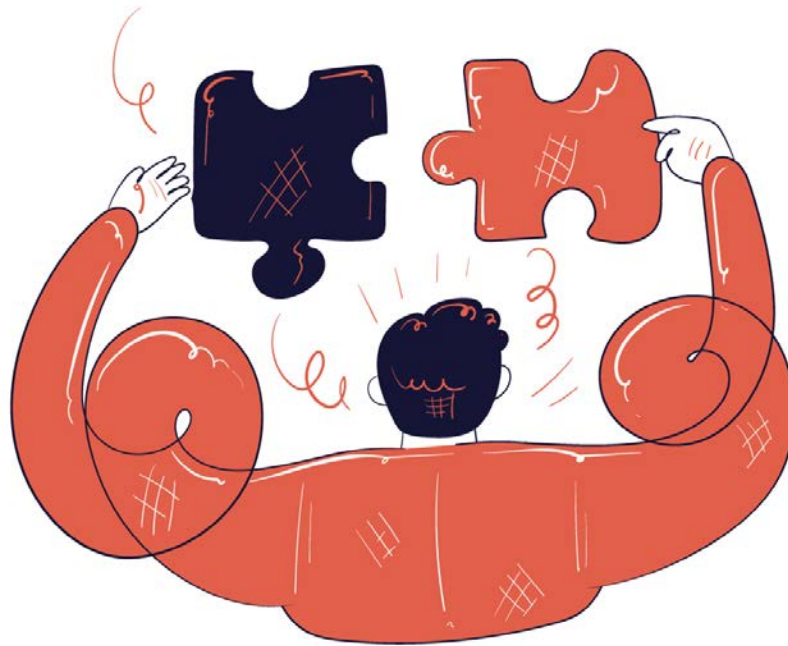


# **Country Report: Biometric Digital Identity Programs and Independent Journalism in Uganda**



**African Centre for Media Excellence (ACME)**

**Uganda**

**June 2023**

# Acknowledgements

We would like to express our gratitude to Apolo Kakaire, Brian Ssenabulya (ACME staff), and Paul Kimumwe (independent researcher), who conducted this research and authored this report. We also thank Itabaza Nsiimenta Sabiti, Enid Karen Nabumati, and Brian Bainomugisha, who collected the data for this research report.

We are also grateful to all the communities and individuals who generously shared their time, experiences, and perspectives with us, and contributed to the research process.

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# Executive Summary

**This report focuses on Uganda and is part of a multi-region research seeking to identify and compare the state of biometrics and digital identity threats, usage, and impact in Africa, the Balkans, Central Asia, Latin America and the Caribbean, and South and Southeast Asia.**

The report explores the impact of Biometric and Digital Identity (BDI) programs on independent journalism practice in Uganda. Using a mixed-methods approach combining content analysis, questionnaires, and interviews with journalists and media personalities, the report details how the implementation of BDI programs has facilitated surveillance and intrusion on journalists and media houses. In turn, the report examined how this has affected the pursuit of independent journalism practice in Uganda, with a focus on media freedoms and access to information.

To respond to the research question, the study categorized issues according to restrictions and gaps, namely (a) restrictions on critical reporting and reporting on sensitive issues, (b) restrictions on investigative journalism, and (c) restrictions on identity protections. Additionally, the report details that media practitioners in Uganda are facing professional challenges in resisting the weakening of independent journalism, occasioned by digital safety and online protection gaps at the skills, knowledge, and tools levels.

## Key Findings

- Mass data collection exercises under Uganda's BDI programs coupled with advanced real-time monitoring capacities have strengthened the state's capacity to engage in communications surveillance, and easily track the movements of their targets, including journalists.
- Journalists are more constrained to practice independent journalism due to the growing incidents of threats to their lives because of the ease with which their personal data gets collected, processed, and shared. Several journalists reported receiving threats from anonymous sources regarding their journalism work.

- Many journalists (at least half of the 80 interview respondents) reported engaging in self-censorship for fear of reprisals due to state surveillance and interception of their personal communication, especially when dealing with sensitive investigative stories.
- Some journalists (one third of the 80 interview respondents) reported experiencing a hard time accessing sources, especially whistleblowers. This has greatly undermined their ability to investigate and access information, particularly information controlled by government agencies.

## Key Recommendations

- The data protection authority should review the ongoing biometric digital ID collection programs to ensure that they comply with the principles of personal data protection, particularly as it pertains to the integrity and confidentiality of personal data preventing unauthorized sharing of personal data.
- Journalists and media houses should be properly equipped with the requisite skills, tools, and knowledge to mitigate the effects of surveillance and interception of their personal communication, including the use of encryption, and two-factor (or two-step) authentication.
- Civil society actors should work to support journalists and media houses to scrutinize the legality and transparency of existing BDI programs to ensure their adherence to data protection principles.

The findings in this report serve as a call to action for the National Information Technology Authority (NITA-U) and the Personal Data Protection Office highlighting the urgent need to address the ease with which personal data of journalists can be accessed. The report also magnifies the urgent need to redress the ongoing surveillance and privacy intrusions targeting media practitioners, which are negatively hampering independent journalism.

# Introduction

Biometrics and digital identity (BDI) are two interrelated fields that have gained significant attention in recent years. Digital identity is defined as the “data that uniquely describes a person or a thing” in the digital world.<sup>i</sup> This data can include a person’s name, date of birth, government-issued identification numbers, and digital characteristics, such as IP address. Digital ID overlaps with biometrics in the sense that biometrics can be used as a form of digital identity verification. Biometrics are a set of unique physical or behavioral characteristics, including fingerprints, and facial or voice recognition, amongst others, used to identify and authenticate individuals.<sup>ii</sup> Increasingly, biometric technology is being used for other functional purposes including border control, election management, financial transactions, refugee management, and health, amongst others.<sup>iii</sup>

Across the globe, a growing appetite to deploy and use digital forms of identity relying on biometric authentication and verification continues to be recorded. The World Bank (WB) and the United Nations (UN) assert that foundational BDI systems are critical for development goals and access to legal identity, in furtherance of the Sustainable Development Goals (SDGs). BDI systems are touted as capable of producing ‘huge savings for citizens, government, and business, increasing transparency and accountability, and driving innovation.’<sup>iv</sup> On the other hand, the risks linked to digital ID systems are equally as pressing, and include (i) societal implications, such as exclusion and marginalization of those who are not able to get foundational IDs or those who are traditionally denied identity documents, (ii) technical challenges, including safety, security, and privacy concerns.<sup>v</sup>

In Uganda, collection of biometric data was first introduced in 2001 with the implementation of the Photographic Voter Registration and Identification Systems (PVRIS) project. Voters’ details, such as photographs, were captured using a digital camera and biographical data were captured using a paper-based registration form. In 2016, the Electoral Commission adopted the Biometric Voter Verification System (BVVS) with fingerprints.<sup>vi</sup>

In 2014, the Ugandan government launched mass registration for biometric national identity cards, which are issued and maintained by the National Identification and Registration Authority (NIRA).<sup>vii</sup> The system was provided by Mühlbauer ID Services GmbH, a German company, for EUR 64 million (USD 63.1 million). In August 2022, the government announced plans to upgrade its current national identity card, which was first rolled out in 2014, to include DNA, fingerprints, palm print and eye scan information starting from 2024 in order to eliminate crime.<sup>viii</sup> The card has so far been issued to 26 million people and its mandatory use is tied to access to a wide variety of services, despite individuals who lack the card being excluded from some services.<sup>ix</sup>

Previous studies such as the Collaboration on International ICT Policy for East and Southern Africa's (CIPESA) report on biometrics have demonstrated that like many other African countries, Uganda's adoption of BDI programs enhanced its capacity to conduct mass and indiscriminate surveillance.<sup>x</sup> As highlighted by study interviewees, mass data collection exercises under BDI programs have enhanced the state's capacity to track the movements of their targets and conduct communications surveillance. The main ways in which BDI programs can expand government's surveillance and intrusion capacities include:

- **Increased Data Collection:** BDI programs necessitate the collection of biometric data from a significant portion of the population, thereby expanding the amount of personal information available to the state.
- **Enhanced Identification and Tracking:** Biometric identifiers facilitate the identification and tracking of individuals with greater accuracy and efficiency. This allows the state to monitor individuals' movements, behaviors, and activities on a large scale.
- **Integration with Other Systems:** BDI programs can be integrated with existing databases, including government records, law enforcement databases, and social media platforms, providing a more comprehensive surveillance infrastructure.
- **Real-Time Monitoring:** BDI systems equipped with surveillance capabilities can enable real-time monitoring and identification of individuals in public spaces, further augmenting the state's surveillance capacity.

- **Potential for Data Sharing:** BDI programs can facilitate data sharing and collaboration between different government agencies, enabling a more coordinated and centralized surveillance apparatus.<sup>xi</sup>

Uganda’s surveillance ecosystem is upheld by a comprehensive legal and regulatory framework that authorizes state intrusions into the private and professional aspects of journalists’ lives, both online and offline. These laws provide for the lawful interception and monitoring of citizens’ private communication, limitations on encryption and digital anonymity. For example, sections 18 to 22 of Uganda’s Anti-Terrorism Act provide for lawful interception of communications and surveillance on grounds such as the public interest, national economy, and security, prevention of crime, and protection of human rights and freedoms. Further, the Computer Misuse Act (section 28) provides for searches and seizures, which potentially facilitates surveillance of the activities of individuals.

*Table 1: Uganda’s Surveillance Ecosystem*

<b>Legal and Regulatory Frameworks</b>
<ul style="list-style-type: none"> <li>• <b>The Anti-Terrorism Act, 2002 (Part VII - Sections 18 to 22) and the Regulation of Interception of Communications Act (RICA), 2010 (Section 2):</b><sup>xii</sup> provide for the interception of communications and surveillance on grounds such as public interest, national economy and security, prevention of crime, and the protection of human rights and freedoms. The RICAcaters for the establishment of a monitoring center.</li> <li>• <b>The Computer Misuse Act, 2011 and the Computer Misuse (Amendment) Act, 2022:</b><sup>xiii</sup> <ul style="list-style-type: none"> <li>❖ <b>The Computer Misuse Act:</b> has been used to monitor journalists’ activities online, including social media platforms, and thus impedes the right to free expression, media freedom and access to information.<sup>xiv</sup> Section 25 on ‘offensive communication’ was used to issue threats, effect arrests, detention, and prosecution of individuals over their online communications. This provision was declared null and void in January 2023 by the Constitutional Court in Uganda for being vague and ambiguous and bound to lead to arbitrary prosecutions.<sup>xv</sup></li> <li>❖ <b>Computer Misuse (Amendment) Act (Section 3):</b> Generally, the Amendment Act creates overly broad, vague, and ambiguous offenses that expose critical commentators and independent media undertaking investigations and relying on digital anonymity to publish their work to targeted surveillance by the state. Section 3 criminalizes the use of social</li> </ul> </li> </ul>



media platforms to publish, distribute or share information that is prohibited under the laws of Uganda under a disguised or false identity.<sup>xvi</sup>

The government is also reported to have enhanced its mass surveillance capacity using spyware, intrusion malware, and intelligent network monitoring systems. In July 2018, the communications regulator, the Uganda Communications Commission (UCC) was reported to have installed an Intelligent Network Monitoring System (INMS) with the capacity to track all calls made on all networks, mobile money transactions, fraud detection, and billing verification.<sup>xvii</sup> Surveillance undermines the privacy of communications and the right to anonymity online and offline and consequently promotes self-censorship and the withdrawal of some individuals and groups from the online public sphere.<sup>xviii</sup>

These BDI exercises have facilitated the collection, retention, and sharing of journalists' personal data without proper regard to the data protection principles under Uganda's 2019 Data Protection and Privacy Act, and oversight from the data protection authority.<sup>xix</sup> Consequently, this has hindered journalists' ability to carry out their responsibilities independently due to the constant apprehension of state surveillance and intrusion. This has had adverse effects on independent journalism, media freedom, and the right to privacy of individuals.

For purposes of this study, we defined independent journalism as “news media [that] is free from any kind of influence by the government or other external sources like corporations or influential people.”<sup>xx</sup> In this environment, journalists have the freedom to report, investigate and express their views without undue influence. The following principles underpin independent journalism, including (a) editorial independence, (b) pluralism and diversity, (c) accountability and transparency, (d) ethical standards, (e) safety and protection.

Ideally, ACME Uganda envisages Ugandan journalists being able to operate with autonomy, transparency, and integrity, as follows:

- Journalists can engage in investigative reporting without the fear of reprisals for their reporting, including fear of surveillance, intrusion, intimidation, harassment, physical violence, or legal repercussions, amongst others.
- Journalists actively resist self-censorship.
- Journalists have unfettered access to news sources and information.
- Journalists are under no pressure to shape or sanitize their reporting, even if it may negatively portray the government or other powerful entities, including the owner of the news outlet or other affiliated individuals.

## Report Purpose

The study examines how the implementation of BDI programs is affecting the pursuit of independent journalism practice in Uganda. Specifically, the study sought to:

1. Gain a deeper understanding of the impact of the BDI on media freedom and access to information, with an emphasis on independent journalism.
2. Generate evidence-based research that will inform the African Center for Media Excellence's (ACME) advocacy work on the adoption of a human-rights-based approach in the design and implementation of BDI in Uganda.

ACME's main goal is to support the media to be a more effective platform for the provision of information on public affairs, a tool for monitoring official power, and a forum for vibrant public debate. Our broad activities include early- and mid-career training for journalists; media literacy training for civil society, business, government, and the public; media monitoring and research; reporting grants for journalists; excellence awards for journalists; convening public dialogues and symposia; and freedom of expression advocacy.

This research is key to our work as it provides evidence on the risks and threats that may threaten the independence of journalists and other media practitioners in Uganda. Without independent journalism, professionalism dies, and the quality of information that can inform the decisions of citizens is compromised. The research findings are also a basis for ACME's advocacy on freedom of expression and media freedom. The research buttresses

ACME's efforts to strengthen the resilience of journalists and other content producers and distributors in Uganda.

# Methodology

*Table 2: Research Topic and Research Questions (by ACME Uganda)*

<b>Research Topic</b>	Impact of Biometric Digital Identify Programs on Independent Journalism in Uganda
<b>Research Question(s)</b>	How has the implementation of biometric and digital identity programs affected media freedom and access to information in Uganda?

This study relied on a mixed-methods approach and benefited from both quantitative and qualitative data. The research employed a variety of data collection methods, including content analysis, questionnaires, and interviews permitting a comprehensive and multi-dimensional exploration of research area.

- **Content Analysis (secondary data):** the study conducted a literature review of written materials, such as reports, news articles, or other documents. Several documents including laws and policies on BDI, media, and research reports on the implementation of BDI programs, were reviewed to unpack the existing gaps, challenges, and effects of BDI programs on the enjoyment of human rights broadly, with special attention to media and access to information. This helped the researchers to identify broader trends and patterns within existing media or textual sources.
- **Interviews (primary data):** the researchers held 80 interviews in-person, by phone, and online. The interviews were based on a set of open-ended questions contained in the questionnaire included in the appendix at the end of the report. These offered the researcher a deeper understanding of individual perspectives and experiences related to the research topic.
- **Questionnaires (primary data):** the researcher developed an open-ended questionnaire that allowed the collection of data from a representative sample size of media practitioners (respondents) in the media ecosystem. A total of 80 respondents completed the questionnaire.
  - ❖ In terms of gender representation, 68% of respondents identified as male and 32% – as female.

- ❖ In terms of geographical representation, the country was divided into 10 sub-regions – Central, Western, Busoga, Lango, Southwestern, Teso, West Nile, Elgon, and Karamoja (*see table 3 below*). All regions had equal number of respondents except the Central region that has bigger concentration of media houses and journalists compared to other regions.
- ❖ In terms of respondent distribution based on media platforms, radio (43%) had the highest number of respondents, followed by newspapers (28%) and online platforms (23%). Television-based respondents made up 8% of the total.
- ❖ In terms of designation/position, reporters made up the highest number of respondents with nearly half of the total. They were followed by editors (28%) and managers (16%). Presenters constituted only 8% of the total.

***Table 3: Regional Distribution of Respondents***

<b>Region</b>	<b>Number of Respondents</b>
Central	17
Western	7
Busoga	7
Lango	7
Southwestern	7
Teso	7
West Nile	7
Elgon	7
Acholi	7
Karamoja	7
<b>Total</b>	<b>80</b>

# Results/Analysis: Impact of BDI Programs on Media Freedoms and Access to Information in Uganda

## Restrictions on Critical Reporting: Chilling Effect on Freedom of Expression and Press Freedom

Generally, the presence of BDI programs and the operating environment of associated surveillance measures in Uganda (*detailed in Table 1 above*) have chilling effect on media houses and journalists. The active engagement of journalists in acts of self-censorship and the presence of undue influence over media houses through advertising contracts indicates restrictions on journalists' right to freely express their views and share sensitive information, and media house's ability to report independently. In turn, this operating environment signals an increase in government control and stifling of critical reporting and investigative journalism.

As captured below, respondents detailed the fear of being identified using their personal biometrics that has been collected through the various data collection programs (including SIM card and national ID) implemented by the government, and subjected to intrusive surveillance, leading to self-censorship.

Further, many journalists (at least five out of every 10 interviewed) reported that they have been forced to avoid and abandon certain important stories that are critical of government or security agencies. They also noted that the fear of identity exposure, which can lead to targeting, acts of retribution, and harassment, results in them exercising severe caution and engaging in self-censorship. A few examples of self-censorship detailed below include journalists refraining from using their real names or abandoning a news story.

*When your privacy and details are exposed to that extent, the amount of fear is higher. This increases the chances of some journalists abandoning some important news stories due to fear. It causes a feeling of insecurity – Editor from Southwestern Uganda*

*It is now risky to vigorously pursue a story that portrays the government in a negative light or has an interest in it. Journalism is beginning to shy away from holding those in power to account because it's easier to do other stories and keep you and your family safe – **Editor from Acholi sub-region***

*Because journalists fear being arrested, critical issues in the community and the ills of government go unexposed – **Editor from West Nile***

*Critical stories have been abandoned for fear of being hunted using national identity cards – **Reporter from Busoga***

*In some instances, if you are to use your name for a byline, you have to weigh your options. Whether to soften the story not to attract too much attention from the state/security or leave it or even use a different name – **Reporter from Elgon region***

Several respondents indicated that they exercised restraint, were less vocal, and limited their comments and opinions, especially in conversations or debates touching on political affairs both online and offline.

*Yes, it has resulted in self-censorship because journalists now fear to report independently and objectively since they could be tracked, arrested, persecuted, prosecuted, or even assassinated for disseminating the truth – **Reporter from Lango***

*Many journalists have given up and the objectivity of journalists has been lost. That explains why so many journalists now want to benefit from statehouse handouts in Uganda instead of holding the government accountable – **Reporter from West Nile***

In the media landscape of East Africa, media houses and practitioners heavily depend on advertising revenue from the government or government-controlled institutions.<sup>xxi</sup> In Uganda, some journalists reported that they have had to avoid certain stories due to the fear of causing loss of advertising contracts for their media houses and access to government institutions once identified through these programs. Media managers and editors referenced below cite their imposition of restrictions on journalists, preventing them from publishing critical stories about the government. Several respondents reported that the introduction of digital identity programs has been dampening and restrictive.

*Some stories are not published because should the reporter be identified, there is fear by the media house of not getting advertisement contracts and the journalists can be denied access to institutions such as*

*parliament and State House or even ordinary government offices – Media Manager from Central Uganda*

*Some media outlets have also cautioned their reporters to tread cautiously on reporting certain stories as it may make them lose business or be in bad books with the state [meaning: falling out of favor with the state]. This has equally forced some reporters to take a back seat on issues that affect our country – Media Manager from Teso*

*Freedom of expression has been greatly curtailed by media owners and managers who are afraid that their licenses will get revoked for telling the truth or fabricated charges can be put on a media house by state agencies which can have legal and financial implications. Therefore, newsrooms are working under microscopic conditions from their bosses, politicians, and security agencies – Editor from Southwestern Uganda*

## **Restrictions on Investigative Journalism: Impact on Journalists' Access to Sensitive Information**

Journalism, especially investigative journalism, thrives on having unfettered access to reliable information from confidential sources and whistleblowers. The increased capacity of government agencies to conduct real-time surveillance and interception of communication facilitated by the ongoing BDIs has disrupted the journalistic work by damaging the relationship between journalists and their sources. As this section reveals, the state's increased capacity for real-time surveillance has eroded source protection, hindering free information flows, and impeding journalists' ability to effectively engage in investigative work.

One third of respondents noted that the programs have caused fear among news sources, especially whistleblowers, to provide sensitive information to journalists.

*The heightened surveillance and interference may discourage prospective sources from providing sensitive information, jeopardizing their security, and restricting journalists' capacity to cover vital stories. Biometric digital identification programs that collect personal data run the danger of data breaches that could reveal sensitive information and jeopardize the security of sources – Reporter from Central Uganda*



*SIM card registration undermines peoples' ability to communicate anonymously, organize, and associate with others. Some sources have been threatened from releasing sensitive information relating to state actors and mismanagement of the country's affairs which has demoralized the line reporters hence failure to meet deadlines and failure to publish stories because of inadequate information –*

**Media Manager from Karamoja**

*They have made it impossible to get information because sources do not trust that they will not be identified as the points [sources] of information for journalists –* **Editor from Central Uganda**

*People fear to give such sensitive information because they can easily be located and identified –* **Editor from Southwestern Uganda**

*The sources have become cagey with sharing sensitive information, and some prefer to meet in remote places with no CCTVs which endangers your life too as a journalist due to uncertainty –* **Reporter from the Elgon region**

For some respondents, the ability to report anonymously or even disguise their identity has been compromised as they are always outed by the people they are investigating and sometimes denied access to certain places or charged with criminal trespass in case they attempt to enter restricted places. Previous reports have revealed that by the end of 2021, up to one-third of Ugandans did not have a biometric ID card and risked being excluded from vital healthcare and social services with women and elderly people mostly affected.<sup>xxii</sup>

*Some government agencies don't give out needed information to journalists they consider hostile to the government or the state –* **Reporter from Karamoja**

*Even before these programs, it was difficult to access sensitive information. Now it even becomes harder because the government has particulars of critical journalists, and it can easily track them –* **Reporter from Teso**

*It's now hard for journalists to cover or have access to sensitive information because each time their communication or full detailed information is easily tracked by the government, service provider, etc. –* **Reporter from Lango**

The effectiveness of investigative journalism greatly depends on the bravery of whistleblowers. However, the surveillance and interception of personal communication among government employees has instilled fear in them as potential whistleblowers.

Several respondents noted that many of their former sources in the government have developed cold feet and no longer share information with them.

*Potential whistleblowers are now fearful of coming forward to disclose sensitive material to journalists as a result of heightened surveillance and intrusion. Whistleblowers' willingness to volunteer information is further constrained by the risk of exposure and punishment associated with the acquisition of personal data for biometric digital identity schemes. This could jeopardize journalists' capacity to cover major stories and threaten the public's right to information – Reporter from Central Uganda*

*There are no whistleblowers providing sensitive information. They only blow the usual less impactful information. A very close friend of mine lost a job and a scholarship because of information he gave to a journalist. The journalist was called into a high-level meeting where they questioned and intimidated him, and he gave up on ethics and disclosed the whistleblower who lost a job and a scholarship. I guess these are some of the reasons why people have chosen to keep information to themselves even when they know that this information, if told, can make a difference in how systems are run in this country – Editor from Western Uganda*

*It's now clear that very sensitive information cannot be shared on the phone. Whistleblowers feel insecure sharing such information because of the long arm of the state – Reporter from Teso*

*These programs limit journalists' interactions with sources, government officials, and security agencies. The authorities may easily detect any communication and movement especially on sensitive investigative stories – Reporter from Karamoja*

## **Restrictions on Identity Protections: Impact on Personal and Familial Privacy and Safety**

Surveillance and the interception of personal communication intrude on the personal privacy and spaces of individuals, including journalists. It affects and dictates individuals' communication behaviors as they try to reclaim their spaces, especially in the digital realm. For journalists, their ability to separate their job and protect their personal lives, including family, is very critical.

According to the United Nations High Commissioner for Human Rights, the right to privacy is not only impacted by the examination or use of personal information by a human or an algorithm, but rather, even the mere generation and collection of data relating to a person's identity, family or life already affects the right to privacy, as through those steps an individual loses some control over information that could put his or her privacy at risk.<sup>xxiii</sup> The research findings show that at least six in 10 journalists reported that BDI programs such as the National ID and SIM-Card registration have increased fear among journalists and media houses to investigate sensitive issues. Compulsory SIM card registration schemes have been condemned as illegitimate attacks on the right to communicate anonymously, as well as undermining the right to privacy. In a country like Uganda, these concerns become more apparent since the registration exercises are beset by mismanagement, corruption, and a lack of adequate data protection safeguards.<sup>xxiv</sup>

Journalists, as well as their family members, experience apprehension regarding being traced, exposed, arrested, physically attacked, intimidated, or even subjected to lethal consequences when they reveal corruption and misconduct through investigative reporting.

*It becomes easy to get arrested if security wants any journalist unlike back in the days when police would go around looking for people by asking for clues from other people and sometimes you would be lucky to get wind of the impending arrest and disappear. It is not the case anymore with BDI programs –*

**Reporter from Central Uganda**

*Many who have done investigative stories live in fear. I have a colleague who did one and he rarely stays out late. He has tried to flee the country after he was threatened but he has not succeeded –*

**Editor from Lango**

*We are easily monitored and tracked to the extent that one can trace the name and follow up with your family members due to the interconnectivity of the biodata we hand over to the state –*

**Reporter from the Elgon region**

*They can easily track you and identify your whereabouts and those of your relatives. This could be a threat to a journalist pursuing a public interest story and their relatives –*

**Radio Reporter from Teso**

*Journalists' family members or close people like parents, children, spouses, or next of kin aren't safe.*

*Our side businesses are also threatened – **Editor from Southwestern Uganda***

*By identifying oneself as a journalist in the registration process, it means one has become a target and their entire family as declared in the documents – **Media Manager from Central Uganda***

*Since the introduction of these programs, some journalists, especially those handling investigative stories, have been living in fear of being tracked by the state and its actors. As a result, this has reduced their ability to report freely – **Reporter from Karamoja***

*For safety purposes, some journalists have been forced to forego sensitive reporting on issues that affect the state or the powerful. Some journalists have joined public relations because the stakes involved in writing for media are very high – **Media Manager from Teso***

A few respondents noted that Uganda's surveillance state has grown more sophisticated with time, leading to known and unknown identity exposure, including on online platforms.

*With more sophisticated surveillance equipment, one can be monitored with or without their knowledge by the government or anyone who has access to their data like the National Identification Number (NIN). Facial recognition that is captured during the processing of the National ID also increases the potential for identity theft, stalking, and harassment. You find that you are electronically surveilled without your consent and knowledge – **Editor from Western Uganda***

*Credible media accounts have been hacked and the content of such platforms discredits professional journalists. Parody accounts have also been created to promote propaganda amplifying misinformation and mistrust of media. Journalists are tracked by unknown elements and often intimidated, beaten, or arrested – **Online Editor from Western Uganda***

A few respondents also reported that the programs have caused psychological effects like anxiety and stress among journalists.

*Programs have increased fear and anxiety, causing trauma and other mental health issues – **Editor from Acholi***

*With the possibility of being exposed and facing reprisals against them and their sources, heightened surveillance and interference can make the working environment unpleasant for journalists. Journalists may experience dread and worry as a result, which could have an impact on their mental health and well-being – **Reporter from Central region***

The impact has also infiltrated the media work environment with several respondents acknowledging a growing level of mistrust within the fraternity, which serves to undermine cohesion and collaborations on investigative journalism projects.

*Some journalists have developed suspicion and mistrust against fellow scribes as they fear that some of them could be state agents. They have also abandoned calling some sources since the introduction of the program fearing they could be recorded for future follow-up* – **Media Manager from Karamoja**

*It has made it more complicated and requires journalists to work very carefully. Often, collaborative jobs are required to cover one's tracks and to ensure that more than one media house publishes an investigative story before state agencies can trace its original source. It has also discouraged many journalists from taking the path of investigative journalism* – **Editor from Southwestern Uganda**

Some respondents (45%) also reported experiencing actual attacks and intimidations that they attribute to the ease with which individuals, especially state agencies, can access their personal data.

*I was doing a story about someone, and he sent me a copy of my national ID and SIM Card registration details directly (2021) from the MTN center. I lost my feeling of security whenever am using an MTN line yet I use it a lot* – **Editor from South Western Uganda**

*Internal Security Organization (ISO) was spying on me last year [2022] after doing a story on gold. Someone reported to me that I had been sponsored by a neighboring country. They found that I was innocent* – **Reporter from Central Uganda**

*I found myself in a situation where a random person threatened me over a tweet and all the information, they shared about me was what I had submitted for Passport and National ID registration* – **Reporter from Central Uganda**

*I did a mini-investigative story in 2016 about a high-profile government officer at that time who threatened me thrice. He also told my media house then - Red Pepper - to sack me. Because I had enough evidence, both on paper and audio, and was demanded by my employer, when I gave them, I was vindicated* – **Editor from Lango**

*I have received threats through phone calls of people wanting to kill me due to a story I investigated about the misuse of funds meant for the purchase of land to establish a modern abattoir (an animal slaughter house) for Arua City by a group of councilors. My 2022 award-winning investigative story*

*“How illegal gold flourishing in West Nile is fueled by porous entries under Authorities watch” was hacked with the whole website and up to date I can’t find it – **Reporter from West Nile***

*I was working on a security story in 2019 and before I even completed it an anonymous caller warned me not to publish it. Someone on the other side of the phone said I could easily be tracked and found if I published it. I had to abandon it – **Reporter from Central Uganda***

# Results/Analysis: Digital Safety and Online Protection Gaps amongst Media Practitioners

## Knowledge and Skills Gap

One way of mitigating the increasing state surveillance occasioned by BDI programs is developing skill sets in digital safety and online protection. Unfortunately, a majority (95%) of respondents said that journalists in Uganda are not equipped with the right skills, tools, and knowledge to mitigate the negative effects of these programs on independent journalism and media freedom. Only 5% of respondents thought that journalists are equipped with skills.

This gap is partly informed by the cost of the required digital safety and online protection tools, and limited capacity-building initiatives to equip journalists and media houses against arbitrary surveillance. This exposes journalists to intrusion and electronic surveillance.

*Many journalists do not know about data security and safety, so there is a need for training on understanding and improving digital security and safety, data protection and privacy, online gender-based violence, gendered misinformation, and so forth – Editor from Western Uganda*

*Journalism schools haven't taken training in security-sensitive reporting as something worth pursuing. I don't recall getting taught anything of the sort at Makerere University, perhaps the syllabus has changed, so I can't speak for current times – Reporter from Central region*

*The evolution of technology has moved at a very fast rate as compared to the willingness of newsrooms to change from pen and notebook journalism. Many journalists use their social media platforms without serious thought of who is watching and so many accounts get hacked and journalists do not know how to protect themselves – Editor from Southwestern Uganda*

*Aside from affordability, some journalists still view investment in enhanced security technology as a luxury. There is limited information on the available tools [which] journalists can use to enhance their technology security – Reporter from Elgon region*



# Conclusions and Recommendations

A robust and impartial media plays a crucial role in promoting democracy and upholding the principles of the rule of law. The unrestricted practice of journalism, characterized by autonomy, transparency, and integrity, is vital in guaranteeing public access to information for informed decision-making.

This report documents how media practitioners in Uganda are impacted by the poor handling of personal and sensitive personal data collected under the different BDI programs such as the SIM card registration and the national ID, and subsequently being constrained from practicing independent journalism.

Interview respondents detailed numerous instances where they received threats from unknown contacts warning them to refrain from engaging in critical reporting, reporting on sensitive issues, and investigative journalism. In some instances, receipt of one's personal information via SMS or on online platforms, such as Twitter, was used as an intimidation tactic with chilling effects on media practitioners' willingness to continue engaging in reporting activities.

Consequently, the report arrives at the finding that the principles of data protection under Uganda's 2019 Data Protection and Privacy Act are being circumvented by the custodians of BDI programs, noting the ease with which data can be accessed. This report notes that a failure to redress these privacy infringements will reinforce ongoing surveillance and privacy intrusions targeting media practitioners, negatively hampering independent journalism.

To respond to gaps identified amongst media practitioners and the restrictions on critical reporting, investigative journalism, and identity protections, this report proposes the following recommendations:

## Recommendations to Government

### **The Government of Uganda is urged to:**

- Review the ongoing biometric digital ID collection programs to ensure that they comply with the principles of personal data protection, particularly as it pertains to preventing an unauthorized sharing of personal data.

## Recommendations to CSOs

### **Civil society organizations in Uganda are urged to:**

- Work to support journalists and media houses to challenge the legality and transparency of the ongoing BDI programs to ensure that they comply with key data protection principles.

## Recommendations to Journalists and Media

## Houses

### **Journalists and media houses in Uganda are urged to:**

- Equip themselves with the requisite skills, tools, and knowledge to mitigate the effects of surveillance and interception of their personal communication, including the use of encryption, and two-step authentication.
- Create personal data safety measures like setting up strong passwords on phones and laptops. Covering the webcam when using PCs, avoiding sharing of networks on company laptops where each file can be accessible, etc.
- Partner with advocacy organizations. Journalists can seek assistance and resources for securing their work from advocacy organizations that focus on media freedom and digital security.
- Strengthening media unions to offer legal assistance to journalists.
- Collaborative journalism is also key as it allows journalists who cannot publish a story in Uganda to publish it through another journalist/media house elsewhere.

# Endnotes

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- <sup>v</sup> Access Now (2023). [#Why ID: World Bank and dangerous digital ID systems do not mix.](#)
- <sup>vi</sup> International Institute for Democracy and Electoral Assistance (2017). [Introducing Biometric Technology in Elections.](#)
- <sup>vii</sup> [National Identification and Registration Authority.](#)
- <sup>viii</sup> Vision Times (2022). [Uganda's Military Demands Citizen's DNA For Digital Identity Rollout.](#) See also: Africa News (2018). [Museveni wants Ugandans' palm prints, DNA details captured 'to eliminate crime.'](#)
- <sup>ix</sup> Vision Times (2022). [Uganda Set to Deploy DNA Recognition 'Smart Digital' Biometric ID.](#)
- <sup>x</sup> CIPESA (2022). [Towards Effective Biometrics and Digital Identity Systems in Africa.](#)
- <sup>xi</sup> UN General Assembly (2022). [The right to privacy in the digital age \(A/HRC/51/17\).](#)
- <sup>xii</sup> See: [Anti-Terrorism Act, 2002. Regulation of Interception of Communications Act \(RICA\), 2010.](#)
- <sup>xiii</sup> The [Computer Misuse Act, 2011.](#) The [Computer Misuse \(Amendment\) Act.](#)
- <sup>xiv</sup> CPJ (2022). [Proposed Ugandan legislation seeks to criminalize misuse of social media.](#)

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- <sup>xv</sup> CIPESA (2023). [A Section of Uganda’s Computer Misuse Act Outlawed! But, the Greater Part of the Law Remains Thorny.](#)
- <sup>xvi</sup> *Ibid.*
- <sup>xvii</sup> ITWeb (2018). [Uganda's UCC, telcos clash over network monitoring technology.](#)
- <sup>xviii</sup> European Parliament (2015). [Study – Information and Communication Technologies and Human Rights.](#)
- <sup>xix</sup> [Data Protection and Privacy Act](#), 2019.
- <sup>xx</sup> LibertiesEU (2021). [Independent Journalism: Definition, Importance, and How to Protect It.](#)
- <sup>xxi</sup> CPJ (2022). [Six Kenyan journalists and press freedom advocates on their fears ahead of general elections.](#)
- <sup>xxii</sup> The Guardian (2021). [Uganda’s ID scheme excludes nearly a third from healthcare, says report.](#)
- <sup>xxiii</sup> United Nations (2018). [The right to privacy in the digital age: Report of the United Nations High Commissioner for Human Rights.](#)
- <sup>xxiv</sup> Wikimedia/Yale Law School Initiative on Intermediaries and Information (2019). [Serious Concerns Around Uganda’s National Biometric ID Program.](#)