

Media Council summons *The Observer* again

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KAMPALA – Nearly five years after first being summoned over a controversial story, *The Observer* newspaper finds itself back before Uganda's Media Council, this time, not just to answer old questions, but to revisit a case it believed was already closed.

The latest summons, delivered on April 8, 2026, revives a complaint tied to a March 2021 story alleging the diversion of health funds by Permanent Secretary Diana Atwine. At the time, the paper's editors complied fully with the Council's demands. They attended multiple hearings, submitted evidence, and engaged directly with the complainant. By 2023, they say, the process had reached its natural conclusion.

"The Council had received all necessary material... [and] the matter was ready for determination," recalled *The Observer's* editor, Robert Spin Mukasa. A ruling, he was told, would follow.

It never did.

Now, after years of silence, the case has been reopened. The newspaper has been asked to defend itself again, this time with fresh submissions. For Mukasa, the move raises more than procedural questions. It strikes at the heart of fairness.

"To now reopen the matter without explanation violates that expectation and constitutes procedural unfairness," he said.

The revived case is only part of a broader confrontation. A second summons, also scheduled for hearing on April 15, relates to a 2024 article that al-

leged Members of Parliament had been bribed to preserve certain government agencies from mergers. That report, the Media Council argues, may have undermined public trust in Parliament.

In its earlier correspondence, the Council framed the issue in stark terms, warning that Parliament is "the cornerstone of Uganda's democracy" and that "any assertion that could undermine this trust must be rigorously scrutinized for its accuracy." The implication is clear: journalism that challenges powerful institutions must meet the highest standards, or face consequences.

For *The Observer*, however, the issue is not simply about scrutiny. It is about who gets to define it.

Pius Muteekani Katunzi, the paper's managing editor, has questioned both the clarity and the legitimacy of the proceedings. In response to the 2024 summons, he pointed out that the complaint itself remains ambiguous.

"The letter lacks clarity regarding the complainant; it's uncertain whether it's Parliament, Mr. Paulo Ekochu (chariman), or the Media Council itself," Katunzi said. "If Mr. Ekochu is the complainant and seeks to act as a neutral arbiter, he clearly cannot be both an interested party and a judge in his own cause."

That concern goes beyond semantics. It touches on a deeper tension between media regulation and editorial independence, particularly in cases involving politically sensitive reporting.

Katunzi also questioned the timing and tone of the Council's actions. He noted that shortly after the 2024 article



Media Council Chairman Paulo Ekochu

was published, the Speaker of Parliament publicly indicated that legal action would be taken against the newspaper. Yet, according to the paper, no such legal notice has ever materialised.

"It seems Mr. Ekochu is voicing complaints on behalf of the speaker," Katunzi said, adding that the threat of criminal charges over administrative issues, such as failure to register the editor, appeared disconnected from the substance of the story.

In response, *The Observer* has taken a more confrontational stance. In a letter dated May 20, 2024, the newspaper declined to appear before the Council, citing what it described as fundamental

legal and procedural flaws. The paper argued that the Council, as currently constituted, lacks jurisdiction due to non-compliance with provisions of the Press and Journalist Act.

"Unless and until these composition matters are duly resolved, it is our position that the Council lacks jurisdiction to summon or take regulatory action against media organizations," the letter states.

At the centre of this dispute is not just one newspaper or two contested stories. It is a broader question about the balance between accountability and independence in Uganda's media landscape.

On one side is a regulatory body asserting its mandate to uphold ethical standards and protect public institutions from potentially damaging reporting. On the other is a newsroom insisting on due process, clarity, and the right to investigate matters of public interest without undue interference.

The stakes are not merely legal, they are institutional.

For journalists, the reopening of a case long thought settled raises concerns about predictability and finality in regulatory processes. For regulators, the challenge lies in maintaining credibility while enforcing standards in a politically charged environment.

As the April 15 hearing approaches, both sides are preparing for what may be more than just a procedural session. It could become a test case, one that probes the limits of media oversight, the rights of journalists, and the resilience of institutions meant to safeguard both.

For now, the questions remain unresolved. Why reopen a case after five years? Who defines the boundaries of ethical journalism? And perhaps most importantly, what happens when those boundaries are contested?

The answers, when they come, will likely extend far beyond a single newsroom.