

## Social Media on the rise

SOCIAL MEDIA GETS MORE AND MORE POPULAR. BUT IS THE FREEDOM OF THE NETWORKS ENDANGERED?

**The number of people in Uganda who have access to the Internet is continuously growing. Due to the power of social media, more and more people find it attractive to communicate via Facebook, Twitter, WhatsApp and others. But there are many voices within government who want to regulate social media networks. Does that mean, the free space which social media creates is jeopardized?**

Uganda is the youngest country in the world – at least population wise. More than three quarters of the inhabitants are below 30 years old.<sup>1</sup> Most likely, this is why Twitter, Facebook, WhatsApp & Co. enjoy increasing popularity. At the end of June 2016 there were almost 12 million Internet users in Uganda, which are about a third of the entire population in the country. At least 1.8 million of them have a Facebook account. Four years ago there were only around 560.000 Facebook users<sup>2</sup> in the country. Like other parts of the world, Uganda experiences a shift from traditional media to online sources. According to the Afrobarometer<sup>3</sup>, six percent of the Ugandans read their news on the Internet. 95 percent of those consume news via Facebook, says Rosebell Kagumire, an expert for social media.

### The government is pulling the plug

When the Ugandans woke up in the morning of the 18<sup>th</sup> of February this year and got hands on their smartphones, there wasn't the well-known whistle for a new incoming WhatsApp message. They could neither send tweets into the World Wide Web; nor could they check their Facebook. The social networks were dead, shut down by the government.

The Uganda Communications Commission (UCC) had requested the telecommunication companies to block social media citing security concerns. Acts of terrorism should be prevented as well as possible violence and the illegal continuation of election campaigns. The Ugandan President Yoweri Museveni accounted his decision in a TV interview: "Some people misuse those pathways. You know how they misuse them – telling lies. If you want a right then use it properly."

Critics saw the reason for the shut down somewhere else. In their eyes, the government feared the opposition which was mostly organized via social networks and financed via mobile money, a payment function where you can send money through mobile phones. Also this mobile money system was shut down so that no one could access money which made it hard for the opposition to pay for their election observers' lunches and transport. Because the opposition had sent their own observers to the different polling stations to monitor how many Ugandans actually voted there. They wanted to trace so called ghost voters<sup>4</sup> and the figures should have been shared via social media. And probably, government also wanted to oppose a campaign which appealed the citizens to post pictures of their ticked ballot papers or blue coloured thumbs to proof that they had actually voted.

<sup>1</sup>[www.ubos.org/2014-census/census-2014-final-results/](http://www.ubos.org/2014-census/census-2014-final-results/)

<sup>2</sup>[www.internetworldstats.com/stats1.htm](http://www.internetworldstats.com/stats1.htm)

<sup>3</sup>[http://afrobarometer.org/sites/default/files/publications/Summary%20of%20results/uga\\_r6\\_sor\\_en.pdf](http://afrobarometer.org/sites/default/files/publications/Summary%20of%20results/uga_r6_sor_en.pdf)

<sup>4</sup>Officially published figures from the government have often more voters than there were actually at the polling stations. The difference is called ghost voters.

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## UGANDA

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Amnesty International denoted its displeasure about the ban and called it censorship, the attorney Nicholas Opiyo "arbitrary" and "purely political". "It was a decision not taken in accordance to the due process of the law. Because that is supposed to be a commission decision. Somebody asking for a social media shut down must request formally to the Ugandan Communications Commission and there has to be a hearing. They must be convinced that the harm that will be suffered is far more than keeping it open. In this case, there was no legal justification, there was no legal basis", Opiyo explains.

All in all, the shut down lasted for four days. Nevertheless, some people were online: 1.5 million Ugandans<sup>5</sup> circumvented the ban by downloading Virtual Private Networks (VPNs). A VPN client feigns that the internet is accessed from a different country and therefor allows the user to open pages which are blocked or restricted. That is why Ugandans were able to browse and communicate online despite the social media shut down. The hashtag #Ugandadecides was among the top hashtags on Twitter for days.



The shut down of all social networks kindled a storm of indignation among the citizens but there were also many who derided the situation. For example, one Twitter user pointed out the irony of the president tweeting yet he had blocked social media.



### Is a new law necessary?

But the situation is more serious and critical as evidenced by the tweets above. When the president was sworn in this May, all social media networks were blocked again. It was a repeated intrusion upon the Ugandans' rights of freedom of speech and information. According to Rosebell Kagumire, a communications expert, this behaviour pokes fear among the users: "A lot of people are scared because of the police threatening with arresting them for things that they are posting." And not only that – time and time again there is a new law under consideration which shall monitor social media. Officially, the idea behind this law is to take legal proceedings against crimes like terrorism, bullying or pornography. However, Nicholas Opiyo thinks that these are feeble excuses. "There is absolutely no law required to regulate social media. Because what the state is calling crimes being committed on social media are crimes that are covered by other laws", he emphasizes. Opiyo states that there are laws against pornography, terrorism, hate speech among others. "There are going to be those who misuse social media. But those people are everywhere, in every bar, in every football stadium. But you must isolate those individuals and punish them individually. There are adequate laws to prosecute people who commit crimes. This government is just uncomfortable with free space where people can freely speak about the issues that affect them."

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On the contrary, Kagumire thinks that a separate law for social media is indispensable: "Only because government does not always adheres to its rules, doesn't mean that a law is not necessary. Any other government in the world should have those laws, they are really important." But also Kagumire is not sure whether the Ugandan government would misuse a potential law to control and censor social media.

### **Criticism unwanted**

Exactly that is what happens even right now – without any special law only for social media. One example is the case of Robert Shaka. He was arrested in summer 2015<sup>6</sup> because he had been posting critical comments about the Ugandan government on his Facebook account which has the name Maverick Blutaski. Basis of his arrest was section 25 of the Computer Misuse Act. But this is indeed very vague says that "any person who willfully and repeatedly uses electronic communication to disturb or attempts to disturb the peace, quiet or right of privacy of any person (...) is liable on conviction to a fine not exceeding twenty four currency points or imprisonment not exceeding on year or both".<sup>7</sup> Opiyo was the attorney in Shaka's case and in his opinion, section 25 of the Computer Misuse Act is unconstitutional: "It restricts association and expression freedoms beyond what is just a foible in a democratic society."

"They are already censoring without a law being in place. So if a law comes in, I don't know what happens. I think they will just dictate everything. The government of Uganda doesn't like criticism, so they react to whatever threatens them or whatever criticizes them. And they forget that criticism is part of a democratic process", says Maureen Agena, consultant and communication trainer. And this is exactly what is so dangerous because every time government censors someone or something, the country departs from being a functional democracy.

### **Social media is like a bar**

The government's fear of a rout starting on social media appears to be unfounded. Opiyo explains, "Social media is just like what happens in the bars in Uganda. If you go to a bar, people talk all kinds of things about the government. But after the bar, they go home and sleep". A Ugandan spring, following the Arabic example, seems to be impossible. There is a lot of talking going on online in Uganda, but actions rarely follow those words .

### **Trainings for political leaders urgently needed**

The fear of social media is also created because of ignorance. Many ministers or government representatives don't know how Facebook or Twitter work. They do not understand how those platforms work and that is why they only expect the worse. "Because of their ignorance and fear, they have paranoia about social media", says Opiyo. A member of parliament once told him that he only uses his iPad to take pictures and play games. He had no clue how to use the devices or how it works.

Also, Kagumire sees in the shut downs of social media evidence of the ignorance of the government. "I think they want to control it but it is hard and they don't know how to do it. Instead of learning what to do, they are opting for total shutdowns which are not helpful at all."

Political leaders, especially on a local level, as well as government institutions should urgently catch up and learn how to use social media. It would be to their own advantage because they could communicate directly with their citizens. Some, like the Ministry of Health, have already discovered the benefits which come with Twitter & Co. and inform the public regularly on their pages about what is going on in the ministry.

<sup>6</sup>More information can be found under: [www.kas.de/wf/doc/kas\\_43033-1522-2-30.pdf?151210134644](http://www.kas.de/wf/doc/kas_43033-1522-2-30.pdf?151210134644)

<sup>7</sup>[www.nita.go.ug/sites/default/files/publications/Computer-Misuse-Act.pdf](http://www.nita.go.ug/sites/default/files/publications/Computer-Misuse-Act.pdf)

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Social media networks can bring people together and build bridges. They also connect government and citizens. Particularly on a local level, Twitter and Facebook offer an easy solution to touch base with each other. Government representatives can inform people about what they are working on and what is going on in general. And the citizens can address their questions and criticism directly to the government. It is no longer only the people in Kampala who are using internet and social media. The social-media-wave spills increasingly over to rural areas as well.

Social media platforms provide an opportunity for news coverage in Uganda. Until a few years ago, Ugandans had to rely on traditional media like newspapers and broadcasting. But because they are under pressure from the national government, they often censor themselves and not all information reaches the public. The media landscape in Uganda changes slowly. Primarily because of Facebook and Twitter, there is a growing phenomenon called citizen journalism. That means everyone can be a reporter. Due to internet and smartphones, everyone can report about anything, anytime from anywhere and post pictures. Everyone has the opportunity to be heard. "You can now write without having an editor who tells you to take that paragraph in order not to offend government or a certain minister", Akena states with enthusiasm. With that, the Ugandans win back a piece of control. False news and twisted information are easier to expose and the government has to let people – at least a bit – supervise it.