online and offline.

"A person is liable on conviction to a fine not exceeding UGX 1,4,40,000 (USD399) or imprisonment for 3 years or both and in the case of a continuing offence, to a fine not exceeding UGX 300,000 (USD 83) for each day during which the offence continues after conviction." Section 40.

18. Companies Act, 2012, <https://www.ebiz.go.ug/wp-content/uploads/2016/01/Companies-Act-2012.pdf>

19. Kuchu Times, SMUG Files Case against Registrar General, <https://www.kuchutimes.com/2016/06/smug-files-case-against-registrar-general/>

20. SMUG, 2017, SMUGVsURSB Adjourned to 24th March 2017, <https://sexualminoritiesuganda.com/smugvsursb-adjourned-to-24th-march-2017/>

Freedom of Expression and Opinion

Freedom of expression and opinion is clearly set out in the Constitution under Article 29 (1) (a) which provides for freedom of speech. It states that “every person shall have the right to freedom of expression and speech which includes freedom of the press and other media.”

Uganda’s communications sector is regulated by the Uganda Communications Commission established by the 1997 Communications Act, which has since been repealed by the Uganda Communications Act, 2013.²¹ Section 5 of the 2013 Act lists functions of the commission among others to “monitor, inspect, license, supervise, control and regulate communications services”.²² However, the Act has in the past been used to curtail online freedom of expression, as seen during the social media and mobile money shutdowns during the 2016 general elections and the presidential inauguration. The regulator cited Sections 5 1(b) and 1(x) when directing service providers to shut down the services.²³ The move drew wide criticism from national and international actors, with some analysts

Section 5 1 (b) “to monitor, inspect, licence, supervise, control and regulate communications services.” Section 1(x) “to set standards, monitor and enforce compliance relating to content.”

raising concern over the regulator making it a habit to switch off the Internet whenever it deems fit under the guise of protecting national security.²⁴

On February 26, 2016, the minister of information gazetted The Communications (amendment) Bill 2016, that sought to amend section 93(1) of the Uganda Communications Act, 2013 to enable the minister in charge of ICT to make statutory instruments without seeking parliamentary approval.²⁵ These suggested amendments drew criticism from observers who believed that ousting parliamentary oversight would leave the process of drawing up regulations for the sector prone to abuse by the minister. The Bill was passed as it was on April 06, 2017 despite criticisms from several actors.²⁶

21. Uganda Communications Act, 2013, <http://ucc.co.ug/files/downloads/UCC%20Act%202013.pdf>

22. See for example Section 5 (1) b.

23. CIPESA (2016) Ugandans Turn to Proxies, VPN in Face of Social Media Shutdown available at <http://www.opennetafrica.org/ugandans-turn-to-proxies-vpn-in-face-of-social-media-shutdown/>

24. Harriet Anena (2016) Social media shutdown in Uganda will become a norm – analysts available at <http://acme-ug.org/2016/05/19/social-media-shutdown-in-uganda-will-become-a-norm-analysts/>

25. Govt seeks to amend UCC Act, <http://www.parliament.go.ug/new/index.php/about-parliament/parliamentary-news/788-govt-seeks-to-amend-ucc-act>

26. Nicholas Wassajja and Mary Karugaba, “Minister to Regulate Media Without Parliament Approval”, New Vision, April 10, 2017, p. 6.; Paul M Abooki, “Parliament Passes Uganda Communications Amendment Bill, Gives More Powers to ICT Minister”, The Uganda Today April 7, 2017, available at

On the other hand, although the Computer Misuse Act, 2011²⁷ seeks to protect online users' activities, it has provisions that limit freedom of expression online. Article 25 of this Act prohibits offensive communication, which is vaguely defined "any person who willfully and repeatedly uses electronic communication to disturb or attempts to disturb the peace, quiet or right of privacy of any person with no purpose of legitimate communication." The act has also in the past been used to prosecute and intimidate civic actors perceived critical of government operations. Some cases include:

- In November 2014, three activists in western Uganda were arrested for allegedly inciting violence with posts written in the Facebook group, the Masindi News Network (MANET).²⁸ The group disseminated information about the western region of the country to over 16,000 members and often posted demands for political accountability from the government. It sought to collect one million signatures for a petition urging Parliament to investigate the alleged mismanagement of funds meant for the construction of a major road in the region

- In June 2015, authorities arrested and charged Robert Shaka, a computer scientist, on suspicion of running the pseudonymous Facebook account that reportedly leaked state secrets. His arrest came following the President's directive in January of the same year to arrest people "abusing" social media.²⁹
- In January 2016, authorities arrested and charged Charles Rwomushana - a political activist - for criminal libel and promoting sectarianism following his publishing on Facebook a picture alleged to be the corpse of Christopher Aine, a former aide to opposition presidential candidate Patrick Amama Mbabazi.³⁰
- In March 2016, police arrested two individuals accused of circulating on social media a picture depicting a 'dead' President Museveni.³¹
- On April 8, 2017, Dr. Stella Nyanzi, a re-known government critic, was arrested and charged with two counts including cyber harassment contrary to section 24 (1)(2)(a) of the Computer Misuse Act 2011 and offensive communication contrary to section 25 of the same law.³²

27. Computer Misuse Act, 2011, <https://www.nita.go.ug/sites/default/files/publications/Computer-Misuse-Act.pdf>

28. Joseph Elunya, "Crackdown on Facebook in Uganda," Waza Online, December 19, 2014, <http://bit.ly/1v6RzzP>

29. Museveni social media critic sent to Luzira, <http://www.monitor.co.ug/News/National/Museveni-social-media-critic-sent-to-Luzira/688334-2748626-2bq6c4/index.html>

30. Charles Rwomushana arrested over Aine pictures, <http://www.ntv.co.ug/news/crime/09/jan/2016/charles-rwomushana-arrested-over-aine-pictures-10675#sthash.QtAu1aDn.dpbs>

31. Two arrested over 'dead' Museveni picture, <http://www.monitor.co.ug/News/National/Two-arrested-over--dead--Museveni-picture/688334-3106714-11plidx/index.html>

32. Dr Nyanzi charged in court for insulting Museveni, <http://www.monitor.co.ug/News/National/Dr-Stella-Nyanzi-court-amid-heavy-police-deployment/688334-3884426-pb9rfmz/index.html>

For offline freedom of expression, the Penal Code Act establishes and defines offences related to sedition, promotion of sectarianism, criminal libel/defamation, and terrorism. Sections 34 to 36 of the Penal Code Act provide for the prohibition of the importation of publications and give the Minister discretionary powers on the types of publications to be imported or banned in accordance with the public interest. Where periodical publications are concerned, the order may relate to all or any of the past or future issues.

The Penal Code Act calls for the punishment of promotion of sectarianism under Section 41. It makes it an offence for any person to print, publish, make or utter any statement or carry out any act which is likely to (a) degrade, revile or expose to hatred or contempt; (b) create alienation or despondency of; (c) raise discontent or disaffection among; or (d) promote, in any other way, feelings of ill will or hostility among or against any group or body of persons on account of religion, tribe or ethnic or regional origin. Violation of this section may lead to imprisonment of up to five years.

Another law limiting freedom of expression is The Anti-Pornography Act, 2014, enacted to prohibit the publication and distribution of pornographic materials. The Act has been criticised for its “broad definition of pornographic content, which may include among others art, drama, culture, cinema, video.”³³ In particular, this law may be restrictive to activities of CSOs involved in promoting sexual and reproductive rights that may use educational graphics deemed pornographic under the Act’s broad definition of pornography.

Section 34 (1). “Whenever the Minister considers it in the public interest so to do, he or she may, in his or her absolute discretion, prohibit, by statutory order, the importation of all publications or any of them, periodical or otherwise; and where the prohibition is in respect of any periodical publications, the same or any subsequent order may relate to all or any of the past or future issues of periodical publication.” Penal Code Act

33. Chapter Four Uganda, What you need to know about your expression and assembly freedoms,

http://chapterfouruganda.com/sites/default/files/downloads/What-You-Need-To-Know-About-Your-Expression-and-Assembly-Freedoms_0.pdf

Another obstacle in this Act is its call for Internet Service Providers (ISPs) to install software that allows the blockage of pornography under Section 17 (1). Those who fail to compile face a fine of ten million Uganda Shillings (USD 2,775) or a five-year imprisonment term or both. In April 2016, the Uganda Cabinet announced the appointment of members to constitute the Anti-Pornography Committee.³⁴

Accordingly, in August 2016, the minister of Ethics announced purchase of a pornography detecting machine meant to arrive

Section 3 of the Anti-Pornography Act 2014 provides for the establishment of a pornography control committee whose functions include early detection and prohibition of pornography, ensuring that perpetrators of pornography are apprehended and prosecuted, collecting and destroying pornography materials and educating the public against

in the country in September 2016. Nevertheless, the machine was reportedly not procured, after the minister failed to secure parliament's approval of UGX 2.6 billion Uganda Shillings (USD 770,380) for its procurement.³⁵ No further reports have been cited whether the said machine was procured or if its currently under use.

However, if procured, it's likely to be used for other purposes like surveilling on unsuspecting citizens' digital communications, thus further infringing on privacy rights.

34. Pornography control committee named, *The Sunday Vision*, April 14, 2016, http://www.newvision.co.ug/new_vision/news/1422110/anti-pornographic-committee-named

35. <http://www.monitor.co.ug/News/National/Anti-pornography-committee-redundant/688334-3304124-107jex/index.html>

Right to Data Protection and Privacy

Although Uganda has no data protection and privacy law, in 2014 the government published the Data Protection and Privacy Bill, for which the latest draft is the Data Protection and Privacy Bill, 2015 that seeks to provide for the privacy of individuals and protection of personal data by regulating the collection and processing of personal information. Though well received, the bill was criticised for being “open to misinterpretation” and abuse due to the broad and vague conditions in which personal data may be collected, such as for “national security”.³⁶ The bill is before parliament’s Committee on ICT for consultations before presentation to the parliament’s plenary for debate.

Other legislation providing for the right to data protection and privacy include the Access to Information Act of 2005, the Electronics Signatures Act 2011 and parts of the Computer Misuse Act, 2011.

Section 26 of the Access to Information Act provides for privacy and data protection by prohibiting “the

unreasonable disclosure of personal information about a person, including a deceased individual.” Additionally, both the Electronics Signatures Act 2011,³⁷ Section 81 and the Computer Misuse Act, 2011, Section 18 (1) prohibit persons with access to any electronic record, book, register, correspondence, information, document, and other material from disclosing such information to any other person or use of the same for any purpose other than that which he or she obtained access except for the purpose of the Acts and for law enforcement purposes.

However, Section 28 (5) (c) of the Computer Misuse Act gives powers to an authorised officer executing a search warrant to “compel a service provider, within its existing technical capability - (i) to collect or record through the application of technical means; or (ii) to co-operate and assist the competent authorities in the collection or recording of traffic data in real time, associated with specified communication transmitted by means of a computer system.”

³⁶ CIPESA, “Reflections on Uganda’s Draft Data Protection and Privacy Bill, 2014,” February 2015, <http://bit.ly/1KkFgXg>.

³⁷ Electronic Signatures Act, 2011, <https://www.nita.go.ug/sites/default/files/Electronic-Signatures-Act.pdf>

Infringing on privacy through unlawful interception and disclosure of communication by a service provider is punishable under the Uganda Communications Act 2013.³⁸ Service providers are also prohibited from broadcasting content that infringes upon individual privacy.

In 2010, Uganda enacted the Regulation of Interception of Communications Act (RICA) pursuant to the Anti-Terrorism Act 2002. The RICA legalises state interceptions and the monitoring of communication in telecommunications, postal or any other related system as a means of detecting and combating terrorism. Section 3 of the Act authorises the Minister of security to establish a Monitoring Centre and gives this minister responsibility over the administration and functioning of the Centre. However, only authorised personnel may intercept communications when gathering information concerning an actual or potential threat to national security, public safety or to any national economic interest and upon issuance of a warrant by a designated judge.³⁹ The Act calls for mandatory

registration of SIM cards⁴⁰ while service providers are required to “install hardware and software facilities and devices to enable interception of communications at all times or when so required, as the case may be.” Some of the reasons for SIM card registration include helping law enforcement agencies to identify mobile phone SIM card owners where subscribers are required to provide personal.

identification such as “the person’s full name, residential address, business address, postal address and his or her identity number contained in his or her identity document.”⁴¹ Failure of service providers to comply is punishable by a fee not exceeding UGX 2.24 million (US\$ 896) or imprisonment for a period not exceeding five years, or both and/or cancellation of their license. Although the process was effected in 2012, with a deadline for registration deadline set for March 1, 2013. Although, unregistered Sim cards were switched off, telecom companies and their agents continued selling unregistered

38. See, Sections 79 and 80

39. See, Section 5(1)

40. UCC, SIM Card Registration, <http://www.ucc.co.ug/data/smenu/23/SIM-Card-Registration.html>

41. See, Section 4 & 9 of the RICA.

cards. On March 28, 2017, a new directive was issued to telecom providers to deactivate all unregistered SIM cards by midnight March 29, 2017.⁴² And on April 12, 2017, the Uganda Communications Commission issued a seven-day notice directing SIM card owners to re-validate their data using National Identification Number (NIN) for Uganda nationals, passport numbers for foreigners and refugee cards for refugee or risk being switched off.⁴³ Organisations are required to provide their certificate of incorporation in addition to NINs of the directors to have their official SIM cards reregistered. These new measures were likely to lead to unprecedented monitoring of CSO online activities especially for those organisations deemed promoters of unlawful activities such as LGBTIQ rights or those critical of government programmes.

Meanwhile, in January 2016 amendments were made to the Anti-Terrorism Act in an attempt to align it to international standards by providing for aspects of terror financing and money laundering. However, this measure is likely to infringe on the right to privacy as it gives powers to law enforcement to monitor online transactions of entities perceived to be involved in terrorism activities.

Conclusions

Uganda is a party to several regional and international human rights frameworks. Despite endorsing these proclamations, Uganda's record in upholding human rights is on the decline. Several laws and measures restrictive of civic space offline and online have been steadily been registered in the last five years. However, the availability of easy to use digital tools and declining costs of accessing them create great opportunities for CSOs to adopt their usage in their day-to-day advocacy efforts. Although CSOs are integrating digital activism as part of their efforts, this is not done on wide scale. The absence of a data protection and privacy law further jeopardises CSO activities online.

Recommendations

Following conclusions drawn from this analysis, the following recommendations are made to government and civil society so as to improve operational space for civic society.

⁴². UCC, 2017, Statement by the Executive Director, UCC to the media on the status of SIM Card registration,

<http://www.ucc.co.ug/data/dnews/128/Statement-by-the-Executive-Director,-UCC-to-the-media-on-the-status-of-SIM-Card-registration.html>

⁴³. <http://www.ntv.co.ug/news-features/news-night/news-night-ucc-corporate-affairs-director-fred-otunnu-sim-card-registration#sthash.r1HPKWOF.dpuf>

Government:

1. Immediately pass the Data Protection and Privacy Bill to create a sense of security of citizens in their online communications including with private and public bodies.
2. Repeal provisions in legislation that curtail citizens' right to association and assembly, free speech and privacy. Such provisions are found in the Public Order Management Act, the NGO Act, the Penal Code Act, and the Uganda Communications Act, among others.
3. Recognise multi-stakeholder consultation processes when adopting or amending legislation to capture all stakeholders' input, which will enable Uganda to enact progressive laws that protect human rights and represent the aspirations of citizens.
4. When implementing provisions that seek to address matters of national concern, the Uganda government must respect universally acceptable standards and principles. This mainly applies to free speech, right to assembly and privacy rights.
5. Create awareness creation the existing legal and regulatory frameworks and the role of different stakeholders in promoting and respecting them.

Civil Society Organisations

1. CSOs need to become more vigilant in advocating for better legal and regulatory frameworks that respect human rights. Instead of being reactive to policy making processes, CSOs should be more proactive by engaging government on the need to end rights violations and to enact and implement progressive laws.
2. Considering the shrinking offline civic spaces, CSOs need to embrace use of digital tools as part of their internal and external operations. This comes along with securing their online communications both at individual and institutional level.
3. Build stronger coalitions and networks as part of having a unified approach in promoting and advocating for digital rights and other rights in general.
- 4 CSOs need to work with government in awareness building on the importance of protecting digital rights, including emphasising to policy makers and law enforcement officials how protecting digital rights impacts on the lives of ordinary citizens.

