

A PUBLIC STATEMENT

by the Civil Society Organisations of Uganda in the Health sector

On the Protection of Sovereignty Bill, 2026

(Bill No. 13 of 2026, Bills Supplement No. 5 to Uganda Gazette No. 39, Volume CXIX, 13 April 2026)

We support the object. We express concerns to the method. We propose a better way.

We, the undersigned Civil Society Organisations of Uganda, issue this public statement on the Protection of Sovereignty Bill, 2026, which stands before the Joint Committee of the Committee on Defence and Internal Affairs and the Committee on Legal and Parliamentary Affairs of the Parliament of Uganda. We have filed a detailed written Memorandum with the Committee. This statement is addressed to the Parliament of Uganda, to the Government of Uganda, and to the people in whom, under Article 1 of the Constitution, all sovereignty resides.

OUR POSITION

We are not opposed to the object of the Bill in principle. The protection of Uganda's sovereignty, independence and territorial integrity is a legitimate object of legislation, and one that every signatory to this statement affirms.

We, however, express concerns in respect of several of the Bill's substantive clauses. On careful review, the Bill is, in our submission, not necessary at this time. Uganda already has in force a comprehensive body of law that, taken together, gives the Government ample statutory tools to identify, investigate and act upon any genuine threat to national sovereignty.

WHY WE HOLD THIS POSITION

First. The Bill is unnecessary. Uganda already has in force a dense statutory regime covering the concerns the Bill raises. The Non-Governmental Organisations Act Cap. 109 registers, inspects, suspends and de-registers civil society organisations, a power Government has actively exercised in recent years. The Anti-Money Laundering Act Cap. 118 requires every supervised institution to conduct customer due diligence and to report suspicious transactions. The Anti-Terrorism Act Cap. 120 criminalises any financing calculated to destabilise the Government. The Foreign Exchange Act Cap. 167 regulates cross-border inflows under Bank of Uganda oversight. The Penal Code Act covers seditious and treasonable conduct. Uganda is, in addition, a party to the UN Convention against Transnational Organised Crime and to the FATF-aligned standards of the Eastern and Southern Africa Anti-Money Laundering Group. If any specific gap has been identified on careful review, the appropriate response is targeted amendment of the relevant existing statute, not the enactment of a new, overlapping regime layered on top.

Second. The Bill's core definitions are too broad to serve its stated object. The three concepts on which the entire Bill operates, namely "foreigner", "agent of a foreigner" and "disruptive activities", are drafted so widely that a Ugandan manufacturer with a minority foreign shareholder, a hospital funded in part by an international

health foundation, a university in academic partnership with a foreign institution, a church or mosque receiving offerings from diaspora congregants, a law firm that is part of an international network, a research institute whose work is in any way internationally co-funded, and any community-based organisation supported even partially by foreign funds, are each capable of being designated an “agent of a foreigner”. The “disruptive activities” formula turns, inter alia, on conduct “prejudicial to or threatening the security of Uganda”, a formulation the Constitutional Court has previously held, in *Andrew Mujuni Mwenda v Attorney General* (Constitutional Petition No. 12 of 2005), to be impermissibly vague. The Minister is, further, empowered under clauses 1, 2(2)(i) and 30 to enlarge these categories by statutory instrument laid before Parliament “for information” only, placing in the hands of the Executive a power to alter the statute’s penal reach without any substantive Parliamentary vote.

Third. The penalties and machinery are disproportionate to any identifiable harm. The principal offences carry fines of up to UGX 4 billion for legal entities and up to UGX 2 billion and/or twenty years’ imprisonment for individuals which in our opinion are disproportionate. Clause 21 establishes a public inspection register of funding sources, available on payment of a fee, that cannot be reconciled with the Data Protection and Privacy Act Cap. 97. Clause 22 caps foreign funding at approximately UGX 400 million in any twelve-month period, a figure substantially below the ordinary operating budgets of most Ugandan hospitals, universities and research institutes. Clause 25 conscripts every bank, mobile-money operator and payment service provider as a gatekeeper of the regime and exposes them to UGX 4 billion civil penalties for non-compliance. Clause 28 permits warrantless inspection of private premises, without prior notice, without any threshold of reasonable suspicion, and without protection for legally privileged materials, medical records or the personal data of beneficiaries. These are not modest regulatory burdens. They cannot, in our opinion, be justified under Article 43 of the Constitution, which permits limitations on rights only where those limitations are demonstrably justified in a free and democratic society.

Fourth. The Bill will damage the very economy it purports to protect. Uganda received USD 2.5 billion in diaspora remittances in 2025, equivalent to approximately 3.8% of GDP and a material support to the Uganda Shilling, which Bloomberg identified as the best-performing African currency between April 2024 and April 2025. The civil society sector itself contributes in excess of UGX 4.5 trillion annually to the Ugandan economy, employs tens of thousands of Ugandans, and co-finances major national programmes including the HIV response. Clause 25’s compliance burden will rationally be passed on through higher fees, enhanced due diligence, and the pre-emptive de-banking of foreign-funded organisations. Clauses 22 and 23, by exposing any foreign-advanced facility to forfeiture if the borrower is subsequently designated an agent of a foreigner, will be priced into the cost of credit for every Ugandan business that relies on foreign trade finance, supplier credit or development lending. The 2025 disruption of USAID and PEPFAR funding alone caused an estimated 15,000 health-sector redundancies and opened a UGX 600 billion gap in the HIV response. A statute authorising further disruption of inflows on political rather than prudential grounds compounds, rather than cures, that exposure.

These are not incidental features of the Bill. They are structural. Taken together, they cannot, in our opinion, be reconciled with Articles 27, 28, 29, 40, 43 and 94 of the Constitution, with Uganda’s existing statutory regime,

or with Uganda's binding obligations under the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights.

CIVIL SOCIETY IS A PARTNER OF GOVERNMENT, NOT ITS ADVERSARY

The organisations signing this statement are Ugandan entities, registered under Ugandan law, and accountable to Ugandan beneficiaries. We co-deliver health, education, water, community development and social welfare services across every district of the Republic, in furtherance of the Sixth Schedule to the Constitution and of the National Objectives and Directive Principles of State Policy. Government's own Partnership Policy for Engagement with Civil Society Organisations, the National Development Plan and Vision 2040 each recognise us as such.

WHAT WE PROPOSE INSTEAD

We respectfully propose two constructive alternatives to the Bill.

First, a joint Government-CSO programme of national citizen sensitisation on sovereignty, co-delivered through the Ministry of Internal Affairs, the Ministry of Foreign Affairs, the Ministry of Information, Communications Technology and National Guidance, the Uganda Human Rights Commission, the cultural and inter-religious institutions, and the civil society networks already present in every district of the country. Sovereignty is best protected by mobilising the Ugandan people, not by criminalising the organisations through which they mobilise.

Second, a framework for the progressive strengthening of domestic civil society funding: tax incentives for local philanthropy, a Uganda Public-Private CSO Basket Fund, structured corporate social responsibility partnerships, lawful channels for diaspora philanthropy, and a light-touch legislative framework for social enterprise, phased over a transition period of not less than five years. This would reduce civil society's reliance on foreign funding through growth and partnership, rather than through prohibition and penalty.

Third, and perhaps most fundamentally, this Bill strikes at the very heart of civil society in Uganda. Civil society organisations are not adversaries of the state. We are, and have always been, critical partners of the Government of Uganda in the empowerment of citizens, the delivery of essential services, and, indeed, the protection of the sovereignty that this Bill purports to defend. Rather than enacting legislation that curtails our operations and narrows the space within which we work, the government would do far better to invest in policies that strengthen and enable civil society so that we may continue to do what we have always done: work alongside the state to build this nation. A strong civil society is not a threat to sovereignty. It is one of its surest guarantees.

OUR APPEALS

To the Parliament of Uganda: we respectfully ask that you decline to proceed with the Bill at this time, and that any regulatory gap identified on careful review be addressed by targeted amendment of the existing statutes rather than by the enactment of a new, parallel regime.

To the Government of Uganda: we reaffirm our readiness to be full partners in the design and delivery of a national programme of citizen sensitisation on sovereignty, and in the construction of a domestic funding framework that would, over time, allow Ugandan civil society to operate sustainably from Ugandan resources.

To our fellow Ugandans: the Bill affects not only specialised organisations but the churches, mosques, hospitals, schools, universities, market women's associations, cultural institutions, burial societies, savings groups and community development associations through which ordinary Ugandans organise their lives. We respectfully invite you to read the Bill, to form your own view, and to engage your Member of Parliament.

Uganda's sovereignty resides, under Article 1 of the Constitution, in the people of Uganda.

It is best protected when the Government, Parliament and civil society stand together in its service.

SIGNED BY;

CIVIL SOCIETY ORGANISATIONS OF UGANDA IN THE HEALTH SECTOR