

Policy Brief



Strategies to Prevent Electoral Violence against Journalists in Uganda: Considerations for Policy

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Executive Summary

Electoral violence against journalists is a sub- category of political violence, which deserves special consideration from the policy stakeholders. Indeed, electoral violence against journalists has received increasing international attention in recent years due to the devastating effects of outbreaks of violence especially in Sub-Saharan Africa. During the 2021 general elections, Ugandan journalists operated in fear occasioned by brutal arrests and indiscriminate killing of perceived protesters. Police and the army blocked most of the opposition rallies in ostensible efforts to curb the spread of COVID-

19. Excessive force was applied and no specific efforts were made to ensure the safety of journalists, who were doing their cardinal work. Consequently, numerous journalists were harassed, injured, attacked, and detained while covering the protests. The main conclusion of this policy brief points to analysis of the six major forms of abuses against journalists during elections and highlights strategic recommendations to various stakeholders, with the view of attaining the following strategic objectives:

- 1) Ensuring availability of timely and reliable data on the trends of violence against journalists in Uganda's electoral context, including perpetrators, victims and nature of violence;
- 2) Strengthening commitments and capacities of key players in preventing and addressing electoral violence against journalists in Uganda;
- 3) To strengthen capacities of individual journalists in safety skills for covering elections;
- 4) Strengthening mechanisms for fair and timely justice for victims of electoral violence against journalists

Introduction

Elections in Uganda are usually marred by violence resulting from mass protests against maltreatment of the opposition. Journalists have been victims and have always been injured in running battles as police disperse opposition candidates and their supporters. The safety of journalists in Uganda is severely impeded by growing intolerance towards the opposition and suppression of other political actors. For Ugandan journalists, elections pose high levels of violence as the state clamps harder on opposition activities. For instance, during the 2021 general elections, journalists operated in fear occasioned by brutal arrests and indiscriminate killing of perceived protesters. Police and the army blocked most of the opposition rallies in ostensible efforts to curb the spread of COVID-19. Excessive force was applied and no specific efforts were made to ensure the safety of journalists, who were doing their cardinal work. Consequently, numerous journalists were harassed, injured, attacked, and detained while covering the protests. As armed forces heavily and violently responded to campaign-related demonstrations in urban centers of Kampala, Jinja, Masaka, Hoima, and Gulu, journalists suffered physical threats from both the armed forces and the general public.

Dangers from the police included: firing rubber bullets and on occasions live ammunition, use of pepper spray, teargas, stun, grenades and water cannon, vehicle ramming of individuals, physical assault as well as arrest and detention. Dangers posed by the public to the press included: protest debris, looting and road blockades leading to physical attacks.

Using the regulator, Uganda Communications Commission, government compelled local media houses to deny opposition politicians visibility. A number of radio stations were cautioned against hosting opposition presidential candidates, hence going into self-censorship.

Recognizing the pivotal role of the media in every electoral process, there is need for concerted efforts by government, civil society, media houses and the international community in upholding the safety of journalists during elections.

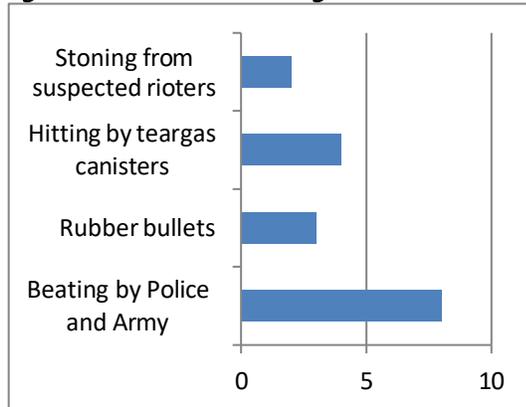
This policy brief offers insights for policymakers regarding strategies to prevent and manage electoral violence against journalists in the electoral context. It is based on the recommendations of the study on Viable Public- private Strategies to End Electoral Violence against Journalists in Uganda and the resolutions of the subsequent stakeholders' policy roundtable. We perceive electoral violence against journalists as a sub-category of political violence, which deserves special consideration from the policy stakeholders (Höglund 2009, Höglund, et al. 2009, Fischer 2002). Indeed, electoral violence has received increasing international attention in recent years due to the devastating effects of outbreaks of violence in Uganda, Kenya, Zimbabwe and Afghanistan around elections.

This brief targets policy stakeholders, notably the government of Uganda, civil society organizations, media institutions, media support organizations, journalists' unions, individual journalists and the international community. The brief offers policy and program alternatives the stakeholders can undertake to enhance the safety of journalists in electoral contexts.

Frequent Forms of Violence Journalists Face during Elections in Uganda

Assault: Incidents of assault against journalists covering rallies and the ensuing riots are widespread as police and the armies disperse opposition supporters. The most common forms of assault include beating by police and/or the army, rubber bullets, hitting by teargas canisters and stoning from suspected rioters.

Figure 1: Forms of Assaults against Journalists Covering the 2021 Uganda Elections



Wanton Arrests and Detention: Journalists covering elections have been subjects of arbitrary and brutal arrests and detentions. The arrests especially occur: when journalists are covering opposition campaigns, when journalists are covering the arrests of opposition candidates, and when journalists are protesting police brutality.

Inhumane and Degrading Treatment during arrest and Detention: Journalists face brutal arrests involving beating and manhandling during arrest, detention beyond mandatory duration, being held incommunicado and torture during detention.

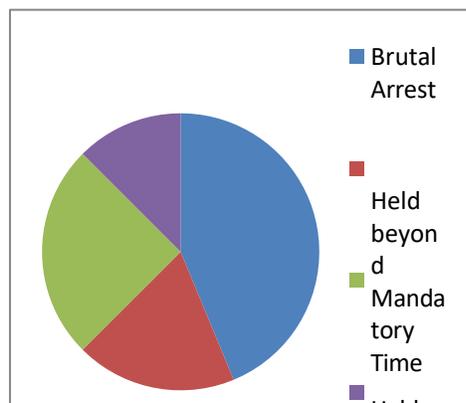
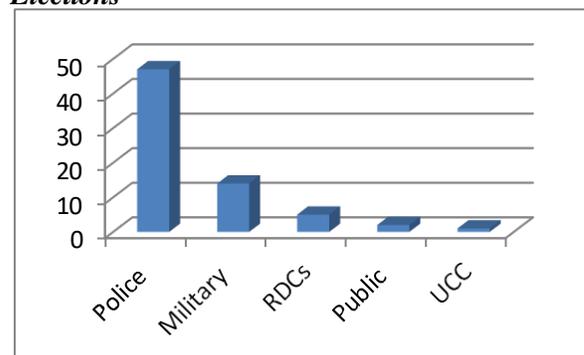


Figure 2: Forms of Inhumane Treatment of Journalists during Arrest and Detention

Figure 4: Categorization of Violence against Journalists by Perpetrators during the 2021 Elections



Damaging and Confiscation of equipment: Confiscation of cameras and other recording equipment has also been witnessed as journalists cover elections. Majority of these incidents occur as journalists cover

rallies and riots.

Media Content Censorship: Often media houses have been intimidated and barred from hosting opposition talk-shows.

Threat to Internet Freedom: During elections, government has curtailed internet freedoms under the guise of protecting national security and cultural or moral values. Several internet users, especially bloggers have faced arrests on accusations of cyber harassment and inciting violence.

Perpetrators of Violence against Journalists during Elections in Uganda

Uganda Police has been the top single violator of journalists' rights during elections, followed by the military, Resident District Commissioners,

Policy Recommendations

1. Journalists:

- While covering elections, avoid breach of the prevailing statutes. This will not only enhance safety, but will also put you in better bargaining position in case of aggression.
- Ensure factuality, accuracy, impartiality and balance through independent and effective investigations.
- Formulate specific professional networks to enable advocacy and follow up on violations committed against fellow journalists. An example of such can be a network of journalists covering elections in given region.
- Establish allies in key government and civil society circles, who have the will and technical resources to address violence against journalists. Such allies as politicians, lawyers, human rights campaigners play a significant role in following up on cases of violence against journalists. Journalists should, however, never be compromised by such players for favorable coverage.
- Ensure possession of proper professional identification documents, because during elections authorities may threaten unregistered journalists with criminal sanctions. Keep your media credentials with you and easily accessible at all times in case the police ask to see them.
- There is need to be versed on the social and political contexts of the area you are covering, or to work closely with natives. This will help identify electoral trends and imminent threats.
- Take personal safety measures when covering electoral scenes. Such may include; wearing personal protective equipment (PPE) such as a safety helmet, safety goggles, and a protective body vest/ body armor, working with other colleagues, avoiding wearing politically sensitive colors, identifying yourself with **PRESS** on the front and back of your clothing and minimizing the amount of equipment and valuables you take with you on assignment.

2. Media Houses:

- Institute capacity building initiatives aimed at equipping staff with occupational safety skills.
- Follow up cases of violence against staff journalists as an institutional concern.
- Provide protective equipment such as a safety helmet, safety goggles, press jackets and protective body vests/body armors to staff reporting on elections.

3. Media Development Organizations and Journalists Unions:

- Monitor and document attacks against journalists, specifically during elections.
- Establish early warning and rapid response mechanisms, which enable journalists to access protection and support.
- Engage in close collaboration with local actors in order to uncover networks of violence makers and to identify peace- promoting elements.

4. Civil Society Organizations:

- Make monitoring, reporting and education on electoral violence against journalists your continuous/regular programmatic activities.
- Publicly and unequivocally condemn all violence and attacks against journalists during elections, including threats of such attacks.

5. Government of Uganda:

5.1 Parliament of Uganda

- Enact a law making it a specific offence brutalizing a journalist covering elections.
- Review all restrictive laws to create and maintain an enabling state policy for journalists.

5.2 Uganda Police

- Incorporate media laws, electoral laws and journalists' safety into the training and human resource development programmes of the police.
- Always quickly release all arbitrarily arrested or detained journalists and drop charges against them for carrying out their work of covering elections.
- Protect media outlets against attack and forced closure.
- Make extra efforts to protect journalists in electoral riots. Such may include shielding them against possible attacks and ensuring their safe evacuation in case of escalation of violence. Such efforts should also be incorporated into the police's training or human resource development program.

5.3 Electoral Commission

- Include journalists' safety awareness in the voter education campaigns. Messages on condemnation of violence against journalists by a credible body such as the Electoral Commission will deter perpetrators against the vice, and mobilize a critical mass against violence against journalists covering elections.
- Institute and publicize sanctions against politicians perpetrating violence against journalists, for example by limiting the right for repeat violence-makers to engage in politics, to avoid a culture of impunity.

5.4 Uganda Communications Commission

- Review all restrictive laws to create and maintain an enabling state policy for journalists.
- Make it a licensing requirement and periodically monitor efforts by media houses on safety of their staff.

5.5 The Judiciary

- Expeditiously handle and dispose of all cases of violence against journalists in the electoral context, such that judgments are delivered during the electoral season. Aligning such judicial decisions with the electoral context will serve as deterrents against aggressions in future elections.
- Prosecutions of those who commit crimes against journalists should encompass all perpetrators, including those who command, conspire to commit, aid and abet, or cover up such crimes.

6. International Community:

- Allocate more resources to support policy and strategies to address electoral violence against journalists in Uganda.
- Support political party development, citizen education and media training.
- Support training of the judiciary, law enforcement and military, as well as journalists and civil society, on international standards on the safety of journalists and freedom of expression.
- Support media organizations' own efforts in advancing safety.

About the Author

Ismail Ruhweza is the Director of programs at the Centre for Development Outreaches Africa, Kampala, Uganda. He has conducted a range of studies in media development and democratization. His recent research work covers issues such as the challenges of democratization in post-conflict societies, the role of the media in democratic governance, and the role of international actors in supporting peaceful electoral processes. He recently published the book 'Advancing the Safety of Female Journalists in Uganda'.

Publisher

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CEDOA is a non-governmental, not-for-profit humanitarian organization based in Kampala, Uganda.

This policy brief is published with support from the International Center for Not-for-profit Law (ICNL)

Resources

Sarah Birch, 2020 Electoral violence: An introduction, Department of Political Economy, King's College London
MEDIA, 2021, Research on Viable Public-private Strategies to End Electoral Violence against Journalists in Uganda

Kristine Höglund, 2010, Electoral Violence in Conflict-Ridden Societies: Concepts, Causes, and Consequences, Department of Peace and Conflict Research, Uppsala University, Sweden

Andreas Schedler, 2012, The Nested Game of Democratization by Elections, Mexico

Hanne Fjelde and Kristine Höglund, 2014, Electoral Institutions and Electoral Violence in Sub-Saharan Africa, Cambridge University Press

David Muchlinski, 2017, Electoral violence prevention: what works? Sydney

S Birch, D Muchlinski, 2018, Electoral violence: Patterns and trends

Stephanie M. Burchard, 2015, Electoral Violence in Sub-Saharan Africa: Causes and Consequences, Boulder, Colorado, Lynne Rienner Publishers

Emilie M. Hafner-Burton, Susan D. Hyde and Ryan S. Jablonski, 2014, When Do Governments Resort to Election Violence? Cambridge University Press

International Covenant on Civil and Political Rights, Part III, Article 19

UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) (1984)

The African Charter on Human and Peoples' Rights (ACHPR), Article 9

Constitution of the Republic of Uganda, 1995, National Objectives, State Policy No. XXVIII b

Constitution of the Republic of Uganda, 1995, Article 29

The Access to information Act 2005

The Prevention and Prohibition of Torture Act (2012)

The Press and Journalist Act 2000

CIPESA, 2016, the State of Internet Freedom in Uganda