

Concurrent state and self regulation: a unique challenge for journalism practice in Uganda

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1.0 Introduction

At the advent of the NRM administration in January 1986, Uganda seemed to have broken with the past with a new government promising “not a change of guards but a fundamental change” in the social, political and economic life of the country. Most of the post-independence history of Uganda was characterized by subversion of democracy, abuse of human rights, mass killings, a wretched economy and decayed infrastructure, to mention these few. Indeed by December 1985, Uganda had become a byword for violence, chaos and maladministration. But the ascent of President Yoweri Museveni to power on 26th January 1986 looked set to reverse all this.

Museveni had gone to the bush in February 1981 and founded the National Resistance Army (NRA) and its political wing the National resistance Movement (NRM) to fight the second Milton Obote administration (1981 to 1985), citing the rigged December 1980 election that had brought Milton Obote and his Uganda Peoples Congress (UPC) party back into power for the second time. Obote had been overthrown by his former army commander, Gen. Idi Amin, in 1971 and spent nine years in exile in Tanzania until his return to Uganda in May 1980. Idi Amin had been overthrown earlier in April 1979 by a combined force of the Tanzanian army and Ugandan exiles.

Museveni had staged the bush war on a human rights platform (Mbaine, 2002); the main theme running through the promises made by the NRM/NRA both during the war and immediately after seizure of power was the restoration of democracy and respect of human rights.

It was therefore hardly surprising that after January 1986, many newspapers sprang up because the new government was open about upholding freedom of speech and expression as important elements in the country’s democratisation process. It is important to note that the new administration had upon seizure of power banned political party activities ostensibly because political parties had been responsible for the chaos the country had gone through as they were held to be divisive from either a religious or tribal perspective, or a combination of both. It has been stated before that the NRM government allowed media freedom not because it believed in the principle of freedom of expression as such but because it was a lesser evil than political party activities.

However, this media freedom, at the time limited to just newspapers and magazines, without the liberties of parties to organize and contend for power was to prove hazardous. The government slowly began to demand that newspapers report ‘responsibly’, especially

as the government began to prosecute what eventually became a long drawn out civil war that broke out in the northern part of the country in August 1986. The Weekend Digest was banned in November 1986 and arrests of journalists became a common feature of the NRM government henceforward, the only difference between the new and past governments being that the new government took the journalists to court instead of killing them.

At about the same time, talk of regulating the conduct of journalists began to be heard in government circles. In 1987, the then Information Minister Abubaker Mayanja came up with a draft media bill that was promptly rejected by the journalists and other sections of civil society as too draconian. The government had been defeated but went back to the drawing board.

The government seemed to have been emboldened in its resolve to regulate the conduct of journalists by an incident in January 1990 that brought President Museveni into direct collision with reporters. Reporters Festo Ebongu (The New Vision), Alfred Okware (News Desk) and Hussein Abdi (BBC) fired tough questions to the then Zambian President Kenneth Kaunda, who was rounding up a three-day state visit to Uganda with a press conference at State House, Entebbe. The troubling questions involved Kaunda's overstay in power, his son's shooting of a woman without being charged with murder and questionable dealings between the Zambian government and (then) apartheid South Africa.

The journalists were arrested immediately after the departure of Mr. Kaunda and charged with defaming a foreign dignitary as per the penal code. However, the courts released two of the journalists (Ebongu and Okware) as soon as the charges were read in court because the matter had not been published, a key ingredient in proving the offence. Abdi was to return from a trip abroad later to face his own legal ordeal, and was only able to secure his acquittal from the Supreme Court. Government realized it was not going to have it easy against journalists in the courts of law.

2.0 Government's firm decision

In 1993, government liberalized the airwaves thus breaking the decades old monopoly of state broadcasters Radio Uganda and Uganda Television. By December 1993, the first privately owned radio, Sanyu FM, was on air, Sanyu FM was closely followed by Capital Radio in February 1994. A proliferation of FM radio stations has since followed, making Uganda one of the countries on the continent with the most radio penetration.

However, it was also in 1994 that government finally published the Press and Journalist Bill that sought to control the media and bring journalists into firm check. To be seen to be fair to all stakeholders, Parliament referred the bill to a (parliamentary) committee headed by Prof. Mondo Kagonyera MP, who asked the journalists to submit their views on the bill for consideration. After long debates both in the print, electronic media and in seminars, the bill was passed into law (The Press and Journalist Statute, 1995) in a slightly modified version.

2.1 Issues of contention

The Press and Journalist Act (CAP 105), in its long title, is referred to as “An Act to ensure freedom of the press, to provide for a council responsible for the regulation of the mass media and to establish an institute of journalists of Uganda.” A number of the Act’s provisions have become contentious among Ugandan journalists and other members of the public but none of its provisions has raised as much furore as the provision for a media council.

Section 8 subsection (2) provides for membership of the 13 member-strong media council, while subsection (3) vests power in the minister to directly appoint ten of the members. In any case the eleventh person is a senior official from the Ministry of information over whom the minister has control, leaving only the appointment of two scholars in mass communication just slightly out of the executive’s control as they can only be appointed by the minister but in consultation with the National Institute of Journalists of Uganda. In short, this media council is virtually appointed by the minister and directly reports to him/her.

Section 9 stipulates the functions of the Council as follows:

- a) to regulate the conduct and promote good ethical standards and discipline of journalists;
- b) to arbitrate disputes between-
 - (i) the public and the media; and
 - (ii) the State and the media;
- c) to exercise disciplinary control over journalists, editors and publishers;
- d) to promote, generally, the flow of information;
- e) to censor films, videotapes, plays and other related apparatuses for public consumption; and
- f) To exercise any function that may be authorized or required by law.

The Act provides for the registration of journalists and issuance of practicing certificates, in addition to a disciplinary committee and an elaborate disciplinary procedure stipulating different types of punishment for erring journalists. The disciplinary proceedings against the journalist(s) have a basis in a professional code of ethics which is attached to the Act as the Fourth Schedule.

There was also, initially, disagreement among journalists over the provision by the Act for the National Institute of Journalists of Uganda (NIJU) which was, among other objectives, intended to establish and maintain professional standards for journalists and also foster the spirit of professional fellowship among journalists. The institute was also charged with providing advice on courses of study, the conduct of qualifying examinations and generally on matters related to professional education for journalists in Uganda; ensure the maintainance of professional education for journalists; and promote the usage of journalism which is not contrary to public morality, among other functions. Membership to the institute was categorized as follows; full, associate and honorary membership. For a journalist to qualify for full membership, he/she had to possess a university degree in journalism or mass communication; or be in possession of a

university degree plus a qualification in journalism or mass communication in addition to having practiced journalism for at least one year. The general assembly was to set the qualifications for associate membership, while honorary membership was to be awarded, by the general assembly, to persons judged to have made an outstanding contribution towards the realization of the objects of the institute. Quite clearly the framers of the law were attempting to define a journalist using educational qualifications and determine entry into the trade in the same way the medical, legal and accountancy professions, for example, do.

This provision raised a lot of debate about whether journalism was a profession like law or accountancy or even at all, and questioned the rationale of using educational qualifications to define a journalist, rather than the conventional 'free-entry for-all' criterion. For some time between 1998 to 2004, NIJU was functioning and was even able to attract big journalism names like Ms. Linda Nabusayi Wamboka and Makerere University's Dr. Peter Mwesige for its presidency. But it had teething problems of funding and legitimacy; its application for accreditation to the International Federation of Journalists (IFJ) was rejected in 2000 after lobbying by its rival Uganda Journalists Association (UJA), which had become the organization, largely, for the journalists that lacked the qualifications to full membership of NIJU. By 2005, NIJU had largely petered out, together with the controversy it had raised in Uganda's journalism circles.

It is therefore the provisions in the Act regarding registration and disciplinary control of journalists, vested in the media council, that have continued as key areas of contention between the government and the journalists.

3.0 Media reaction to state regulation

The determination and ease with which the government enacted the Press and Journalist Act sent journalists into panic. First it was clear that government was not only interested in controlling the media in general but also the conduct of journalists in particular. It must be recalled that the enactment of the Act came at about the same time as the government was regularly prosecuting in courts of law editors and journalists, mainly from The Monitor newspaper, over stories deemed seditious or false or both. The criminal offence of publishing false news, however, was declared unconstitutional by the Supreme Court of Uganda in 2004.

Secondly, it was evident that the journalists in Uganda lacked organization as a group and were unable to defend media freedom. Apart from voices of a few lawyers, some foreign embassies and isolated civil society groups, there were very few journalism voices being heard whenever government ordered arrests of journalists or came up with policy or legal proposals that had negative implications for media freedom.

On 5th September 2000, the Eastern Africa Media Institute (EAMI) Uganda Chapter, comprised of various media organizations and institutions, with the support of Friedrich Ebert Stiftung (FES) Uganda office, set up a media law reform committee to review media related laws and make proposals on what should be done to engender a better media law and policy regime for Uganda. The committee was comprised of

representatives from the Uganda Law Reform Commission, Ministry of Justice, Office of the First Parliamentary Counsel, NIJU, Makerere University's Department of Mass Communication, EAMI Uganda Chapter, Uganda Newspaper Editors and Proprietors Association, UJA, Uganda Media Women's Association (UMWA), the National Association of Broadcasters and the Ministry of Information, among others.

On 7th November 2000, the committee presented its findings and suggestions to a general meeting organized by EAMI Uganda Chapter in which it recommended the repeal of several sections of the Penal Code Act that impeded media freedom, including sedition, publication of false news, defamation of foreign dignitaries and princes and criminal defamation. The committee also recommended the merging of the Press and Journalist Act with the Electronic Media Act and the drafting of a fresh code of conduct for journalists with their input.

There was some controversy over the committee's proposals as it mostly retained the disciplinary procedure against journalists prescribed by the Press and Journalist Act, and the attendant criminal sanctions. The committee, encouraged by lawyer members, also insisted on defining a journalist through educational qualifications but reduced the minimum requirement to a diploma in journalism. The committee was asked to go back to work and come up with better proposals on how to regulate the conduct of journalists in ways that did not undermine media freedom.

3.1 Self regulation ushered in

On 4th October 2001, the committee recommended that a non-statutory media council be created and the statutory media council and NIJU be scrapped. A nation-wide consultative effort was undertaken by two members of the committee to seek further views on the essence and structure of the proposed voluntary council, which was concluded in November 2002. Further stakeholder consultations that had been delayed by lack of funds were conducted between November 2005 and January 2006, by a seven-member advisory board chaired by, veteran journalist and former Prime Minister, Mr. Kintu Musoke.

A stakeholders meeting that took place from 13th – 14th February 2006, organized under the auspices of Panos Eastern Africa office, agreed on the establishment of the Independent Media Council of Uganda (IMCU) and effectively ushered self regulation for the media into the country. Mr. Kintu Musoke was elected to chair a thirteen member Governing Board that, broadly, comprises of members of civil society, media trainers, editors and a lawyer. IMCU was registered as a non government organization in July 2006 and as a body corporate in January 2007. It is also a member of the World Association of Press Councils. It was launched in Kampala on 5th December 2008.

The basis of IMCU is a 23-provision Code of Ethics “to govern the conduct and practice of all media practitioners, media owners and media institutions and as a basis for the adjudication of disputes between the press, the public and government of Uganda by the Independent Media Council of Uganda,” according to the Journalism Code of Ethics

published by IMCU. The day to day running of IMCU is coordinated by an executive secretary.

4.0 Statutory Media Council: What next?

Many journalists and other media watchers in Uganda believed that with the inauguration of IMCU, the statutory media council established by the Press and Journalist Act would be rendered redundant, or even phase out completely. What remained then was its repeal by Parliament. That hope was as misconceived as it was illusory. Government still sees the statutory council as necessary and has actually gone ahead to seek to strengthen its relevance and functions. But to this we shall return later.

The statutory media council first sought to have IMCU's name changed to remove the words 'media council' as the former considered the two words legally belonged exclusively to it. Statements of warning were even run in the local press, warning the public against dealing with an illegal media council that had been formed by certain groups. These threats seemed to have come to pass when IMCU was registered by the Registrar of Companies of the Government of Uganda without being ordered to change its name.

The next fight between the two bodies manifested itself during the official inauguration of IMCU. IMCU had invited the Chief Justice of Uganda, Mr. Justice Benjamin Odoki, to preside over the ceremony on 5th December 2008, an invitation Mr. Odoki had accepted. But the statutory media council wrote to the Chief Justice requesting him not to preside over the function as this would undermine the media council established by an Act of Parliament. Subsequently, the Chief Justice declined to officiate at the function, thus denying the IMCU some added but critical credibility at a very important moment.

In the meantime, the statutory council continues to perform some of its functions under the law, although its work is hampered by half-hearted support from the government that established it, as it has been restricted to hearing complaints by the few individuals who take cases to it. In the last one year, the media council has entertained barely ten cases, as the government, the chief complainant against the media, prefers to take journalists to criminal courts. In the last one year, for example, the government has taken not less than five journalists of The Monitor newspaper to court, and ignored its own media council.

The media council's other function of registering journalists has been effectively hampered by the dysfunctionality of the National Institute of Journalists of Uganda (NIJU). NIJU is responsible for the enrollment of journalists under the Act (Section 16). Then upon presentation of the certificate of enrollment (issued by NIJU) to the media council, the enrolled person is entered on the register of journalists of Uganda (Section 26). The fact that NIJU has been in limbo for several years means the council has no enrolled journalists to register, rendering this particular function unachievable.

The media council, however, has had its 'moments of glory' in executing its legal mandate and this is exemplified by its handling of the high profile case involving Libyan President Muammar Gaddafi and Toro Kingdom's Queen Mother, Ms. Best Kemigisa on the one hand and the Red Pepper Publications on the other. In February 2009, The Red

Pepper newspaper, a tabloid that specializes in sleaze, especially relating to celebrities like musicians, actors and politicians, published a series of stories to the effect that the Libyan president was having a love affair with the queen mother. President Gaddafi is a regular visitor to Uganda and is publicly known to be close to the royal family of Toro Kingdom.

President Gaddafi's attorneys filed a criminal case with the Chief Magistrates Court in Kampala against the newspaper's Richard Tusiime and Francis Mutazindwa, editor-in-chief and editor respectively. The attorneys also obtained an injunction against the newspaper that effectively stopped the publication of more stories about the Libyan President and the queen mother. The case, taken over for prosecution by the Director of Public Prosecutions as soon as it was set down for hearing, is still in court.

In the meantime, President Gaddafi's attorneys also filed another case over the same matter with the media council. In October 2009, the media council, chaired by Dr. Goretta Nassanga, a senior lecturer at Makerere University's Department of Mass Communication, awarded President Gaddafi 100 million Uganda shillings (the equivalent of 50,000 USD at the time) in compensation against The Red Pepper Publications Ltd on the grounds that the newspaper had defamed both the Libyan President and Toro Kingdom's Queen Mother. The media council also reasoned that the stories published by the newspaper had put the relations between Uganda and Libya at stake. President Gaddafi and the queen mother never appeared at the media council. No court in Uganda has awarded even half as much money in a defamation case against a media house.

The Red Pepper Publications has filed two appeals against the decision of the media council in this matter; the first in the high court over the fact that the media council did not hear from either of the plaintiffs and disregarded the newspaper's fears of possible double jeopardy as the same matter was before a Chief Magistrates Court. The second appeal is before the constitutional court over constitutionality of the limitless awards by the media council.

4.1 Government seeks more powers for the media council

Perhaps encouraged by the media council's stance in the Gaddafi case, government seems to have renewed its faith in this statutory creature. In a draft amendment bill titled "The Press and Journalist (Amendment) Bill, 2010", government is seeking stricter control of the press by, among other provisions, giving the media council power to register and licence newspapers (and also decline to give or revoke licences), to regulate investment by print media owners in the print industry and regulate foreign media ownership by limiting the involvement of foreign media in the print industry.

The original Act also stipulates (in Section 8, subsection (4) that the chairperson of the media council shall be elected by members from among their number. The amendment bill seeks to have the chairperson directly appointed by the Minister, presumably to complete the executive's absolute control of the council.

Newspaper owners and editors will dread the media council more if the amendment bill is passed into law because the following, rather nebulous grounds, constitute justification for revocation of a licence:

- a) publishing material that is prejudicial to national security, stability and unity;
- b) publishing any matter that is injurious to Uganda's relations with new neighbours or friendly countries
- c) publishing material that amounts to economic sabotage; and
- d) contravention of any condition imposed in the licence.

There is, of course, provision for an appeals process over this issue but experience has shown that by the time the newspaper is through with the appeal, the damage has already been done.

Shortly after the contents of the amendment bill became public, Information State Minister, Ms. Kabakumba Matsiko, declared that her view, and probably that of the government she serves, is that the media cannot regulate itself, basing on recent incidents, particularly the September 2009 riots in Kampala during which several radio stations were shut down for inciting violence and broadcasting hate speech. "Left on their own, there is evidence that some media houses would operate in a way that would be a recipe for incitement, chaos, anarchy and a breeding ground for genocide," she was quoted by the (largely) state-owned New Vision newspaper while speaking at the conference in Kampala to mark World Press Freedom Day on 3rd May 2010.

4.2 Reactions to proposed amendments to the Act

The proposed amendments to the Press and Journalist Act have, as expected, drawn public condemnation from the media, opposition politicians, foreign diplomatic missions and other human rights pressure groups. The voices of foreign diplomatic missions, specifically from western countries, are perhaps the most respected by the Government of Uganda, since donors, mainly from the western world support at least forty per cent of Uganda's national budget.

The leading light against the proposed amendment bill has been the ARTICLE 29 COALITION, a voluntary network of several media organizations and associations formed in 2009 to promote media freedom and professionalism in journalism, which issued a strongly worded statement objecting to the proposed amendments to the Act. ARTICLE 29 cited thirteen areas of grave concern to the media in Uganda including the up scaling of the role and function of the statutory media council in licensing newspapers and increased power of the minister over the media council. The ARTICLE 29 statement concludes in a rather instructive way thus: "...we reject the proposed amendments because their impact will serve more to hamper media freedom and professionalism than to enhance it. We are in principle opposed to statutory regulation of the media and call upon government to acknowledge and support self regulatory initiatives such as the Independent Media Council of Uganda. We also call upon the Minister of Information to stay any process that may amount to effecting these amendments, and to enter dialogue with interested parties to ensure that any concerns about media freedom and

professionalism that may have informed the drafting of these inhibiting provisions can be addressed democratically.”

At the time of writing this paper, a meeting of government officials and some newspaper owners and editors had taken place in Kampala at which retired Supreme Court Judge, Prof. George W. Kanyeihamba, made a strong case for media freedom and slammed government over the proposed amendments. Government’s response to this criticism over the proposed amendments has been best captured in Minister Kabakumba Matsiko’s statement that the media cannot regulate itself, earlier cited, which means it will continue to push the amendment bill to be passed into law. Experience shows that the NRM gets most of the laws it desires passed by parliament because it has the numbers in the legislature to do so. It is a frightening prospect for the media in Uganda.

5.0 Which way for IMCU?

Berger (2009) has stated that self regulation is not primarily a way to keep government off the media’s back and that keeping government control out of the media is ultimately a by-product of good self regulation in terms of, for instance, upholding quality standards and requiring editors to publish apologies and corrections when found wrong. Accordingly, self regulation for political reasons becomes a synonym for self-censorship.

IMCU has stated its primary role as considering and dealing with ethical complaints against the media and promoting the growth of a responsible and independent media in Uganda that conforms to the highest standards of journalism. What is undeniable, however, is that the process leading to its formation was a reaction to the enactment of the Press and Journalist Act that brought with it statutory regulation. Whether this negatively affects its performance when eventually its organs become fully operational will be the subject of future analysis.

What is clear at the moment is that IMCU still has challenges of getting completely started. One of the critical issues for the nascent IMCU is to market itself to the general public as a functional, user-friendly and effective organ for the promotion of professionalism in journalism and arbiter between complainants of various kinds and journalists and/or media houses. The IMCU is lucky to have considerable support of the media houses in Uganda and the journalists, at least morally, mostly due to the consultative nature of the process of its formation and the ever present fear of a fully operational statutory regulatory mechanism. But it has to overcome the challenges it faces, first.

In its first annual report since it was inaugurated issued in December 2009, for example, IMCU reported the following achievements: 1) Dissemination of the Journalism Code of Conduct to various media houses and training institutions 2) Completion of a five-year strategic plan 3) Publicity activities through newspaper adverts, public dialogues and radio programmes (though not that many) and 4) Being able to pay rent for the office premises till 30th May 2010. It was also reported that development partners like DANIDA, Friedrich Ebert Stiftung (FES), the Open Society Initiative and Panos Eastern

Africa were willing to support the IMCU and some like FES had, indeed, supported IMCU to organize two public dialogues.

However, the nature of the challenges reported looks frightening. It was, for instance, reported that the 40 organisations that make up membership of the IMCU are passive and none of them had as yet paid the membership fee of 100,000 Uganda shillings (the equivalent of 50 USD), as stipulated in the IMCU constitution. There was also lack of effective communication between member organizations and IMCU.

Furthermore, the Ethics Committee of IMCU, which enforces the Code of Conduct, had not yet exercised its power. No complaint had been submitted to IMCU, perhaps because the public was not yet aware of the existence and/or role of its Ethics Committee or the complainants elected to take their complaints to other better respected tribunals. The report indeed points out the importance of getting the public to understand self regulation as an alternative mechanism of resolving disputes between the public and the media. Finally, lack of funds was adversely affecting the operations of IMCU. IMCU had by end of 2009 run out of money for such basic things as internet connection, telephone, stationery and salaries for its staff of not more than four people!

All this means that IMCU needs to harness the goodwill and support it enjoys from journalists, media houses and other key institutions to fundraise and make its organs fully functional. Short of this, the message that the media can't regulate itself will spread more with IMCU's inability to fully function as proof.

It is important to note that IMCU has recently enjoyed statements of support and solidarity from very important quarters, which has boosted its credibility. For instance the 11th Annual Report of the Uganda Human Rights Commission (UHRC) released in October 2009 has recommended recognition and support for IMCU thus: "The media fraternity, government and the public should support the media practitioners of self regulation that is already in place as a way of enforcing ethical standards. Effective self regulation is the best system for promoting high standards in the media. Independent media regulatory frameworks should be strengthened to promote a free but responsible media."

A report of Human Rights Watch released in Kampala on 2nd April 2010 was very critical of the way government was stifling freedom of expression and the media. It notes for example that "Several government-controlled bodies including the Broadcasting Council, the Media Council and the Uganda Communications Commission (UCC) wield broad, ill-defined and unchecked powers to regulate the media. Many of the sanctions they levy have been determined to be in violation of freedom of expression by international experts."

The report recommends to the President, government and (ruling party) NRM officials to "Respect and support the self regulation systems of media practitioners, such as the Independent Media Council [of Uganda]." It also asks the Parliament of Uganda, among other recommendations, to reject the January 2010 draft amendments to the Press and

Journalist Act, if tabled unchanged in Parliament. The report implores the various journalists' associations to "Promote compliance with the code of ethics promulgated by the Independent Media Council [of Uganda]."

The challenge ultimately is that a fully functional IMCU could still find itself working on the same issues with the statutory council, especially now that the government has shown the desire to strengthen it and use it. In the process, a situation could arise whereby a complainant could take the same complaint to IMCU, the statutory media council and eventually to the courts (like the Gaddafi vs The Red Pepper case cited earlier that went to the courts and the statutory media council at the same time) unless IMCU also adopts the 'waiver system' that is practiced in South Africa (Berger, 2009).

6.0 Conclusion

At the moment, the regulatory environment for media practice in Uganda is quite confusing, with government inclined towards strengthening an existing statutory council that is deeply unpopular among the media houses and the journalists. On the other hand there is the IMCU that is popular among the media houses and the journalists but still slowly trying to find its feet.

What is clear though is that recent government proposals to amend the Act to give more power to the media council are bloated in bad faith and antithetical to freedom of expression and the media. The media workers and owners must fight the proposed amendment bill with every weapon at their disposal, including lobbying Members of Parliament and other institutions with influence over the government like donors and foreign diplomatic missions.

Part of the solution, though, lies in having a credible, functional and sustainable self regulatory system in place and as Berger (2009) has further stated (quoting Hadland, 2007), three issues that will make IMCU work need to be urgently sorted out:-

- ❖ The independence of the council [IMCU] from vested particular interests that could colour its judgements.
- ❖ The respect that member media of the council [IMCU] give to the judgements.
- ❖ Public awareness of the system and how to use it.

For now, the last of the three factors is very important for IMCU as it is still trying to establish itself in the psyche of Ugandans as a feasible mechanism to handle media complaints. Public awareness of the system has become a more urgent task for IMCU to undertake.

Once the self regulatory is fully functional and shows that it can be a useful arbiter between the media and the complainants who come before it, then the statutory mechanism that is increasingly finding favour with the government could easily take a back seat. That way, the possibility of concurrent self and state regulation for media practice might be averted.

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