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## PRESS RELEASE

### **Uganda: Supreme Court strikes out law criminalising 'false news'**

**The Ugandan Supreme Court yesterday declared that the offence of 'publishing false news' was incompatible with the right to freedom of expression. This means that journalists in Uganda can no longer be charged with "publication of false news".**

Justice Joseph Mulenga, delivering the lead judgment, ruled that the right to freedom of expression protects not only that which can be proven to be true. He warned that the offence dated from colonial times and that the only reason why it was still on the books was because Parliament had not yet gotten around to reforming the law. He stressed that the prohibition of false news served no meaningful purpose. On the contrary, it was a vaguely formulated offence, open to misinterpretation and abuse on political grounds that could not be reconciled with basic democratic principles and the right to freedom of expression.

The ruling has important consequences not only for the Ugandan media, who longer need to fear being prosecuted for publishing 'false news', but worldwide as well. The prohibition of publishing 'false news' is still on the books in a number of countries, including Malaysia, Sudan, Togo and Tunisia, to name but a few. The robust opinion of the Ugandan Supreme Court, together with previous similar judgments by courts in Canada and Zimbabwe, adds to the growing body of opinion that such laws are fundamentally illegitimate and must be struck out.

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Notes to editors:

1. For further information, contact Peter Noorlander, Legal Officer, ARTICLE 19, at +44 20 7278 9292, email: [peter@article19.org](mailto:peter@article19.org).
2. The Canadian Supreme Court and the Zimbabwe Supreme court have both recently rules the offence of 'publishing false news' to be unconstitutional: see R v. Zundel and Chavunduka and Choto v. Minister of Home Affairs, respectively. summaries of both cases can be found on the ARTICLE 19 website, <http://www.article19.org>, under Handbook / cases.
3. A summary of the judgment of the Ugandan Supreme Court can be found on the ARTICLE website: <http://www.article19.org>, under Handbook / cases.