

UCC, telecom firms dragged to court over internet blackout

BY JULIET KIGONGO

KAMPALA. Two lawyers have sued the Uganda Communications Commission (UCC) and major telecommunications companies over the internet shutdown imposed during the recent election period, arguing that the restriction was unconstitutional and unlawfully disrupted communication nationwide.

The suit, filed in the High Court Civil Division, names UCC, MTN Uganda Limited, Airtel Uganda Limited, and Tangerine Limited trading as Lyca Mobile, together with other undisclosed actors, as respondents.

The petitioners, Mr Michael Aboneka and Mr Raymond Amumpaire, contend that the shutdown, which took effect during and around polling days, violated constitutional guarantees and caused widespread economic, social, and civic disruption.

In their court filings, the two lawyers argue that the decision to restrict internet access was implemented without transparency, public justification, or adherence to the legal framework governing limitations on fundamental rights.

"The respondents jointly and severally participated in the interruption of internet-based communication services without lawful authority," the petitioners state, adding that the actions affected millions of Ugandans who depend on digital platforms for work and access to information. Uganda has previously experienced internet shutdowns during election periods, including on January 15, with authorities often citing national security and public order concerns. However, the petitioners maintain that in this instance, no formal legal instruments were publicly issued to justify the shutdown.

"The applicants contend that any lim-



Justification.

Small businesses that rely on internet connectivity suffered

losses, journalists were unable to report freely, and ordinary citizens were denied access to information at a critical democratic moment,"

Petitioners

itation on access to information and communication must meet the strict test of legality, necessity and proportionality," the court documents read. "No such test was met."

The petitioners argue that as the statutory body mandated to regulate Uganda's communications sector, UCC had a duty to protect consumers and ensure continuity of service, rather than supervise its suspension.

MTN Uganda and Airtel Uganda, the

country's largest telecom operators, are accused of complying with directives that allegedly lacked a legal basis. In an affidavit supporting the application, the lawyers state that the shutdown crippled online businesses, disrupted mobile money services, and cut off citizens from real-time election information.

They are seeking court declarations that the shutdown was inconsistent with the Constitution and the Uganda Communications Act. They also want orders barring the respondents from imposing similar restrictions during future elections, as well as costs of the suit.

By press time, none of the respondents had filed a response to the suit. However, in previous cases, telecom companies have maintained that they act in compliance with lawful directives issued by the regulator.

operators were yesterday directed to restore key essential services to ensure business continuity and access to critical information.

Among the services restored are web browsing, access to news websites, educational resources, government portals, financial services, email and other essential online activities.

Restricted services

However, social media platforms and over-the-top (OTT) messaging applications remain temporarily restricted.

"In line with the directive issued to all licensed mobile network operators and internet service providers, social media platforms and messaging applications remain restricted to continue safeguarding against misuse that could threaten public order," Mr Thembo said.

He noted that some users may attempt to bypass the restrictions using Virtual Private Networks (VPNs), warning that security agencies remain alert.

"Anyone who attempts to use online platforms to incite violence or do wrong things will be dealt with...," he said.