Joint Stakeholder Submission to the Universal Periodic Review of the Republic of Uganda
Presented by Freemuse and Selam

For consideration at the 54th session of the Human Rights Council Universal Periodic Review
(January to February 2027)

Freemuse and Selam welcome the opportunity to contribute to the fourth cycle review of the Republic of Uganda (herein Uganda), under the 54th session of the Universal Periodic Review. This submission focuses on Uganda's international human rights obligations on the protection and promotion of freedom of expression, and raises the following key issues in relation to artistic freedom:

- The entrenchment of restrictive practices and laws that undermine legislation reform
- Threats to civic space and civic participation
- Arbitrary and undue interferences which contradict international human rights law, standards and practice

Third cycle review in relation to freedom of expression

1) In the third cycle of the Universal Periodic Review of Uganda, held on 27 January 2022, during the 40th session, the government of Uganda asserted, in its national report, that Uganda is a constitutional democracy that is guided by a human rights approach and enabling legislation on the protection and promotion of human rights.[1] Against this backdrop, Uganda accepted 139 of the 273 recommendations[2] made on measures and steps that can be taken to improve the implementation of human rights in the country.

2) Freemuse and Selam are particularly concerned that only one of the fourteen recommendations directly referencing freedom of expression was accepted.

[1] National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21, Uganda, 9 November 2021, A/HRC/WG.6/40/UGA/1, para 1.
[2] Report of the Working Group on the Universal Periodic Review, Uganda, 21 April 2022, A/HRC/50/11/Add. 1.

The accepted recommendation, which was from Ghana, encouraged Uganda to "continue to reinforce measures that guarantee the rights of citizens to peaceful assembly and freedom of expression."[3] This accepted recommendation was reinforced by yet another recommendation which was supported, in which Barbados called for Uganda to "continue moving forward in implementing legislative amendments or creating new legislation necessary to achieve even better results in the promotion and protection of human rights."[4]

3) Further, despite Uganda reporting that since the second cycle review there had been the creation of a human rights desk which monitors, reports on and investigates human rights violations against human rights defenders,[5] Uganda noted all recommendations on the protection of human rights defenders, including against intimidation, attacks and harassment.[6]

4) The submitting organisations are especially concerned that the noting of these recommendations implies that there will be the limited development and reinforcement of structures and measures that address the vulnerability of artists and culture practitioners who, in the exercise of freedom of expression, including artistic freedom, consider themselves human rights defenders or are regarded as such.

Legal protections and regulation of freedom of expression in Uganda

5) In the protection and promotion of freedom of expression, including artistic freedom and its interrelated rights, Uganda is bound by the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the African Charter on Human and Peoples' Rights (ACHPR) and the East African Community Treaty.

6) Under Article 15(1)(a) of the ICESCR, Uganda is obligated to "recognise the right of everyone to take part in cultural life," and as guided by Article 15(3), Uganda has a duty to "respect the freedom indispensable for creative activity." Under the remit of the ICCPR, particularly Article 19(2), there should be

[3] Report of the Working Group on the Universal Periodic Review, Uganda, 4 April 2022, A/HRC/50/11, para 125.46 as read with Report of the Working Group on the Universal Periodic Review, Uganda, 21 April 2022, A/HRC/50/11/Add. 1.

[4] Report of the Working Group on the Universal Periodic Review, Uganda, 4 April 2022, A/HRC/50/11, para 125.46 as read with Report of the Working Group on the Universal Periodic Review, Uganda, 21 April 2022, A/HRC/50/11/Add. 1.

[5] National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21, Uganda, 9 November 2021, A/HRC/WG.6/40/UGA/1, para 106 – 110.

[6] Report of the Working Group on the Universal Periodic Review, Uganda, 4 April 2022, A/HRC/50/11, para 125.105, 125.131, 125.138, 125.140, 125.142, 125.147, 125.148, 125.149, 125.150, 125.151 as read with Report of the Working Group on the Universal Periodic Review, Uganda, 21 April 2022, A/HRC/50/11/Add. 1.

guarantees for the right to freedom of expression, which encompass the freedom to seek, receive and impart information and ideas of all kinds, including through the "form of art." Articles 9 and 17 of the ACHPR on the other hand, place an obligation on Uganda to guarantee everyone's right to express and disseminate opinions and to take part in the cultural life of the community respectively.

7) Although the East African Community Treaty[7] does not have specific provisions on freedom of expression, Articles 6(d) and 7(2) obligate member States, including Uganda, to adhere to principles of democracy, rule of law and human rights, obligations which comprise the protection and promotion of freedom of expression and other interrelated rights.

8) The Constitution of Uganda,[8] which is the supreme law of the country, guarantees freedom of speech and expression in Article 29(1)(a), freedom of thought, conscience and belief in Article 29(1)(b) and the right to culture and similar rights in Article 37. These provisions are supported and given effect to by Article 21 on equality and non-discrimination, Article 20 (1) which states that the "fundamental rights and freedoms of the individual are inherent and not granted by the State," and Article 20(2) which pronounces that all rights and freedoms enshrined in the constitution shall be "respected, upheld and promoted by all organs and agencies of Government and by all persons."

Affirmations of the right to freedom of expression in the courts

9) Since Uganda was reviewed under the UPR framework in January 2022, there have, to date, been several landmark court judgments affirming guarantees to the right to freedom of expression, especially online. These judgments, which have been from the Constitutional Court, have significantly revised the legislative architecture that has systematically, arbitrarily and broadly justified derogations to the right to freedom of expression, including artistic freedom.

10) On 10 January 2023, Uganda's Constitutional Court ruled that Section 25 of the Computer Misuse Act, which effectively criminalised "offensive communication," was incompatible with Article 29 of the Constitution which, by interpretation, protects digital freedom of expression. The court found that the categorisation of offensive communication as the usage of "electronic communication to disturb or attempt to disturb the peace, quiet or right to privacy of any person with no legitimate communication," was "vague, overly

[7] Treaty of the East Africa Community available here https://www.eacj.org/?page_id=33.

[8] Constitution of the Republic of Uganda available here https://faolex.fao.org/docs/pdf/uga132923.pdf.

broad and ambiguous," and granted "law enforcement unfettered discretion to punish unpopular or critical protected expression."[9] Since the enactment of the Computer Misuse Act in 2011, this provision had been applied discriminately and arbitrarily to detain, prosecute and imprison government critics, notably novelist Kakwenza Rukibashaija[10] and poet Stella Nyanzi,[11] whose social media posts, at the time, had been deemed by authorities to be critical of the President and in violation of the law.

11) In March 2026, on the other hand, the Constitutional Court delivered three judgments in relation to the Computer Misuse Act (2023 Edition), the Penal Code Act, and the Computer Misuse (Amendment) Act 2022.

12) Section 11 (unauthorised access), Section 23 (unauthorised sharing of information about children), Section 26 (hate speech), Section 27 (unsolicited information), Section 28 (malicious information) and Section 29 (misuse of social media) of the Computer Misuse Act (2023 Edition) were ruled unconstitutional, vague, overly broad and susceptible to abuse.[12]

13) The criminalisation of defamation through Sections 162 and 163 of the Penal Code Act was also invalidated, based on considerations of Uganda's human rights obligations arising from the African Charter on Human and People's Rights.[13]

14) Further, the Constitutional Court nullified, in its entirety, the Computer Misuse (Amendment) Act 2022, citing that the law had been passed by parliament without a quorum, in violation of constitutional provisions governing parliament's rules of procedure.[14] This law had consistently and increasingly been enforced, especially throughout 2024, to discriminately and disproportionately punish artists and content creators utilising the TikTok platform to disseminate satirical content and public opinions critical of the President, the President's family and public officials. Punitive measures imposed by authorities had included detention without trial, imprisonment, and hefty fines.

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[9] See Andrew Karagi and Robert Shaka vs. Attorney General, Constitutional petition No. 5 of 2016, page 12: line 15 – 20, https://chapterfouruganda.org/publications/judgment-in-the-andrew-karamagi-and-robert-shaka-v-ag-petition/

[10] 'Uganda author of the Greedy Barbarian charged over Museveni tweets,' *BBC*, 11 January 2022, Available at https://www.bbc.com/news/world-africa-59951890, (accessed 10 July 2026).

[11] 'Uganda: Writer and academic Stella Nyanzi convicted and sentenced to 18 months' imprisonment,' *PEN International*, 12 August 2019, https://www.pen-international.org/news/smbkfikmoexu46fza4g34v3i05g35j, (accessed 10 July 2026).

[12] 'Government concedes defeat, halts enforcement of nullified Computer Misuse Act provisions,' *The observer,* 27 March 2026, Available at https://observer.ug/news/govt-concedes-defeat-halts-enforcement-of-nullified-computer-misuse-act-provisions/, (accessed 10 July 2026).

[13] Wanyama, E., 'CIPESA welcomes the annulment of sections of Uganda's Computer Misuse Act,' *CIPESA*, 18 March 2026, Available at https://cipesa.org/2026/03/cipesa-welcomes-the-annulment-of-sections-of-ugandas-computer-misuse-act/, (accessed 10 July 2026).

[14] Ibid.

Trends that will persist despite legislative reforms

15) Freemuse and Selam cautiously welcome all legislative reforms which have affirmed that laws should adhere to constitutionally prescribed procedures, should have provisions that are sufficiently accessible and precise, and should pursue a legitimate aim.

16) The two organisations are concerned about the precedence that has been set in the lower courts, particularly in the treatment of cases related to satirical content critical of the President. In two cases centered on the now annulled Computer Misuse (Amendment) Act 2022, which were heard at Entebbe Magistrates Court in 2024, there was the imposition of imprisonment sentences of six years[15] and thirty-two months[16] respectively. The presiding judicial officer, in the two cases, expressly considered the stature of the President in determining an appropriate sentence, and in one of the cases, affirmed the President's status as a "fountain of honour."[17]

17) We are further and deeply concerned that these special considerations granted to the status of the President, as a public official, are not limited to the rationale that sometimes informs the adjudication of cases before court. Section 24 of the Penal Code Act, which has not been repealed, penalises "acts intended to alarm, annoy or ridicule the President." In this regard, there are guarantees that the special protection granted to the President will continue beyond the nullification of the laws mentioned in the previous section of this submission.

18) The continuation of this practice, based on case law and the provisions of existing laws, is a flagrant violation of the freedom of expression guarantees provided in Article 19 of the ICCPR. Elaborations provided on this provision by the United Nations Human Rights Committee, prohibit limitations to freedom of expression which are based on protecting the honour of public officials; impose a prison sentence as a penalty for alleged defamation, criticism or insult; and enforce criminal law to insulate public officials from legitimate criticism and political opposition.[18]

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[15] 'Ugandan TikToker jailed for 'vulgar' videos targeting president, *PUNCH*, 10 July 2024, Available at https://punchng.com/ugandan-tiktoker-jailed-for-vulgar-videos-targeting-president/, (accessed 10 July 2026).

[16] Ibrahim, S., 'TikToker jailed for 32 months for insulting Uganda's President,' *BBC*, 18 November 2024, Available at https://www.bbc.com/news/articles/cd7njyyvwn5o, (accessed 10 July 2026).

[17] Okoth, B., 'Ugandan TikToker jailed for 2 years over Museveni TikTok video,' *TRT Afrika*, 20 November 2024, Available at https://www.trtafrika.com/article/18234483?_rt=1, (accessed 10 July 2026).

[18] Human Rights Committee 102nd session, General Comment No. 34: Article 19 – Freedom of Opinion and Expression, 12 September 2011, CCPR/C/GC/34, para 38.

Shrinking civic space

19) One of the democratic objectives articulated in Uganda's Constitution, particularly in Chapter II (v)(ii) is that the State shall "guarantee and respect the independence of nongovernmental organisations which protect and promote human rights," with the aim of ensuring that citizens can effectively and competently participate in governance issues.

20) Despite these constitutional affirmations, Uganda, in the third cycle review, noted all recommendations on the creation of a conducive environment within which civil society organisations (CSOs) can thrive and engage citizens. The noted recommendations included those on invoking principles of accountability and openness to reform working practices;[19] refraining from unduly restricting the operations of nongovernmental organisations (NGOs);[20] investigating allegations of the harassment and violence against CSOs;[21] lifting sanctions against CSOs;[22] and taking measures to broadly end the intimidation and harassment of CSOs.[23]

21) Following the 2022 review, the Government of Uganda has passed at least two new laws that severely restrict and regulate the operations of CSOs. In July 2024, a Non-Governmental Organisations (Amendment) Act was signed into law, disbanding an autonomous and independent regulator, the National Bureau of NGOs, and transferring its functions to the Ministry of Internal Affairs, under the justification of circumventing bureaucracy and clamping down on the penetration of "foreign practices."[24]

22) In May 2026, a Protection of Sovereignty Act was passed. It effectively criminalises serving "foreign interests," prohibits the solicitation of foreign funding for "disruptive activities," and mandates those receiving funding, support or direction from foreign actors to register as foreign agents.[25] Within a political and socio-economic environment where there broadly is limited funding for artists, culture practitioners and artistic projects, funding from external sources has historically been an imperative in ensuring that artistic, cultural and civic life continues to thrive. The ultimate closure or reduced operational capacity of CSOs protecting and promoting artistic freedom and artists' rights,

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[19] Report of the Working Group on the Universal Periodic Review, Uganda, 4 April 2022, A/HRC/50/11, para 125.59.

[20] Ibid, para 125.60.

[21] Ibid, para 125.105.

[22] Ibid, para 125.144.

[23] Ibid, para 125.138.

[24] Situmo, T., 'Uganda tightens grip on LGBTQ rights,' *Washington Blade*, 19 July 2024, Available at https://www.washingtonblade.com/2024/07/19/uganda-tightens-grip-on-lgbtq-rights-groups/, (accessed 10 July 2026).

[25] Statement of concern regarding the enactment of the Protection of Sovereignty Act in Uganda, *New York City Bar*, Available at https://www.nycbar.org/reports/statement-of-concern-regarding-the-enactment-of-the-protection-of-sovereignty-act-in-uganda/, (accessed 10 July 2026).

due to these severe restrictions which constrain the funding landscape, erodes the plurality of voices which are essential for the continued construction and sustainability of a functional democracy.

23) These new laws, in essence, are a direct assault on fundamental human rights and freedoms. They entrench authoritarian principles which overly control, regulate and surveil every aspect of civic life, partly to suppress legitimate dissent, political opposition, criticism and scrutiny.

Suppression of artists expressing political opposition

24) Artists affiliated with the main opposition party, the National Unity Platform, consistently face undue restrictions in their artistic activities and have systematically been subjected to incommunicado detentions, censorship and enforced disappearances. This conduct, by authorities, which visibly intensifies within the context of elections, gravely and blatantly undermines freedom of association, the right to political participation, and freedom of expression. It further contradicts constitutional and international human rights prescripts on equality and non-discrimination.

25) An illustrative example of how these restrictions on the right to participate in cultural life have been enforced solely based on the political affiliation of artists, Freemuse and Selam draw attention to the 13 December 2025 raiding and abrupt cancellation of a music concert organised by a musician who is a supporter of the National Unity Platform, by the police.[26] Although there was no official communication issued to justify the raid and cancellation, the affected musician reported that he had been advised that he had failed to acquire a security clearance and should postpone the concert to a period after the Presidential elections, as authorities were of the view that concerts were increasingly being instrumentalised by the opposition for voter mobilisation.[27] Of particular concern is that the same restrictions were not imposed on artists affiliated to the ruling party, raising questions about the legal authority relied on to prohibit the mobilisation of voters through music concerts or other artistic activities by affiliates of the opposition.

[26] 'Daxx Kartel counts losses as police cancel concert last minute,' *HowWe*, nd., Available at https://www.howwe.ug/news/entertainment/42141/daxx-kartel-counts-losses-as-police-cancel-concert-last-minute, (accessed 10 July 2026).

[27] Mwesigwa, S., 'Daxx Kartel reveals he was told to organise his concert in a 'new Uganda,' *MBU*, 18 December 2025, Available at https://mbu.ug/2025/12/18/daxx-kartel-reveals-he-was-told-to-organize-his-concert-in-a-new-uganda/, (accessed 10 July 2026).

26) Another known supporter of the opposition party, musician King Zale (given names Christopher Gody), was reportedly abducted by armed men in military and civilian uniform, on 21 April 2026.[28] At the time of submitting this report, the musician's whereabouts remain unknown, as widely reported. A habeas corpus order issued by a High Court on 29 May 2026, directing those detaining the musician to present him in court, was subsequently dismissed as all the respondents named in the order, including the military, expressed their lack of knowledge of where the musician was being held.[29]

27) Despite growing calls for the Government of Uganda to curb enforced disappearances and political persecution, prioritise the investigation of these crimes and prosecute those implicated, these crimes continue to persist. Notably, enforced disappearances violate a number of Uganda's constitutional provisions, notably Article 23(2) which states that any detained or arrested person "shall be kept in a place authorised by law," Article 28 on the right to a fair trial, and Article 23(4) which directs that any arrested or detained person should be presented before court no later than forty-eight hours from the period of their arrest.

Arbitrary regulation of artistic content and self-censorship

28) The direct regulation of artistic expression and creativity is mainly anchored on the Uganda Copyright and Neighbouring Rights Act, which elaborates on the rights of creators; the Stage Plays and Public Entertainments Act and its attendant rules, which regulate the content, dissemination and showcasing of artistic and creative outputs, and some provisions of the Penal Code Act and the Anti-Homosexuality Act, which prohibit certain forms of artistic content.

29) Vaguely and broadly defined artistic freedom limitations justified as necessary for child protection, public safety, national cultural norms and broadcasting values, have arbitrarily and consistently been evoked by authorities, especially the Uganda Communications Commission, to unduly restrict artistic content and artists' conduct deemed to be vulgar, indecent or immoral. The obligation placed on artists and culture practitioners to submit their artistic works for vetting before dissemination, has also created a pre-censorship regime that grants authorities sweeping, absolute and discretionary powers to make a determination of the artistic content the public should consume.

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[28] Omara, G., 'Court orders security agencies to produce missing musician King Zale,' *Chimp Reports*, 3 June 2026, Available at https://www.thekampalareport.com/latest/news/2026071365563/family-anguishes-over-missing-musician-king-zale-80-days-after-arrest.html, (accessed 10 July 2026).

[29] URN., 'Family anguishes over missing musician King Zale 80 days after arrest,' *The Kampala Report*, 13 July 2026, Available at https://www.thekampalareport.com/latest/news/2026071365563/family-anguishes-over-missing-musician-king-zale-80-days-after-arrest.html, (accessed 14 July 2026).

30) Punitive sanctions that haven been imposed by authorities, for non-compliance to licencing regimes and content regulations, and without affording the affected artists the right to reply or appeal, have included blacklisting, censorship, and the banning of artistic content from being broadcast by private and public media.

31) Further, the Anti-Homosexuality Act, passed into law in May 2023, has had a chilling effect on artistic expression, especially in triggering self-censorship and the suppression of the voices of LGBTI artists. Within days of the passage of this law, which in Section 11(2)(b) criminalises the broadcasting and distribution of materials deemed to promote or encourage homosexuality and homosexual acts, a regional broadcaster operating in Uganda announced that it would suspend LGBTI content programming,[30] in compliance with this provision which imposes fines, licence suspensions or licence cancellations, for violations.

32) Worryingly, the imposition of all sanctions against artists, culture professionals and broadcasters in Uganda, by regulatory authorities, does not comply with international law prescripts on freedom expression, which assert that before any limitation is imposed, there should be a thorough evaluation of the "precise nature of the threat, and the necessity and proportionality of the specific action taken, in particular by establishing a direct and immediate connection between the expression and the threat."[31] In this regard, the mere mention of moral or national values does not amount to a legitimate restriction.

Suppressions of the media which interfere with artistic freedom

33) Despite international law prescripts which prohibit the penalisation of the media solely on grounds that they are critical,[32] Ugandan authorities have sometimes imposed a number of measures, even those not prescribed by law, to restrict the activities of the media, chiefly private media.

34) In a shocking and widely publicised incident which occurred on 28 June 2026, the Chief of the Defence Forces and son of President Yoweri Museveni, General Muhoozi Kainerugaba, ordered a military siege of the premises of Nation Media Group, an independent media institution which houses various

[30] Ferreira, T., 'DSTV Uganda won't show gay content after harsh LGBTQIA+ law, *News24*, 1 June 2023, Available at https://www.news24.com/life/arts-and-entertainment/tv/dstv-uganda-wont-show-gay-content-after-harsh-lgbtqia-law-20230601, (accessed 10 July 2026).

[31] Human Rights Committee 102nd session, General Comment No. 34: Article 19 – Freedom of Opinion and Expression, 12 September 2011, CCPR/C/GC/34, para 35.

[32] Human Rights Committee 102nd session, General Comment No. 34: Article 19 – Freedom of Opinion and Expression, 12 September 2011, CCPR/C/GC/34, para 42.

print and broadcast media.[33] In a series of posts uploaded on the X social media platform, General Kainerugaba declared that he has the power to shut down any media house, does not believe in a free press and the resumption of the activities of the media group will only be through his permission.[34]

35) This assault on press freedom has direct and grave implications on artistic freedom. It interferes with the availability and autonomy of the independent media platforms artists rely on to distribute and showcase their artistic works.

Recommendations:

36) In light of the issues raised in this submission, Freemuse and Selam recommend that Uganda:

a. Ensure that limitations to artistic expression, are exclusively imposed by courts of law and are as permitted under Article 19(3) and 20 of the ICCPR;

b. Take measures to ensure that CSOs can access both public and foreign support without undue restrictions, including through repealing the Protection of Sovereignty Act, and introducing measures that only pursue a legitimate aim of curbing corruption, money laundering and illicit financial flows;

c. Investigate all reports of enforced disappearances and bring perpetrators to account;

d. Repeal Section 24 of the Penal Code Act, and any other laws which grant special legal protection to public officials, including the President;

e. Ensure that there is the equal and non-discriminate protection of all artists and culture professionals, irrespective of their political affiliation;

f. Take measures and steps to curb, investigate and bring to account authorities who abuse their ranks or the status of their public office to unduly and arbitrarily interfere with freedom of expression, including

[33] Uganda: Army chief orders unprecedented shutdown of leading media group, RSF calls for immediate reopening, *World Press Freedom Index*, Available at https://rsf.org/en/uganda-army-chief-orders-unprecedented-shutdown-leading-media-group-rsf-calls-its-immediate, (accessed 10 July 2026).

[34] Ajuna, D. V., 'I don't believe in a free press!' Gen Muhoozi shuts down NTV Uganda, Spark TV and Daily Monitor,' *Daily Nation*, 28 June 2026, Available at https://nation.africa/kenya/news/africa/gen-muhoozi-shuts-down-ntv-uganda-spark-tv-and-daily-monitor-5511514, (accessed on 10 July 2026).

media freedom which catalyses the dissemination and visibility of artistic creativity;

g. Suspend the censorship functions of arts and media regulatory bodies, to replace those with processes driven by non-state independent organs tasked exclusively with content classification and age ratings, to ensure full protection of freedom of artistic creativity;

h. Repeal the Anti-Homosexuality Act and ensure that LGBTI themed content and LGBTI artists are granted full legal protections;

i. Unconditionally release all artists and culture practitioners abducted and / in detention for various reasons related to their work and / the positions they have taken relating to governance in Uganda or present them in a court of law and formally charge them as it required by the Constitution.