

BEHAVE ON SOCIAL MEDIA OR RISK CRIME

The Uganda Communications Commission ordered mobile service providers to shut down the internet from 6:00pm on January 13 in the run-up to the general election on January 15 to prevent rapid spread of misinformation and disinformation, among others. Now that the internet has been fully restored, **Ranell D. Nsereko** brings you past computer misuse cases that landed the perpetrators in jail. So choose on which side you will be on social media – to behave or misbehave

The restoration of all social media platforms (apart from Facebook) on Liberation Day by the Uganda Communications Commission was greeted with a sigh of relief. However, if we do not behave, we either end up in jail or face another shutdown.

In recent years, Ugandans have increasingly found themselves facing criminal charges, arrests and even jail sentences for cyber harassment, offensive communication and malicious information circulated online. At the centre of these legal battles is the Computer Misuse Act, particularly Section 24, which criminalises online harassment and similar conduct.

Uganda's Constitutional Court has upheld this provision, affirming that digital harassment, whether against private individuals or public figures, is a punishable offence.

Uganda has seen numerous social media-related arrests over the past decade. A 2017 report by an advocacy organisation, Unwanted Witness, noted that over two dozen internet users were on trial for online expression that year alone, with arrests commonly based on charges of cyber harassment and offensive communication.

The Government maintains that such laws are necessary to curb hate speech, misinformation and online conduct that could threaten peace or national security. Enforcement actions are often framed as efforts to maintain public order in the digital space.

However, rights groups and free speech advocates say the law is being used to stifle legitimate dissent and criticism. They argue that definitions of 'offensive' or 'malicious' are often vague and

open to broad interpretation, leading to disproportionate penalties for online speech. Critics also point to the chilling effect such prosecutions can have, prompting self-censorship among activists, journalists and ordinary internet users.

Under the Computer Misuse (Amendment) Act, 2022, the penalties for online misconduct are severe. Conviction for cyber harassment can lead to a fine or imprisonment for up to three years, or both. Other offenses, such as "misuse of social media", defined as sharing prohibited information under a disguised identity, can carry up to five years in prison.

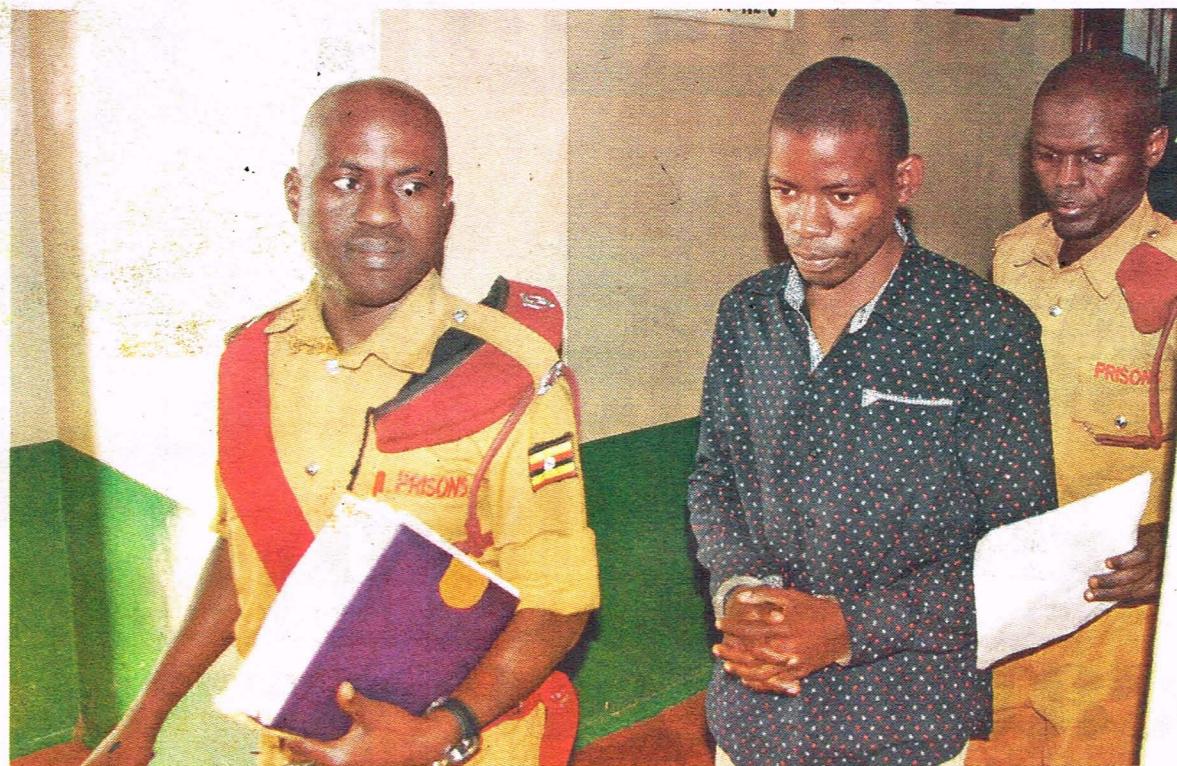
Despite a 2023 Constitutional Court ruling that nullified Section 25 (offensive communication) for being too vague, the Government has continued to utilise other sections of the Act to crack down on what it deems harmful content.

As more Ugandans engage online, the courts have become an increasingly common venue for resolving disputes that once might have lived only in comment sections or group chats.

Social media platforms like TikTok and Snapchat that started as a platform for connection have increasingly become a direct ticket to a courtroom dock for many Ugandans. As the country approached the 2026 general election, the line between online expression and criminal conduct blurred, with the Police force's cyber crime department reporting a significant surge in cases.

FACES IN THE DOCK

In 2019, Dr Stella Nyanzi, an academic, was convicted and sentenced to 18 months in prison for a social media post that



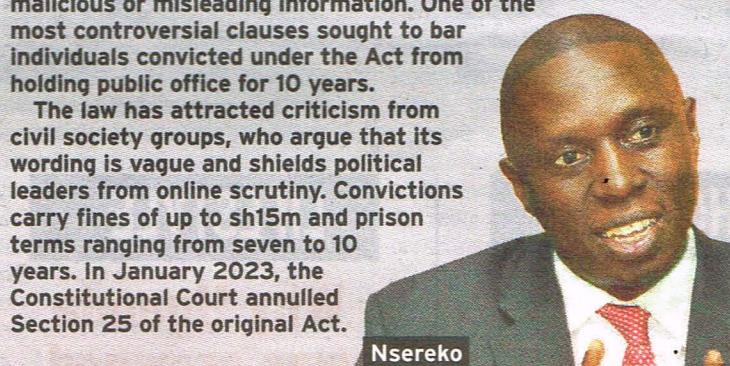
Isiko (centre) battled charges of cyber harassment and offensive communication over sending love messages to then Kabarole District Woman MP Rwabwogo. His case unfolded between 2018 and 2020

The Muhammad Nsereko Act

Kampala Central MP Muhammad Nsereko is the principal architect behind the Computer Misuse (Amendment) Act, 2022. Introduced as a private member's Bill, it was signed into law by President Yoweri Museveni on October 13, 2022.

The amendment sought to strengthen the original 2011 Act by introducing stricter penalties for modern digital behaviour. It criminalises hate speech, defined as sharing content that ridicules, degrades or demeans persons or groups based on tribe, religion, gender or identity. It also prohibits sharing children's data without parental consent, bans unauthorised audio or video recording and criminalises sending unsolicited malicious or misleading information. One of the most controversial clauses sought to bar individuals convicted under the Act from holding public office for 10 years.

The law has attracted criticism from civil society groups, who argue that its wording is vague and shields political leaders from online scrutiny. Convictions carry fines of up to sh15m and prison terms ranging from seven to 10 years. In January 2023, the Constitutional Court annulled Section 25 of the original Act.



Nsereko

disparaged the President, although her conviction was later quashed on appeal.

Elson Tumwine, a 23-year-old finalist at Makerere University, was sentenced to two months in prison in August 2025 after pleading guilty to offensive communication and spreading malicious information under the Computer Misuse (Amendment) Act, 2022.

The charges stemmed from a TikTok video he posted in May 2025 targeting President Yoweri Museveni and Speaker Anita Among, criticising the President's apology to the Baganda and referencing the 1989 Mukura massacre.

Before his arraignment, Tumwine was reported missing for nearly a month while interning

in Hoima district. He resurfaced in July and appeared before the Entebbe Grade One Magistrate's Court. Magistrate Tibayeita Edgar Tusiime cited his guilty plea, co-operation and request for forgiveness.

Among other recent cases is Emmanuel Nabugodi, a 21-year-old TikTok creator, who received a landmark sentence of two years and eight months in prison for insulting Museveni.

In delivering the ruling, the magistrate said the punishment was intended to serve as a deterrent against the abuse of public figures on social media.

Earlier in 2024, Edward Awebwa, a resident of Mukono district, who operated a TikTok account under the name Save Media Uganda, was handed an even harsher sentence of six years in prison on similar charges. His case sent shockwaves through the digital community, highlighting how seriously courts are now treating offences committed on social media platforms.

Awebwa pleaded guilty to three counts of hate speech and one count of disseminating malicious information under the Computer Misuse (Amendment) Act, 2022. The offences stemmed from videos he shared between February and March 2024, in which he ridiculed and demeaned Museveni, First Lady Janet Museveni and First Son Gen Muhoozi Kainerugaba.