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**RE: Submission on Disinformation in the Digital Age**

**Introduction**

Internet shutdown in many African countries like Egypt, Somalia, Cameroon and Zimbabwe has been commonly embraced during election periods. It is observed that governments employ it as a strategy to combat the rapid flow of **DISINFORMATION** which is usually a threat to the county’ peace. However, it’s also argued that what is usually regarded as **DISINFORMATION** by some autocratic leaders which is actually clear evidence for their poor leadership and therefore use internet shutdown as a way of covering up for their faults such as attacks on journalists, police brutality and election fraud among others.

Disinformation is the state where false news or information is spread through online and offline platforms for selfish motives. McNamara 2020 defines also Disinformation as the deliberate and purposeful distribution of false information. The distribution of false information is usually intended to influence public opinion and this can be through reshaping or shaping the public’s beliefs and attitudes. According to Fetzer 2004, disinformation is usually associated to political, advertisements and editorial contexts aimed at driving a specific agenda or targeting a specific group of people. The disseminators of disinformation always make deliberate efforts to mislead, confuse and deceive the public with a motive of promoting their personal, ideological or religious objectives. The dissemination and or publication of disinformation is done through different avenues and these include mainstream media (broadcast media like radios, televisions and print media; newspapers), internet websites, social media among others. Disinformation can be spread through forged documents, forged or fake photos, partisan propaganda, deceptive adverts among others.

**Background**

According to **Wardle and Derakhshan** disinformation is usually a politicized term and this is not with Uganda today. Over the years, avenues like social media, websites and the mainstream media have been utilized by many political players to amplify their ideologies, share information and win supporters. Although such platforms have served as a great tool in achieving set objectives for both the ruling and opposition parties, many have used it as an avenue for spreading disinformation. Culprits of disinformation have primarily embraced the use of social media platforms like Facebook, WhatsApp, twitter and YouTube more than the mainstream/traditional media. Besides being fast and instant, social media enables perpetrators to target and share deceptive messages with large groups of people and also gives them a mandate to share information that would not be aired by the mainstream media. Alice Marwick and Rebecca Lewis according to their book titled “Media Manipulation and Disinformation Online,” singles out Facebook as the central place for spreading disinformation simply because it is considered a popular platform for hyper-partisan news organization. The culprits of disinformation who use persuasive videos, audios, and memes to influence public opinion usually include bloggers, reporters, influencers, organized brigades and politicians. The disinformation spread across the different avenues is usually characterized by offensive sentiments, hate speech and division. While the primary motive for spreading disinformation is to amplify ideologies, some culprits engage in the act to get money, gain social status/become popular and for fun. For example, on platforms like YouTube, one has to first build up and audience, get a daily view of about 50,000 in order to get money.

With the internet serving as a battlefield for political parties and ideologies, the increasing rate of internet access especially among the youth has enhanced a growing online population. The public have used its different platforms like social media and different websites to dissent the ruling government that has stayed in power for 35 years. This has been done by through the use of persuasive audios, videos and photography geared at bringing change. The government has for a long time detested this approach and views it as one that has not only incited panic and violence among the public but has promoted the spread of disinformation which is a threat to the country’s peace. In attempt to control disinformation flow on internet platforms, the government through its laws and regulated bodies like the Uganda Communications Commission (UCC) has depended on declaring internet shut down; blocking social media accounts and blocking of websites towards, during and after election periods. The disinformation steered and spread by internet platforms gives the governments and its authorities to undermine the public’s freedom of expression and opinion.

The first prominent shutdown of social media platforms transpired in April 2011 after the government through the Uganda Communications Commission gave an order to ISPs to temporary block twitter and Facebook. This was a response to the “Walk to Work” protest against the hyped prices of food and fuel championed by the opposition leaders. In February 2016, the government ordered telecommunication companies to block access to Facebook and twitter on the eve of presidential elections. In May the same year, social media platforms were blocked a day before president Yoweri Kaguta Museveni was sworn into office for his 5th term and this lasted for a whole day. Unlike other internet shut downs in 2011 and 2016, the recent 5 days total internet shut out during the 2021 presidential and parliamentary elections left a big toll on the country’s economy and livelihoods of citizens especially vulnerable groups. The internet shut down begun on 13th January, 2021 after Uganda Communications Commission gave an order to telecom operators to suspend all internet getaways. This led to the shutdown of social media platforms like Facebook, twitter, and WhatsApp affecting over 2.5 million Uganda people who are active on social media. However, a few people could still access social media platforms with the help of the Virtual Private Network (VPN) when internet was partially restored. On 14 January 2021, the 5 days total shut down begun affecting 42% of Uganda’s internet users (Unwanted witness, 2021). Given the COVID-19 Pandemic that made internet a lifeline of society, the shutdown affected service delivery and likelihoods. For example, it affected media companies who had the responsibility of updating the public of the electoral process and results, the health sector especially for people that are insured with insurance companies like AAR, online education services, NSSF, Uganda Revenue Authority, the banking sector, online businesses like Safe Boda, UBER, Jumia, and online shopping. This measure undertaken by government to combat disinformation during the 2021 elections did not only grapple the economy but also interfered with the digital human rights like freedom of expression and opinion and the freedom to inform thus posing a big question about Uganda’s democracy.

**The Challenges Raised by Disinformation**

There is unfortunately no law on misinformation now in Uganda and False news was struck out by the court in 2004. What the Ugandan government does today is use a range of laws to go after people who engage in misinformation --such as criminal defamation, insult laws, and minimum broadcasting standards under the Uganda Communications Act of 2013. For instance, a press statement was issued on public advisory notice on [circulation](https://twitter.com/UCC_Official/status/1241725721367756800) of ‘Fake Information’ aimed at criminalizing misinformation during the COVID-19 pandemic on March 22nd 2020 by Uganda’s regulator, the Uganda Communications Commission (UCC). The commission stated that *“the UCC takes exception to this criminality and wishes to advise that any person found to be engaging in creating, initiating the transmission of fake stories and misinformation shall be apprehended and prosecuted for offending the Computer Misuse Act, 2011, the Data Protection and Privacy Act 2019 and the penal laws of Uganda”* via their twitter account.

The government is also taking advantage of COVID-19 Health outbreak to spread propaganda which is a threat to journalism and media reporting on COVID-19. The use of these cyber laws by the government *to* suppress opinions and freedom of expression online is a form of censorship during the COVID-19 pandemic. Because the laws have been widely used to crack down on the media, dissenting voices, and government critics. This has weakened the responsive measures to combat the virus and even caused filtering of content on the internet that restricts freedom of expression and access to accurate and valuable information especially for vulnerable groups such as women and PWDs. These groups have been hit hardest by the COVID-19 outbreak since they majority depend on second hand information due to gender digital divide and low literacy rate worsened by social distancing measures by WHO regarding the pandemic. Therefore, limited access to information tends to counter the power imbalance between the people and the government.

Ahead of the 2021 general elections and also during as well as after the parliamentary and presidential elections in Uganda, the [political heat](https://www.newvision.co.ug/new_vision/news/1500837/fake-news-spot-bother-journalism) has been among different Uganda social sites and this comes with the intensity of fake news and disinformation.

**Examples of disinformation that has been happening during the general elections in Uganda include but not limited to:**

* On November 18th, 2020, [ISLAM Television Uganda .](https://archive.is/o/XJpbZ/https%3A/www.facebook.com/itvafrica2/?hc_ref=ARRtms-mirQUTxFjg0kGs7l8naFc6zNxovKh_Sih_F1uOlgTAE9l09ayamFONC8x6Z0&fref=nf&__xts__%5b0%5d=68.ARDbgU8EFypI6O_d-UCCwBiYVKRelHi2QkGhK3nD9cwZrpwd9aWtfclAYuw1GP_3kRrvWTYvDPVppSzdhvr8axom8NEP6VTQQAtM1tYgFNE8VUWRkx-4MrdWiZtFpbgmS32Dwvms0nFxZKn3yrovRzhp2cx0loAIh3h8C19bGCdvEaHLIWOrs_MxW5Mx5hQuUoD9ZISaSadQgaI3UxGHz4ufyW_jUcqgGFGf2uMx3TQqJZOeNuGglAQ5Rq5rMHhReF8ACMnJ5Qw8XfxzxBibM4pwXAKrwV7HU4S6EJNFS9ZjTrhDU-frf2NSy17rgHP4g0CZlOTuT4Zk1VaTHwO0BcRcgu3A&__tn__=kC-R) posted on their Facebook page saying that *“Kampala right now. Those who aren't in Kampala City (Uganda) Don't come close. The current situation isn't good. Police and army are battling with demonstrators following the arrest of a presidential Aspirant Mr Kyagulanyi Erias Robert Sentamu Several people across the country have died”.* However, [PesaCheck](https://pesacheck.org/partly-false-the-violent-protests-depicted-in-these-images-are-not-all-from-uganda-67ec1ad057fa) confirmed that while the post in question claims all the photos were taken during the protests, some of the images were captured in unrelated incidents. For instance, *“Image*[*1*](https://archive.is/trZdE)*,*[*2*](https://archive.is/WdiE5)*and*[*3*](https://archive.is/DpCZv)*, that show bleeding victims lying on the ground were posted on the*[Ugandan Buzz](https://www.ugandanbuzz.com/news/four-shot-down-by-police-in-kampala.html)*and*[Matooke Republic](https://www.matookerepublic.com/2020/11/18/woman-dead-many-injured-in-free-bobi-wine-protests/)*websites, both of which reported the photos were captured during the November 18 riots. A Google*[*reverse search*](https://www.google.com/search?tbs=sbi:AMhZZiutDiGiCOIFeK_1pbGyz8vpknNpq8PU5zoRo3s48X9zaK3SoBZcjMfHzdAqBq5sgtroOPT04Yp_1oZq7iNebFAn2jndQ6DJd5fKOZBhhtqX145c8BAYXJGRnOS4UpQtj505Zb1tpwotwQa23VJ7bYSRnPiLpOJWjos4qbuMCTAqOboPPUr94VMXXmCVLAKyJLHkvpHvJROa1y49-gR6c8wyvfeybq_1Symd_1S19w2yp1JJE3_1dcgKh8cNyNrsoUZK2UJRwMUyp3zgwFa2VYXKYwluZ05YEoMFqRjzgXkPgg4EjAk3xabC8NG0CQvJImMcHZ7Xqm7dqF_1s6TXS3PiCq44v8L0pcrg)*of image 4 indicates it was taken in*[*Nigeria*](https://www.nytimes.com/2020/10/20/world/africa/Nigeria-protests-shooting.html)*on October 20, 2020, during a demonstration against police brutality in Lagos. The photo shows police and protestors in a face-off on a tarmacked road, with smoke billowing in the horizon. The same image has been used before to falsely depict violence in Uganda, which PesaCheck*[*debunked*](https://pesacheck.org/false-this-photo-shows-protests-in-abuja-nigeria-not-uganda-d07652217201)*.* [*Image 5*](https://archive.is/3MTlc)*, showing street fires on a littered road, was*[*featured*](https://nilepost.co.ug/2020/11/19/bullets-in-kampala-bwaise-namugongo-as-riots-enter-second-day/)*in local publication the*Nile Post,*while*[*image 6*](https://spyreports.co.ug/news/ten-dead-several-injured-in-kampala-city-riots/)*ran in online blog*Spy Reports, *following the arrest of the National Unity Platform (NUP) presidential candidate. Search results for the*[*seventh*](https://archive.is/vWKDV)*image, showing security officers in anti-riot gear after what looks like dispersing crowds, was featured*[*here*](https://ugmirror.com/index.php/2020/11/18/protests-rock-kampala-as-bobi-wine-is-arrested/)*and*[*here*](https://www.ugandanbuzz.com/news/four-shot-down-by-police-in-kampala.html)*. However,*[*image 8*](https://www.google.com/search?tbs=sbi:AMhZZivMK6wOHcnfuE8x9P7D3vncY2be2wVl3gl1Wtmhz1xfY14qNH9j7gwTZE2vW6q0lHI89lsqO6jSvH8k5mTIut_1yDsdJoYgH1qAlKfZ2o2Fw5jmU98ohncxYQLY6NOu7hdI2Fj37IMwRifDXul58qcZfxZ9znOW7TVfjeW3AvMOLao_1Ex-D2X-osOLvY1XjuXIaftZUACJOMbQpoL-KxYFexinhxPosbWEN7hoxg3u6kNyWHzHU2yZHOiU9o3n47y9xV_1SN-H7_1FJ36Cl3IH7GforbGqej0eLeI3B3l5Vr04Kbv5Y8dNc-jUo5cwvSTZrAWRn8V_1OVI5u1uPttTRLWsPJH7LQQ)*was not taken in Uganda but in*[*Gauteng Province, South Africa*](https://www.enca.com/south-africa/ennerdale-community-tired-of-being-overlooked)*, after roads were blocked with rocks and burning tyres at an intersection in*[*Ennerdale*](https://www.enca.com/south-africa/ennerdale-community-tired-of-being-overlooked)*as residents*[*protested*](https://www.enca.com/south-africa/ennerdale-community-tired-of-being-overlooked)*over the lack of development in the area. Image*[*10*](https://archive.is/YOMpT)*was taken during the same*[*November protests*](https://www.aljazeera.com/news/2020/11/18/bobi-wine-uganda-opposition-presidential-candidate-arrested)*in Uganda and also ran in the*[Ug Mirror](https://ugmirror.com/index.php/2020/11/18/protests-rock-kampala-as-bobi-wine-is-arrested/)*, but a*[*reverse search*](https://www.google.com/search?tbs=sbi:AMhZZiuHeb50PyKT_1su4pVdcOKVUpZ6rhQpNBJLKVX-JKxFCrATSygqcbrggPBdY4b7GKdbHGewTECrpnCS-6mnWHmpD6lKmP0J3B9RAmijFQ5Jo-xKkbNuu0CX-WSfiSg3gLLT-9XxoTpE38Ox154Or7EDLmggOVnPRGK9a82ftGvl3yvUyKSykYOwxgc6U3qvl8V8noZc0HD9NngjSBicj115ImNJ6sqyC1OPxjRNNx4eJkBduiR11X3DzkuF4dU_1qaYHK00II1MmD7EXzZF8Y3FQSyztWxfeoJXNJmbfvJiJ1xVDnxdeDTiWX4KW6iwyHcMDDNnzLcVCQYhZeM7nutPZ3gK5XaA)*of image 11 reveals it was taken in Kenya during the 2017*[*post-election violence*](https://www.newindianexpress.com/galleries/world/2017/aug/10/protests-over-election-fraud-claim-turn-violent-in-kenya-100674.html)*and was also featured in a*[*timeline*](https://apnews.com/article/49ab010b8f5f4a1c8a09a509803eb7f1)*on the*Associated Press (AP)*website. The last three photos,*[*12*](https://archive.is/vKJT6)*,*[*13*](https://archive.is/Yv3lx)*and*[*14*](https://archive.is/2pofc)*that show civilians filing out of a building with their arms raised, were taken during the unrest and are credited to*Bukedde Online*, a local news outlet.”*
* On December 19, 2020, BBC Reality check published an article which showed a widely-shared video clip on social media dated November 5, 2020 which claimed its showing [US President-elect Joe Biden](https://www.bbc.com/news/world-africa-55353891) at an event calling for the release of presidential candidate, Bobi Wine also known as Robert Kyagulanyi. However, the man in the video is not Joe Biden and the video is two years old. This was a video during the protests by Ugandan pro-opposition groups held in various cities around the world when Bobi Wine was detained in August 2018.
* In November 2020 during the protest period in Uganda between November 18th and 19th, 2020 after Bobi Wine’s protest, the former [US President Barack Obama](https://www.bbc.com/news/world-africa-55353891) started appearing in pro-opposition content on social media with the hashtag #FreeBobiWine under his own twitter handle. Although there was no tweet with such a comment and also there was a spelling error with the word “iPhone” with was instead “IPhone”. Additionally, the blue tick which shows verified account is instead white and the tweet seems prepared by an online fabricated tool.
* PesaCheck reported fake news of screengrab of a CNN broadcast which claimed that Bobi Wine ‘s life was in danger indicating a man dressed in a military attire trying to attack him with a knife. The image was published on the 16th January 2021 the same day Yoweri Kaguta Museveni was declared the winner of the 2021 presidential elections. The reverse check traced the image of the man with a knife to an Al Jazeera news report published in 2019.
* Pesacheck stated a Facebook post showing images of people claiming to have been killed under President Museveni’s regime. A google reverse search showed different articles illustrated using the same photos in the Facebook post. One of the articles that used the same photos was published on January 15th ,2021 by Media part, a Paris -based digital news magazine. The article reports that the images were taken from Rwenzori, a commune of the city in North Kivu in Democratic Republic of Congo.
* PesaCheck disapproved a video of ballot papers being pre-marked in favor of president Yoweri Museveni for the position of presidency for the 2021 general elections. This was followed by a claim that Robert Kyagulanyi is being rigged. In the video only 8 candidates are on the ballot paper yet in November 2020, the Electoral Commissions confirmed a total of 11 candidates running for presidency in the 2021 elections. The disinformation was also confirmed by the Mr. Bukeneya the spokesperson EC in his twitter post that the video was taken in 2016.
* PesaCheck reported that the image of the Uganda police spokesperson Fred Enanga claiming that the country did there was no internet shut down in Uganda but rather was just experiencing its second lockdown due to COVID -19 was false.

Disinformation can easily incite violence among the public which may result into loss of lives and property. For instance, the arrest of Hon Kyagulanyi Robert on the 18th of November, 2020 in Luuka district for allegedly violating the COVID-19 standard operating procedures during his campaign rally as president caused a lot of disinformation to flood on social media platforms claiming that Bobi Wine was dead. This enhanced increased panic and tension which resulted into violence that led to the death of over 58 people. PesaCheck reported that the [Facebook post](https://pesacheck.org/false-bobi-wine-is-not-dead-a23185ed5bc1) that was claiming that Bobi Wine Kyagulanyi, one of the presidential candidates was dead was false.

Disinformation has played a significant role in undermining rights of journalists to practice their profession. The quest to prohibit disinformation has negatively impacted journalists by suppressing their freedom to inform. During the campaigns for the 2021 elections, many journalists were beaten, tear gassed and [pepper-sprayed](https://www.monitor.co.ug/uganda/news/national/journalists-paying-the-price-3205068). For example, during the arrest of presidential candidate Robert Kyagulanyi commonly known as Bobi Wine on 18th November 2020, Saif-llah Ashraf Kasirye of Radio One was pepper sprayed and beaten. Two other journalists from Nile TV and City FM were also arrested.

Disinformation erodes public trust in election processes and results. For instance, a few days before the general election day for presidential and member of parliament elections, false news spread on social media that the [ink of the pens](https://pesacheck.org/false-a-claim-that-the-uganda-electoral-commission-will-use-pens-with-ink-that-disappears-is-fake-741e3ce8fb4d) that were going to be used during elections would erase and the writings disappeared after one hour and the vote would be void and not be counted. While this was a reason for some Ugandans not to vote or carry their own pens to the voting stations, this fake news was later nullified by Pesacheck on January 14th 2021 that the claim for the Electoral commission to use pens with ink that disappears was fake.

Disinformation leads to [loss of confidence and trust in for media platforms](https://pesacheck.org/false-bobi-wine-did-not-win-71-of-the-vote-in-the-2021-uganda-presidential-election-80f5df2ea8f9) especially national televisions that people always depend on for authentic news and thus affects the size of its process and profits. Pesacheck revealed false news on a social media post that displayed the logo of NBS TV which is one of the mostly viewed local television station claiming president Museveni had scored 19.21% in the final presidential polls while his opponent Bobi Wine commonly known as Robert Kyagulanyi Ssentamu had scored 71.8% hence declaring Bobi Wine as the president elect. NBS refuted the claim and requested the public to disregard it with reference to its online media outlet called Nile post that which indicated that president Museveni had won the elections with 58% while Bobi Wine had d 34 percent which was in consensus with the figure provided by the Electoral Commissions.

The intimidation of media personalities like journalists by the state prohibits them from executing their professionalism safely and with confidence since they are often times viewed as opposition. This reduces the trust the public has in them because they end up viewing media and disinformation as intertwined components.

**Recommendations to Address Challenges raised by Disfunction**

Human rights defenders and activists should promote the implementation of the Joint Declaration on Freedom of Expression And “Fake News”, Disinformation and Propaganda which highlights that the human right to impart information and ideas is not limited to correct statements. This is because even correct statements may sometimes be a hinderance to human right. It further emphasises that this however does not justify the spread of false news.

The government should [educate and engage](https://cipesa.org/?wpfb_dl=361) the public about how to discern fake news online and how-to fact-check, as opposed to using broad and vague criminal laws against the public as the only solution. The media should continuously [highlight and report](https://cipesa.org/?wpfb_dl=361) digital rights violations arising from policy, regulatory and practical measures implemented by government and the private sector as part of their measures to combat disinformation.

Uganda should Repeal Section 171 of the Penal Code and promote [societal resilience](https://www.article19.org/freedom-of-expression-and-the-digital-environment-in-eastern-africa/) to disinformation by developing and implementing nationwide civic education and empowerment programmes, alongside multi-stakeholder groups, including CSOs and media actors.

**The legislative, administrative policy, regulatory or other measures government have taken to counter disinformation online and offline**

The government through the Uganda Communications Commission whose mandate is to regulate the communications sector in Uganda ordered all social media pages for those that produce online content through blogs and live streaming to seek its authorization before publishing any content. Such platforms were believed to be the key disseminators of misleading information and also claimed that they are responsible for mobilizing riots which led to the death of over 50 people on the 18th of November, 2020. These included [platforms](https://qz.com/africa/1946889/uganda-asks-google-shut-anti-govt-youtube-channels-ahead-election/) like Ghetto Tv, Map Mediya, Lumbuye Fred, Trending ChannelUg, Uganda Yaffe, Busesa Media among others.

The government widely used social media to increase access to information and create awareness about the COVID-19 virus. The [Ministry of Health](https://www.health.go.ug/document/update-on-the-covid-19-outbreak-in-uganda-2/) mainly used its Twitter account to share updates on the pandemic.

**What has been the impact of such measures on other human rights**

Given the fact that the 2021 elections were scientific, the total internet shut down denied the public from accessing relevant information from the internet which would have been relevant in informing their decision hence violating the right of access to information (Nanfuka,2021).

The excessive use of force against the Ugandan citizens during the electoral processes was a civil rights violation. Due to the increased disinformation that was reported on social media platforms especially Facebook and twitter and other mainstream media, the government deployed police and army forces to keep law and order who exercised excessive force on the citizens which led to the deaths of over 50 people on the 18th of November, 2020.

**What measures have been taken to address any negative impact on human rights?**

While the measure to suppress disinformation have inserted a big toll on human rights, little has been done to address the negative impact caused;

Different Civil Society Organizations, international bodies and individuals to come out openly to critique the social media and total internet shut down which violated human rights like freedom of expression and association in the quest of [prohibiting](https://cipesa.org/2016/02/joint-letter-on-internet-shutdown-in-uganda/) disinformation. For example, different organizations like Women of Uganda Network, CIPESA, African Centre for Democracy and Human Rights Studies, Association for Progressive Communication wrote a joint letter to different authorities like including the Uganda Communications Commission to address the issue of internet shut down in Uganda however it was denied.

Different leading monitors of freedom of expression from around the world like the United Nations Special Rapporteur on freedom of opinion and expression David Kaye alongside other peers from the Organization for Security and Co-operation in Europe (OSCE), the African Commission on Human and Peoples’ Rights (ACHPR) and the Organization of American States (OAS) worked hand in hand to issue a [Joint Declaration](https://www.article19.org/resources/joint-declaration-on-freedom-of-expression-and-fake-news-disinformation-and-propaganda/) on Freedom of expression focusing on fake news, disinformation and propaganda in 2017. The declaration is prominent at identifying human rights standards, encourages diversity in media and highlights the roles played by digital intermediaries as well as journalists and media outlets.

**What policies, procedures or other measure have digital tech companies introduced to address the problem of disinformation?**

As a strategy to deal with the rampant spread of false news and hoaxes on Facebook, its operators resorted to [blocking](https://about.fb.com/news/2017/08/blocking-ads-from-pages-that-repeatedly-share-false-news/) adverts that are linked to stories that have been declared false by third party fact checking bodies. In addition, they further added that any page that is found sharing false stories repeatedly would be prohibited from buying adverts on Facebook. In along run, such pages will be stopped from making money on Facebook.

Facebook also adopted the [new signals](https://about.fb.com/news/2017/01/news-feed-fyi-new-signals-to-show-you-more-authentic-and-timely-stories/) to enable their users to easily identify and rank authentic news and or content. The ranking of the new feed depends on whether the person or page that is posting is close to the user. Facebook further added the new universal signals with the motive to determine the authenticity of the post and this is achieved through categorizing pages to find out whether the post is a spam or trying to game feed.

With reference to measures put in place to curb the flooding of misinformation, Twitter put in place prominent [warning labels](https://www.npr.org/2020/10/09/922028482/twitter-expands-warning-labels-to-slow-spread-of-election-misinformation) to prevent its users from accessing and spreading misleading information. In 2020, twitter targeted US politicians and other high-profile users. The warning labels was intended to address the disinformation that was being spread about elections and corona virus and was causing panic and violence among the twitter users.

**Information on measures to address disinformation that you believe have aggravated or led to human rights violations, in particular the right to freedom of opinion and expression.**

The Blockage of social media platforms and shut down of internet gateways with a motive of curbing disinformation was a [violation](https://www.unwantedwitness.org/blocking-social-media-is-a-direct-attack-on-democracy-in-uganda-says-unwanted-witness-uganda/) to the freedom of opinion and expression given the fact that social media is a widely used avenue for Ugandans to access information. According to the constitution of Uganda and the Universal Human Rights Declaration, everyone has a right to seek, receive and impart information from any media platform that is convenient to them. It affected people to access vital information that was essential in influencing their decision to vote for a specific candidate. The [UN Human Rights Council](https://www.article19.org/resources/un-hrc-maintains-consensus-on-internet-resolution/#:~:text=ARTICLE%2019%20welcomes%20that%20the,consensus%20on%205%20July%202018.) on internet resolutions provides that people should enjoy the same rights online and offline, this was worsened by the scientific election that were to be followed due to the COVID-19 restriction.

The decision taken by the Media Council of Uganda to [accredit journalists](https://acme-ug.org/2021/01/19/court-rules-media-council-accreditation-of-journalists-illegal/) to cover the 2021 general elections and other state events was a violation of freedom of expression and opinion. The move was intended to stifle the media in fully examining the poor conduct of government authorities like police against the opposition candidates. This was also bleaching independent journalism ahead of the 2021 election.

**Suggestions or Recommendation for the Special Rapporteur on how to protect and promote the right to freedom of opinion and expression while addressing disinformation**.

In the quest to annihilate disinformation, the government authorities and regulatory bodies responsible like Uganda Communications Commission should not victimize the entire public but rather take time to single out individuals or specific groups that are responsible of disseminating misleading information. For example, instead of declaring a total internet shut down that imposed a big toll on the country’s economy and general wellbeing, in these hard times of the pandemic, the government should have limited access for the perpetuators of the disinformation.

The government of Uganda should create a conducive environment that is capable of protecting and promoting the freedom of expression. The state should ensure that there is diversity and independence in media and ease in accessing information. It should ensure that there is a universal internet access so that they can fully engage in matters that affect their country.

Government authorities and state actors should work in conformity with their national and international obligations to ensure that the kind of information they publish or disseminate is authentic, reliable and in the interest of the general public.

Social media developers and employees for platforms like Facebook, WhatsApp, twitter and YouTube should inform their users to be aware of the policies that govern their application and therefore give stringent penalties to those that may destabilize the set principles.

Mainstream media, social media and journalists should embrace and support effective systems of self-regulation such as press complaints bodies and public editors. Such systems will ensure that the information disseminated is accurate and will also give a provide for a right of correction and further include avenues of addressing misleading information in the media.

The government of Uganda should ensure that measures put in place to prohibit the dissemination of false or fake news which are not with the international standards for restriction of freedom of expression should be abolished. Restrictions put in place to curb disinformation should be in accordance with the international standards.

The government should consider the suspension of Over-the-Top Tax to ensure that people can engage in the use of different media platforms to access information because having access to different sources of information is a sign of a democratic country that promotes freedom of expression and freedom to inform.

The lack of much attention to misinformation and disinformation is a threat to digital human rights online especially women’s rights online. The recognition of open data policy is key in countering fake news and misinformation for public to have timely information during epidemics.

While [political actors and states](https://www.broadbandcommission.org/Documents/working-groups/FoE_Disinfo_Report.pdf) are often significant producers and conduits of disinformation. They have a critical role to play in stemming disinformation at the source - including within their own ‘houses’ through counter-messaging, legislation and policy, elections and normative interventions without infringing on the citizen’s digital and human rights.

**Conclusion**

The quest to abolish disinformation is not something that cannot be achieved overnight but rather a process that requires partnership of different stake holders like the state actors, media, Civil Society Organizations, private entities and the public to work hand in hand so as to end the vice. Measures put in place to address disinformation will be vital to this process only if they are in accordance to the international rights standard of restrictions to freedom of expression and opinion.

**References**

# RSF. (2020, November 25). Uganda: Crackdown on reporters threatens Ugandan election’s credibility. RSF.<https://rsf.org/en/news/uganda-crackdown-reporters-threatens-ugandan-elections-credibility>

# Tessa Knight. (2021, January 12). Social media disinformation campaign targets Ugandan presidential election. DFRLab. <https://www.dailymaverick.co.za/article/2021-01-12-social-media-disinformation-campaign-targets-ugandan-presidential-election/>

# Juliet Nanfuka. (2021, Jan 13). Uganda’s 2021 Election: A Textbook Case of Disruption to Digital Networks I Authoritarian Countries, <https://cipesa.org/2021/01/ugandas-2021-election-a-textbook-case-of-disruption-to-democracy-and-digital-networks-in-authoritarian-countries/>

# Fetzer, J.H. Disinformation: The Use of False Information. *Minds and Machines* **14,**231–240 (2004). [https://doi.org/10.1023/B:MIND.0000021683.28604.5b](https://doi.org/10.1023/B%3AMIND.0000021683.28604.5b)

# McNamara, Robert. (2020, August 28). What Is Disinformation? Definition and Examples. Retrieved from <https://www.thoughtco.com/disinformation-definition-4587093>

# Budoo, A. (2020). *Controls to manage fake news in Africa are affecting freedom of expression*. <https://theconversation.com/controls-to-manage-fake-news-in-africa-are-affecting-freedom-of-expression-137808>

# <https://cipesa.org/2016/02/joint-letter-on-internet-shutdown-in-uganda/>

# <https://advox.globalvoices.org/2019/11/26/will-uganda-shut-down-the-internet-as-opposition-heats-up-for-2021-elections/>

# Unwanted Witness. (2021). *Uganda 2021 general elections: the internet shutdown and its ripple effects.* [Uganda 2021 general elections: The internet shutdown and its ripple effects | Association for Progressive Communications (apc.org)](https://www.apc.org/en/news/uganda-2021-general-elections-internet-shutdown-and-its-ripple-effects)

* FB (2017b) Blocking ads from pages that repeatedly share false news. Available at: <https://newsroom.fb.com/news/2017/08/blocking-ads-from-pages-that-repeatedly-share-false-news/>
* <https://theconversation.com/internet-shutdowns-in-africa-threaten-democracy-and-development-142868>

# <https://www.tandfonline.com/doi/full/10.1080/1369118X.2020.1859580>

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