

Ugandan online editor arrested for publishing op-eds

NEW YORK: The Kampala Magistrate Court released online editor Timothy Kalyegira on bail on Tuesday, 1 June 2011, after the court remanded him to Luzira prison in the capital, Kampala. He is expected to return to court on June 30.



The court charged the editor of *The Uganda Record* with criminal libel against President Yoweri Museveni over two articles published in July last year, according to local journalists. The two opinion articles printed on July 12 and 16 speculated whether the Ugandan government was involved in the July 11, 2010 bomb attacks in Kampala, defense lawyer Ladislaus Rwakafuuzi said.

The articles speculated that the Ugandan government might have instigated the bomb blasts instead of the Somali insurgents, Al-Shabaab, even though Al-Shabaab has claimed responsibility for the attacks that left an estimated 78 people dead. The terrorist group said they staged the bombing in retribution for Uganda's participation in African Union peacekeeping forces.

Kalyegira had gone to the Kira Road Police Station on Tuesday to request the release of his passport that was in their custody, he told CPJ. Upon arriving at the station, the police cancelled Kalyegira's police bond and took him to court.

"There is no reason to revive new charges against the online editor of *The Uganda Record* other than to intimidate the country's critical press," said CPJ East Africa consultant Tom Rhodes. "These new charges of criminal libel are not applicable and should be dropped immediately."

Police in the Media Offenses Department originally raided Kalyegira's office in August 2010, confiscated his passport, and charged the online editor with sedition. The sedition charges became null and void later in the month, however, after the Uganda Constitutional Court declared criminal sedition unconstitutional, according to local journalists. Kalyegira has periodically reported to the police station since the August arrest, he said.

Journalist Bernard Tabaire is currently legally challenging the concept of criminal libel charges in Uganda, the independent *Daily Monitor* reported. For the Kalyegira case, his lawyer is arguing that the editor shouldn't be subject to criminal libel charges as the Ugandan legal system has no jurisdiction over online publications. In Uganda, to find someone guilty of libel

one needs to cite a place where the alleged crime has been committed and in that sense, the Web is not a particular place.

Criminal libel and, previously, sedition charges have been routinely used to silence Uganda's critical press. At least 13 journalists have faced criminal libel charges in the past five years, according to CPJ research. In the majority of these cases, the journalists were acquitted.

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