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Uganda



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Update

The Anti-Homosexuality Act, 2023, which was assented to by the President on May 26, 2023, was upheld by the Constitutional Court of Uganda on April 3, 2024, except for sections 3(2) (c), 9, 11(2) (d) and 14. The Court ruled those sections contravened the Constitution and were inconsistent with the rights to health, privacy, and freedom of religion. The Act, which criminalizes homosexuality, including its recognition, promotion, financing and normalization, however, was still upheld by the Court on grounds that it reflects the socio-cultural norms, values, and aspirations of the Ugandan society.

On July 15, 2024, the President signed 19 Bills into law. The Bills include, among others, the Non-Governmental Organizations (Amendment) Act, 2024. Upon the Act coming into effect, the NGO Bureau has been dissolved and its functions have been returned to the Ministry of Internal Affairs. This is problematic because under the Ministry of Internal Affairs, the Department for NGOs will be entirely dependent on that ministry for its budget. As a result,

the likelihood of the Department of NGOs being under-resourced has increased, which will undermine its capacity and effectiveness to register and monitor NGO activities.

Prior to that, on July 5, 2024, the Attorney General issued an Advisory on Memoranda of Understanding between Government and Commercial Entities, Regulatory Bodies, Ministries and agencies of Government, including NGOs and CBOs. The Advisory cited Article 119 (5) of the Uganda Constitution, 1995 (as amended), which states that no agreement, contract, treaty, convention or document to which Government is a party or in respect of which the Government has an interest, shall be concluded without legal advice from the Attorney General. Accordingly, any Ministry, Department or Local Government (MDA/LG) submitting a Memorandum of Understanding with an NGO or a CBO shall indicate the particular mandate of the MDA/LG to which the MOU relates; indicate whether the MDA/LG has signed a similar MOU with any other NGO or CBO, and if so, why it is necessary to enter into another MOU with another NGO or CBO; the actual benefits to be derived from entering into the MOU; and the track record of the NGO or CBO. This raises concerns because it increases bureaucracy and the possibility of NGOs being denied an opportunity to cooperate with interested MDAs/LGs in advancing democracy, rule of law, and respect for human rights.

Please see the News Items section below in this report for additional details on the above three developments.

Introduction

Civil society organizations (CSOs) and NGOs play an active role in Uganda. Approximately 14,000 registered NGOs engage on a range of issues, including by providing services to citizens and advocating to improve democratic governance and human rights.

Uganda's legal system is based on English common law and customary law. The Constitution of Uganda, promulgated in 1995, protects the freedoms of conscience, expression, movement, religion, assembly, and association. The right to freedom of association, which is guaranteed under Article 29 (1) (e), includes the freedom to form and join associations or unions, including trade unions and political and other civic organizations. The Constitution further guarantees that civic organizations shall retain their autonomy in pursuit of their declared objectives.

Civil society has been adversely affected, however, by increasing constraints introduced through restrictive legislation, such as the NGO Act (2016), Public Order Management Act (2013), Anti-Money Laundering Act (2013), Anti-Terrorism Act (2002), Computer Misuse (Amendment) Act (2022), and the Anti-Homosexuality Act (2023). NGOs have faced registration barriers, excessive reporting requirements, the freezing of bank accounts and denial of funding, and suspensions. Furthermore, NGOs that engage in advocacy and monitoring of government activities have often been subjected to intimidation and increasingly targeted by state and non-state actors, both offline and online, with a goal of undermining their activism. CSOs' advocacy work is further hampered by growing barriers to accessing certain online platforms: for example, the government has continued to block Meta (Facebook) since the 2021 general elections.

Encouragingly, in 2019, the President signed into law the Human Rights (Enforcement) Act to facilitate the protection of human rights by holding public officials accountable for human rights violations; compensating victims of human rights violations; and criminalizing the violation of human rights. To date, however, no known cases have been considered under the Act. Similarly, the government launched the National Dialogue Process, which brings together representatives of government, the leaders of the opposition in parliament, cultural and religious leaders, and civil society to jointly discuss governance issues and areas for reform, but no progress has yet been made. Civil society leaders hold quarterly dialogues with the government to discuss legal environment concerns affecting NGOs in the country and develop recommendations for strategic action. These interactions have provided a strategic forum to strengthen the CSO-government relationship but are still relatively nascent and follow-up actions are generally inadequate.

Thus, the overall environment for civil society is constrained and rights advocacy groups addressing sensitive issues often struggle to operate and navigate growing restrictions intended to undermine their work.

This Civic Freedom Monitor (CFM) Country Note was made possible through the research conducted by Dr. Livingstone Sewanyana, Advocate of the High Court of Uganda.

At a Glance

Organizational Forms	Nongovernmental organizations (NGOs), trusts, and community based organizations (CBOs)
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Registration Body	NGOs and CBOs: National Bureau for NGOs
Barriers to Entry	Registration is mandatory, with penalties for conducting activities through unregistered organizations. NGOs are subject to burdensome registration procedures, including recommendations from governmental representatives. The National Bureau for NGOs has broad powers that include the ability to refuse to register an NGO. Upon registration or incorporation, NGOs are required to apply for a permit with the National Bureau for NGOs, which is issued for up to five years at the discretion of the Bureau. The Bureau has broad powers that include the ability to refuse to register an NGO or issue a permit.
Barriers to Activities	NGOs must seek prior approval from the District NGO Monitoring Committee (DNMC) and Local Government of the area of operation and sign a Memorandum of Understanding before carrying out activities in any part of the country. Before extending activities to a new geographical area of the country, NGOs must receive a recommendation from the NGO Bureau through the DNMC of that area. NGOs must cooperate with local councils, DNMCs and Sub-Country NGO Monitoring Committees (SNMCs). NGOs are subject to detailed requirements relating to staffing. Involuntary dissolution is by order of the High Court and halting of NGO operations is increasingly common on arbitrary allegations.
Barriers to Speech and/or Advocacy	While there are no legal barriers per se, NGOs and activists promoting human rights may be subject to governmental intimidation or disappearances. There have also been internet shutdowns ahead of general elections.
Barriers to International Contact	Burdensome requirements on the hiring of non-citizens and risk of their being deported during election season.
Barriers to Resources	All foreign funding must be received in the Bank of Uganda (Central bank). NGO funds shall be channeled through the national budget if a policy on development co-operation being drafted by the Ministry of Finance comes into effect. NGOs to declare sources of funding to the Financial Intelligence Authority. NGO to have MoUs with all donors, sponsors, affiliates and foreign partners that specify the terms and conditions of ownership, employment, resources mobilized for the NGO and any other relevant matter. In a policy statement issued by the Minister of Finance, the government directed all development assistance, including support to NGOs and the private sector, to require prior approval by the Cabinet in accordance with the Paris Principles on Aid Effectiveness and to be signed off by the Minister of Finance. According to the statement, the government will issue a detailed Development Cooperation Policy after consultation with Cabinet.
Barriers to Assembly	Police approval required for public gatherings.

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Key Indicators

Population	44,712,143 (July 2021 est.)
Capital	Kampala
Type of Government	Republic

Life Expectancy at Birth	male: 66.34 years; female: 70.9 years (2021 est.)
Literacy Rate	male: 82.7%; female: 70.8% (2018)
Religious Groups	Roman Catholic: 39.3%; Anglican: 32%; Muslim: 13.7%; Evangelical: 11.1%; other: 3.7%; none: 0.2% (2014 census)
Ethnic Groups	Baganda 16.5%; Banyakole 9.6%; Basoga 8.8%; Bakiga 7.1%; Iteso 7.0%; Langi 6.3%; Bagisu 4.9%; Acholi 4.4%; Lugbara 4.4%; other 32.1% (2014 census)
GDP per capita	\$2,187 (2019 est.)

Source: [CIA World Factbook](#).

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International Rankings

Ranking Body	Rank	Ranking Scale (best – worst possible)
UN Human Development Index	153 (2023)	1 – 193
World Justice Project Rule of Law Index	125 (2023)	1 – 142
Fragile States Index	26 (2023)	179 – 1
Transparency International	141 (2023)	1 – 180
Freedom House: Freedom in the World	Status: Not Free (34) Political Rights: 10 Civil Liberties: 24 (2024)	Free/Partly Free/Not Free (1-100) 1-40 1 – 60

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Legal Snapshot

International and Regional Human Rights Agreements

Key International Agreements	Ratification*	Year
International Covenant on Civil and Political Rights (ICCPR)	Yes	1995
Optional Protocol to ICCPR (ICCPR-OP1)	Yes	1995
Second Optional Protocol to ICCPR (ICCPR-OP2)	No	—
International Covenant on Economic, Social, and Cultural Rights (ICESCR)	Yes	1987

Optional Protocol to ICESCR (OP-ICESCR)	No	—
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	Yes	1980
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	Yes	1985
Optional Protocol to the Convention on the Elimination of Discrimination Against Women	No	—
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Yes	1986
Optional Protocol to CAT	No	—
Convention on the Rights of the Child (CRC)	Yes	1990
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW)	Yes	1995
International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED)	No	—
Convention on the Rights of Persons with Disabilities (CRPD)	Yes	2008
Regional Treaties		
African Charter on Human and Peoples' Rights	Yes	1986
African Charter on the Rights and Welfare of the Child	Yes	1994
Treaty Establishing the African Economic Community	Yes	2001
Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa	Yes	2010
Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights	Yes	2001
African Charter on Democracy, Elections and Governance	No	—

* Category includes ratification, accession, or succession to the treaty

Constitutional Framework

The Constitution of Uganda was promulgated in 1995. Relevant provisions include the following:

Article 29. Protection of freedom of conscience, expression, movement, religion, assembly and association.

1. Every person shall have the right to—

- (d) freedom to assemble and to demonstrate together with others peacefully and unarmed and to petition; and
- (e) freedom of association which shall include the freedom to form and join associations or unions, including trade unions and political and other civic organisations.

Article 38. Civic rights and activities.

1. In the enjoyment of the rights and freedoms prescribed in this Chapter, no person shall prejudice the fundamental or other human rights and freedoms of others or the public interest.
2. Every Ugandan citizen has a right to participate in peaceful activities to influence policies of government through civic organizations.

Article 43. General limitation on fundamental and other human rights and freedoms.

1. In the enjoyment of the rights and freedoms prescribed in this Chapter, no person shall prejudice the fundamental or other human rights and freedoms of others or the public interest.
2. Public interest under this article shall not permit –
 1. political persecution;
 2. detention without trial;
 3. any limitation of the enjoyment of the rights and freedoms prescribed by this Chapter beyond what is acceptable and demonstrably justifiable in a free and democratic society, or what is provided in the Constitution.

Article 50. Enforcement of rights and freedoms by courts.

1. Any person who claims that a fundamental or other right or freedom guaranteed under this Constitution has been infringed or threatened, is entitled to apply to a competent court for redress which may include compensation.
2. Any person or organisation may bring an action against the violation of another person's or group's human rights.
3. Any person aggrieved by any decision of the court may appeal to the appropriate court.
4. Parliament shall make laws for the enforcement of the rights and freedoms under this Chapter.

Article 51. Uganda Human Rights Commission.

1. There shall be a Commission called the Uganda Human Rights Commission.
2. The Commission shall be composed of a Chairperson and not less than three other persons appointed by the President with the approval of Parliament.
3. The Chairperson of the Commission shall be a Judge of the High Court or a person qualified to hold that office.
4. The Chairperson and members of the commission shall be persons of high moral character and proven integrity and shall serve for a period of six years and be eligible for re-appointment.

Ugandan law also contains “directive principles”, which are non-binding provisions relevant to constitutional interpretation:

- Directive principle II (vi) provides that Civic Organizations shall retain their autonomy in pursuit of their declared objectives.
- Directive principle V (i) provides that “the state shall guarantee and respect institutions which are charged by the state with responsibility for protecting and promoting human rights by providing them with adequate resources to function effectively.”
- Directive principle V (ii) states that “The state shall guarantee and respect the independence of nongovernmental organizations which protect and promote human rights.”

On December 20, 2017, Parliament passed the Constitutional (Amendment) Act, 2017. The Act removed the Presidential age limit of 75 years provided for under Article 102 (b) of the Constitution, increased the term of Parliament and Local Government Councils from five to seven years, and restored presidential term limits. While upholding the removal of the presidential age limit, the Constitutional Court nullified the provisions seeking to extend the term of Parliament and Local Governments to seven years as well as the restoration of presidential term limits. The Supreme Court has since upheld the Constitutional Court's position.

National Laws and Regulations Affecting Sector

Relevant national laws include the following:

- [Constitution of the Republic of Uganda](#) (as amended), 1995.
- [Constitutional \(Amendment\) Act](#), 2006.
- The Anti- Money (Laundering) Act, 2013
- Constitution (Amendment) Act, 2017.
- The Non-Governmental Organizations Act, 2016.
- The Non-Governmental Organizations, Regulations, 2017.
- The Non-Governmental Organizations (Fees), Regulations, 2017
- [The Companies Act](#) (2012).
- The Human Rights (Enforcement) Act, 2019
- [The Trustees Incorporation Act](#), Chapter 165 (1939).
- [Income Tax Act](#), Chapter 340 (1997).

- [Value Added Tax Act](#), Chapter 349 (1997).
- [The Value Added Tax \(Amendment\) Act](#) (2005).
- [East African Community Customs Management \(EACC\) Act](#) (2004).
- [Public Order Management Act](#) (2013).
- [Anti-Homosexuality Bill](#) (2023)

Pending NGO Legislative / Regulatory Initiatives

1. During the February 18, 2016 general elections, the government shut down social media. After the elections, the government then presented the *Uganda Communications (Amendment) Bill, 2016*. The Bill seeks to amend section 93(1) of the *Uganda Communications Act, 2013* to remove the requirement for parliamentary approval of regulations made by the Minister of Communications. If Parliament approves the Bill, the Minister of Communications will have the power to control communications with wide discretion without approval from Parliament. This would erode the principle of checks and balances that section 93(1) of the Uganda Communications Act, 2013 sought to protect.

2. During the consultative process on the NGO Act, 2016, the government decided to separate faith-based organizations from NGOs, and it has now started the process of creating a regulatory framework for faith-based organizations. The Directorate for Ethics and Integrity drafted and circulated a concept note for the development of the *National Policy on Faith-Based Organizations* in Uganda in April 2016. It does not appear action has been taken, however.

3. On April 19, 2018, the Financial Intelligence Authority (FIA) announced that NGOs will be required to declare their sources of funding to the FIA to ensure transparency and avoid money laundering in the sector. Speaking at a Thought Leadership Forum in Kampala, Michael Olupot, the FIA Deputy Executive Director, said that NGOs in Uganda were vulnerable to terrorist financing, and he therefore welcomed measures to supervise their activities and sources of funding.

On May 17, 2018, the State Minister of Finance, David Bahati, while appearing before the parliamentary budget committee, also announced that as of the next financial year all NGO funds will be channeled through the national budget, allegedly to promote transparency and avoid duplication of services. He stated that the Ministry of Finance was in the process of drafting a development co-operation policy for compliance by NGOs and development partners. This development poses a potential threat to NGO independence, priorities, and ability to demand accountability from the state.

4. The Constitutional Court had struck down the proposed extension of term limits for both Members of Parliament and Local Government under the Constitutional (Amendment) Act, 2017 from five to seven years. However, the Legal and Parliamentary Affairs Committee sought to reintroduce these term limits under the Constitutional (Amendment) Bill, 2020. Under the new Bill, it is further proposed that Presidential term limits of two terms be restored. The Committee also supported the proposal to have all elections (parliamentary, local government and presidential) held on the same day to save resources.

5. An October 2021 Cabinet memo on bail reforms proposes wide-ranging changes to the Constitution and the Police Act. Notably, it proposes amending Article 23(6) (b) of the Constitution to provide that a person accused of committing an offense triable by both the High Court and subordinate courts shall not be granted bail until after 180 days. It also proposes that Article 23(4) (b) and section 25 of the Police Act, both of which require a suspect to be released on police bond if the suspect is not charged in court within 48 hours, be amended to provide for 'forty-eight business hours'. If passed into law, these amendments would further silence dissenting voices.

At a meeting of NGOs at the office of the High Commissioner for Human Rights (OHCHR) in Kampala on February 17, 2022 to review the proposed bail guidelines, civil society members argued that the bail guidelines should ensure protection of the presumption of innocence and provide guidance on the discretion to courts in granting or refusal to grant bail. They further recommended that the bail guidelines proposed by the Chief Justice preserve the right to personal liberty and contribute to the decongestion of prisons.

6. On September 9, 2022, Parliament passed the Computer Misuse (Amendment) Bill, 2022. The Bill imposes severe penalties for cyber-crimes. Whereas proponents of the Bill argue that the Bill enhances the enjoyment of the right to privacy, which allegedly is being affected by the abuse of online and social media platforms, human rights advocates contend that the Bill infringes on the freedom of expression and suppresses digital rights and access to information. The Bill, which now awaits presidential assent, was tabled by Hon. Muhammad Nsereko on July 20, 2022 and prohibits unauthorized access to information or personal data, the sharing of any information relating to a child without authorization from a parent or guardian, the sending or sharing of information that promotes hate speech; and the sending or sharing false, malicious and unsolicited information. It is further argued that the Bill may discourage the disclosure of information where such disclosure would be necessary for enforcing transparency and accountability.

Legal Analysis

Organizational Forms

Ugandan law allows for the establishment of a variety of civil society organizations.

Nongovernmental Organisations (NGOs)

NGOs are governed by the NGO Act, 2016, which was gazetted on April 10, 2015. In Section 3, an organization is defined as “a legally constituted non-governmental organization under the Act.”

Trusts and Foundations

Trusts are governed by the Trustees Act, Cap. 164, 1954; and the Trustees Incorporation Act, Cap. 165, 1939. Foundations can be registered either under the Trustee’s Incorporation Act or as companies limited by guarantee under the Companies Act, Cap. 110, 1961. Trusts and foundations are established to provide grants and in some cases loan financing at a more affordable rate to NGOs, CBOs and private organizations in support of their goals and objectives.

Community Based Organizations (CBOs)

CBOs are predominantly self-help oriented, with the principle aim of improving individual or household welfare, although a few groups play a wider community development role. They are defined by their relatively small size (usually involving 10-20 households) and limited geographic area and are generally formed along communal work lines, e.g., forming groups to work collectively on members’ farms or to support funeral ceremony preparations. CBOs with larger community development roles are supported and sometimes initiated by organizations outside the community.

The NGO Act, 2016 defines a CBO as “an organisation operating at a subcounty level and below whose objectives is to promote and advance the wellbeing of the members of the community” (Section 3). CBOs are registered with the National Bureau for NGOs through the DNMCs and SNMCs (Sections 20, 21 and 29).

Public Benefit Status

Section 4(d) of the NGO Act, 2016 states that one of the “Object[ive]s of the Act” is to “provide the development of strong organizations and to facilitate the formation and effective function of organisations for public benefit purposes.”

Notably, the Income Tax Act restricts “exempt organization” status to organizations, institutions or irrevocable trusts that qualify as religious, charitable, or educational institutions of a public character that have been issued a written ruling by the Commissioner currently stating that it is an exempt organization (Income Tax Act, Section 2(bb)).

Charitable organizations established under the Companies Act do not benefit from any tax exemptions.

Public Participation

The Ugandan Constitution, 1995, enshrines several principles relating to public participation:

- “The State shall be based on democratic principles which empower and encourage the active participation of all citizens at all levels in their own governance.”(Democratic Principle (I))
- “Every Ugandan Citizen has the right to participate in the affairs of government individually or through his or her representatives in accordance with the law.” (Article 38(1))
- Every Ugandan has a “right to participate in peaceful activities to influence the policies of government through civic. ”(Article 38(2))
- “Every citizen has a right of access to information in the possession of the State or any other organ or agency of the State except where the release of the information is likely to prejudice the security or sovereignty of the State or interfere with the right to the privacy of any other person.” (Article 41)

National legislation and policy seek to make these constitutional protections meaningful in practice:

- The Access to Information Act, 2005, states that there is a right of “every citizen to access information and records held by the State or any public body, except where the release of such information will prejudice the security or sovereignty of the State” (Section 5(1)). It is further required that such information must be up to date as far as is practicable. (Section 5(2))
- The Local Government Act, 1997, envisions decentralization as a fundamental principle to ensure participation in decision-making (Article 176(2)(b)). The Decentralization Policy, 1997, envisions citizen participation through local councils comprised of special interest groups, including women, youth, the elderly, and persons with disabilities; through direct engagement through village meetings, local council meetings, budget conferences, or information fora (*barazas*); and through local government consultations with citizens and CSOs on policy issues.

In *Dr. James Rwanyarare and Others vs. Attorney General*, the court held that the right to public participation extends to non-state organizations, such as associations and political parties (Constitutional Petition No. 7, 2002). In *Satya vs. Attorney General*, the court recognized the right of public participation for individuals (Constitutional Petition No. 0036, 2012). And in *Saleh Kamba vs. Attorney General*, the court held that the purpose of the right of public participation is to ensure accountability and transparency of all government organs (Constitutional Petition No. 38, 2012).

According to parliamentary procedure, after its introduction for the first reading, a bill is provided to the relevant parliamentary committee, which is mandated to invite other stakeholders to state their views on the bill through public hearings (Rules of Procedure of the Parliament, Rule 114).

- Citizen awareness of these participatory mechanisms and opportunities is limited, although state institutions are mandated to raise public awareness of these mechanisms. For example, the Uganda Human Rights Commission must “formulate, implement and oversee programs intended to inculcate in the citizens of Uganda awareness of their civic responsibilities and an appreciation of their rights and obligations as free people” (Constitution, 1995, Article 52(1)(g)). The Judicial Service Commission is mandated to “prepare and implement programs for the education of, and for the dissemination of information to, judicial officers and the public about the law and the administration of justice” (Constitution, 1995, Article 147(c)).

The right of vulnerable groups to participation is addressed in a number of places:

- The Constitution provides for affirmative action on the basis of gender, age, disability or any other reason created by history, tradition, or custom in favor of marginalized groups “for the purpose of redressing imbalances which exist against them.” (Article 32 (1))
- The Constitution provides that minorities have the right to participate in decision-making processes. (Article 36)
- The Persons with Disability Act, 2006, provides for participation of persons with disabilities in all aspects of life as equal citizens of Uganda. (Sections 3(b) and (f))

The Local Government Act, 1997, provides for the participation of marginalized groups, such as persons with disabilities, youth, and women in local project planning and budget and monitoring. (Section 10)

The right to bring lawsuits against any law or professional practice that restricts civic participation has been entrenched in the Human Rights Enforcement Act (Articles 3 and 6). The Whistle Blowers Act, 2010, protects the right of individuals to disclose, in the public interest, information that relates to irregular, illegal, or corrupt practices.

Notwithstanding such progressive provisions in the law, there are barriers to participation:

- Citizens face routine harassment for actions in the public interest that involve public protests. Under the Public Order Management Act (POMA), 2013, public meetings that include gatherings, assemblies, processions, or demonstrations in a public place are restricted unless prior authorization has been granted (Section 8). On several occasions political party activists, students, journalists, environmental activists and human rights defenders have been harassed and their meetings forcefully dispersed. In *Human Rights Network (U) and Others vs. Attorney General*, the Constitutional Court nullified Section 8 of POMA that outlawed public meetings without police permission. Due to the outbreak of COVID-19 in January 2020, public meetings were, however, restricted again, and several gatherings were dispersed by the police.
- Perhaps the most notable exclusion from participation is the LGBTI community. Marriage between persons of the same sex is prohibited (Constitution of Uganda, Article 31 (2a)). The Penal Code further prohibits same sex relations (Penal Code Act, Cap 120, Laws of Uganda, Section 145). And in May 2023, the Anti-homosexuality Bill, was enacted (see below for details).

In January 2023, the National Bureau for NGOs released a report on NGOs, which were suspected to be involved in the promotion of LGBTQ+ activities in Uganda. The NGO Bureau noted that it had received complaints against 26 NGOs suspected to be involved in promoting LGBTQ+ activities in the country and had investigated and concluded four cases, with 22 still undergoing investigations. The NGO Bureau concluded that four NGOs operated illegally as they were unregistered and had contravened Section 31(1) of the NGO Act, 2016 by operating without a valid permit issued by the NGO Bureau. The report recommended the strengthening of the regulatory framework governing NGOs, including the Companies Act, 2012, which should be amended to enjoin all companies limited by guarantee to register with the NGO Bureau before commencing operations and to impose sanctions for those NGOs that violate the provision.

On March 21, 2023, the Parliament of Uganda debated and passed the Anti-Homosexuality Bill, 2023. The Bill sought to criminalize homosexuality and its promotion and financing in Uganda. It also provided comprehensive and enhanced legislation to protect the “traditional family” by prohibiting sexual relations between persons of the same sex and to strengthen the country’s legal system to stem same sex relations. NGOs, donors and foreign companies have been accused of promoting and recruiting people in schools and institutions of higher learning into homosexuality.

Following the president’s return of the Anti-homosexuality Bill, 2023 to parliament for reconsideration because it provided for “mandatory death penalty” for “aggravated homosexuality,” the Bill was still assented to on May 26, 2023. Less than a year later, the Bill was upheld by the Constitutional Court of Uganda on April 3, 2024, except for sections 3(2) (c), 9, 11(2) (d) and 14. The Court ruled they contravened the Constitution and were inconsistent with the rights to health, privacy, and freedom of religion.

Barriers to Entry

Mandatory registration

Section 29(1) of the NGO Act, 2016 requires NGOs, including all “private voluntary groupings of individuals” to formally register with the National Bureau of NGOs. Similarly, registration is required of all Community-based organizations (CBOs), defined as organizations operating at the “sub county level and below whose objectives [are] to promote and advance the well-being of its members or community,” and all self-regulatory bodies (SRBs). Moreover, Section 35(1) requires all organizations registered at the time the Act takes effect to re-register under the new law within six months.

Sections 20 and 21 establish District NGO Monitoring Committees (DNMCs) and Sub-county NGO Monitoring Committees (SNMCs). One of the functions of the DNMCs is to consider applications for registration by CBOs while SNMCs are mandated to recommend CBOs to the DNMC for registration.

There are penalties for carrying out activities through unregistered organizations in Section 40 of the NGO Act, 2016.

Burdensome registration procedures

NGOs must submit a registration application to the National Bureau for NGOs. Applications must be accompanied by specification of the operations of the organization, area of intended operation, staffing of the organization, geographical area of coverage, location of the organization’s headquarters and date of expiry of the previous permit.

Section 4 of the NGO Regulations, 2017 imposes burdensome requirements for an NGO seeking to register with the National Bureau of NGOs. These include having a certified copy of a certificate of incorporation, a copy of the organization’s constitution, a chart showing the organization’s governance structure, proof of payment of a prescribed fee, sources of funding, copies of a valid identification document for at least two founder members, the minutes and resolutions of members authorizing the organization to register with the NGO Bureau, a statement of compliance with Section 45 of the NGO Act (staffing requirements), and a recommendation from the responsible Ministry or government department or agency or, in case of a Community-Based Organization, a recommendation of the District Non-Governmental Organizations Monitoring Committee. For foreign organizations, a recommendation is required from the diplomatic mission in Uganda of the organization’s country of origin.

Re-registration requirement

To renew a permit, Section 12 of the NGO Regulations, 2017 prescribes for a range of documents to be furnished to the NGO Bureau, including a copy of audited accounts, a copy of the annual report, minutes of an annual general

assembly or the governing body, a work plan and budget or strategic plan, and evidence of payment of prescribed fees.

Marginalized groups

Section 30(1)(a) of NGO Act, 2016 states that an “organisation shall not be registered under this Act, where the objectives of the organisation as specified in its constitution are in contravention of the laws of Uganda.” Section 31 would allow the government to deny registration to groups advocating for changes in the law. Similar language has been used to deny registration to groups advocating for LGBT rights because homosexuality is considered illegal in Uganda. However, recent court rulings in Botswana and Kenya have reaffirmed that the freedom of association includes the rights of LGBT people to form organizations.

Barriers to Operational Activity

Staffing requirements

Section 45 of the NGO Act, 2016 provides that an NGO shall comply with certain staffing regulations. An NGO must submit to the National Bureau for NGOs a chart showing its structure and staffing and specifying its foreign work requirements, requirements for Ugandan counterparts of foreign employees, planned period to replace foreign employees with qualified Ugandans, and compliance with the labor laws of Uganda.

Permissions

Section 31(5)-(6) of the NGO Act, 2016 requires that, in addition to obtaining registration status, an organization also apply for and obtain an operating permit from the National Bureau for NGOs. Under Section 31(6), permits are issued for an unspecified period of time “not exceeding five years” and for an unspecified “prescribed fee” paid annually.

Special Obligations

Section 44 of the NGO Act, 2016 imposes a list of “special obligations” on all registered organizations, which include obligations to “co-operate with the local councils in the area” as well as the relevant monitoring committees; to “not engage in any act which is prejudicial to the security and laws of Uganda” or that is “prejudicial to the interests of Uganda and the dignity of the people of Uganda”; and to “be nonpartisan.”

Inspections and Monitoring

Section 27 of the NGO Act, 2016 allows the Auditor General to conduct involuntary inspections and request “any information” that appears “necessary for purposes of giving effect to this Act.” Sections 20 and 21 create two additional layers of governmental oversight at the sub-national level: District Non-Governmental Organisations Monitoring Committees (DNMCs), and Subcounty Non-Governmental Organisations Monitoring Committees (SNMCs). Among other functions, both are authorized to “monitor and provide information to the Board regarding the activities and performance of organizations.”

Several instances of invasive monitoring have taken place in recent years. For example, in February 2019, the Uganda Police issued a circular requiring NGOs to provide information to the police about their organization and operations, including the name of the NGO and its location, date of establishment, contact details, names of directors, certificate of incorporation, constitution, certificate of operation, services provided, list of employees, list of projects funded, and monthly/annual returns filed by the NGO. In August 2019, the Financial Intelligence Authority (FIA) requested that banks provide information from the past three years on certain transactions involving the accounts of 13 human rights organizations operating in Uganda. More recently, in 2021, the National Bureau of NGOs summoned the Citizens Coalition for Electoral Democracy in Uganda (CCEDU) over a report on the 2021 General Elections that was launched by CCEDU on May 28, 2021.

Criminal Penalties

Section 40 of the NGO Act, 2016 provides imprisonment for anyone who “fails or refuses to produce to the Bureau a certificate, permit, constitution, charter or other relevant document or information relevant for the purposes of this Act.”

Suspension

On July 4, 2018, the Uganda Electoral Commission informed the Citizens Coalition for Electoral Democracy (CCEDU) that it was suspending its accreditation for election-related activities on the grounds that CCEDU was partisan and failed to adhere to the Election Commission's legal framework and guidelines. Efforts to seek dialogue with the Electoral Commission did not initially yield any response, although in February 2019 the suspension was finally lifted.

Subsequently, on September 14, 2020, the Ugandan government reported that it had suspended the operations of 208 refugee organizations, including 85 international groups, over non-compliance with Ugandan regulations. Only 69 aid agencies are now authorized to assist the 1.4 million refugees hosted by Uganda. According to the Minister for Relief, Disaster Preparedness, and Refugees, many organizations that were suspended lacked valid permits, possessed expired permits to operate, or were running unauthorized projects.

On June 2, 2021, the National Bureau of NGOs also suspended six NGOs on the grounds of fraud, forgery, and incompetence. The suspended NGOs included Agape Sanctuary Ministries International, Global Health Community Empowerment, Comforter of the Afflicted Formation Home (CAFH), Christ Alive Glorious Ministries International, Equal Opportunities for Women and Children in Uganda, and Dankind Academy.

In addition, on August 10, 2021, the NGO Bureau announced the suspension of 54 NGOs due to non-compliance with the NGO Act, 2016. Among these NGOs, 23 had operated with expired permits, contrary to sections 31(1) and 32(1) of the NGO Act, 2016; 15 had failed to file annual returns and audited books of accounts, contrary to sections 39(2) and (3) of the NGO Act, 2016; and 16 had allegedly operated without registering with the NGO Bureau, contrary to sections 29(1), 31(1) and 31(2) of the NGO Act, 2016. The suspended NGOs included, among others, Chapter Four Uganda, Citizens Coalition for Electoral Democracy in Uganda (CCEDU), Citizens Election Watch-IT, Center for Conflict Resolution (CECORE) and Great Lakes Institute for Strategic Studies (GLISS).

In a positive development, however, an application by Chapter Four Uganda for judicial review of a decision by the NGO Bureau to suspend its operations alleged that the decision action was irrational, unreasonable, unlawful, and void. High Court Judge, Justice Musa Ssekaana, ruled on May 9, 2022 that the decision was "irregular" because of its indefinite nature. Ssekaana ordered the NGO Bureau to hear the applicant's claim within one month. Of 54 NGOs that were suspended in August 2021, 22 have had their suspension lifted, and two NGOs whose accounts had been frozen have since had their accounts reopened.

Lastly, on January 2, 2021, President Museveni directed the immediate suspension of the activities of the Democratic Governance Facility (DGF), which provides the largest pool of donor funding to NGOs in Uganda, and alleged it was subverting government activities. The DGF is financed by governments of Denmark, Ireland, Austria, Netherlands, Sweden, Norway, and the European Union and aims to ensure equitable growth, poverty eradication, rule of law and long-term stability in Uganda. On June 22, 2022, President Museveni lifted the ban on DGF on the condition that the government would be represented in its decision-making structures. The decision to lift the suspension against DGF followed a meeting between President Museveni and the Danish Minister for Development Cooperation. The suspension of DGF activities had crippled the activities of several NGOs and state agencies that engage in promoting accountability, good governance, human rights, democracy, service delivery monitoring and capacity building.

Responses to Criticism

Reacting to the US Country Report on Human Rights Practices in Uganda that was [released](#) on March 30, 2021 by the US State Department, the Ugandan government dismissed as a "falsehood" the claim that NGOs were mistreated in Uganda. The Ugandan government argued that it recognizes the critical role played by NGOs in the advancement of democracy and the betterment of society and that the assertion that local authorization of NGOs had proved difficult was unfounded. Nevertheless, the Ugandan government reiterated its position that NGOs were potential conduits for terrorism financing and money laundering and required closer scrutiny and monitoring. It also reasserted its position that the Financial Intelligence Authority (FIA), which is a government agency mandated to detect and deter money laundering, received credible information that some NGOs, including Uganda National NGO Forum and the Uganda Women's Network (UWONET), were involved in unlawful activities that necessitated FIA to freeze their accounts pending investigations by the Criminal Investigations Department of the Uganda Police Force. The High Court in Kampala nevertheless ruled in 2022 that the FIA decision to freeze, restrict, or halt their withdrawals or debits was illegal.

While appearing before the Human Rights Committee of Parliament on March 25, 2022 to respond to allegations of shrinking civic space in Uganda, including allegations of torture, forced disappearances and violent arrests of Ugandans by security forces, Kiryowa-Kiwanuka, Uganda's Attorney General, declared NGOs as "enemies" of Uganda. He further warned Ugandans about being hoodwinked by NGOs, which he stated were a threat to the stability of Uganda, and warned NGOs not to dictate to the government the rules and guidelines within which NGOs should operate.

Barriers to Speech / Advocacy

Article 29 of the Constitution guarantees every person the right to freedom of speech and expression. Article 38 (2) of the Constitution allows NGOs in Uganda to participate in peaceful activities to influence government policies.

While NGOs are not allowed to engage in political activities or belong to any political group, NGOs can actively participate in the election process through monitoring elections, sensitizing people on the qualities of candidates and urging them to vote wisely, and proposing ways of improving the electoral process.

The Press and Journalist Act (1995) seeks to ensure the freedom of the press and provide for the regulation of mass media and establish an institute of journalists of Uganda and Media Council. Among the functions of the Media Council is to regulate the conduct and promote good ethical standards and discipline of journalists and to arbitrate disputes between the state and the media.

In the past ten years, however, the government has often taken steps to constrain legal and practical space for expression and advocacy. Notably:

1. In 2009, the Ugandan Parliament enacted the *Regulation of Interception of Communication Bill*. The law allows the Government to intercept any postal, telephone, email, and text message communications with the consent of a judge of the High Court.
2. In 2012, the Parliament passed the *Communication Regulatory Act, 2012*. The Act empowers the Uganda Communication Authority to create a committee to examine complaints raised by consumers or the government against content providers. Complaints may range from inappropriate programming to national security concerns. Although it was feared that this power, if improperly used, could infringe on the right to privacy and freedom of expression, there is no evidence such a committee has been created by the Uganda Communication Authority to review media content. The Act, moreover, is rarely invoked.
3. In 2014, the Parliament introduced *The Prohibition of Promotion of Unnatural Sexual Practices Bill*, which would criminalize engaging in and promoting homosexuality. The bill would pose a threat to persons that “promote” homosexuality, which could be widely interpreted to include both NGOs that advocate for gay rights as well as their donors. It has remained pending since February 2015. Nevertheless, gay rights NGOs have faced harassment. For instance, the Human Rights Awareness and Promotion Forum (HRAPF), a group that promotes minority rights, suffered its second break-in on February 9, 2018.
4. Also in 2014, the government released stringent regulations that all broadcasting media houses must observe. The regulations require all media houses to allocate prime time to promote government programs and public relations. Moderators will also be penalized for tolerating provocative and anti-government questions from callers.

In the lead-up to the January 2021 elections, government regulatory bodies took several steps to constrain the freedom of expression.

1. In a public notice issued by the Uganda Communications Commission (UCC) on September 7, 2020, all persons engaged in the provision of online news sites were ordered to obtain authorization from the UCC by October 5, 2020. Those who failed to comply would have their websites blocked by internet service providers (ISPs) and telecom companies. The UCC orders can easily limit access to information and gag free speech, especially during elections.
2. On October 29, 2020, the National Bureau for NGOs, which is mandated under the NGO Act, 2016 to register, regulate, monitor, inspect, coordinate, and oversee the activities of all NGOs in Uganda, called a press conference to announce that National Election Watch-Uganda (NEW-U), a loose coalition of 65 NGOs that had been formed and launched in September 2020 to observe the 2021 general elections, was an illegal organization and directed its activities to stop.
3. On December 10, 2020, the Media Council issued a press release demanding that any local or foreign journalist who covers the general elections be accredited. The Media Council, whose function is to regulate the conduct and promote good ethical standards and discipline of journalists and to arbitrate disputes between the state and the media, argued that accreditation of journalists was for their own safety. The journalists under the Editors Guild association alongside the Center for Public Interest Law petitioned the High court to challenge the directive on grounds that the Media Council lacked the legal mandate to issue such directive; that such directive would infringe on the rights to freedom of expression; and that the press plays a fundamental role in dissemination of information. In a ruling issued on January 18, 2021, the High Court ruled that the directive of the Media Council was illegal, irrational, and procedurally irregular, and accordingly issued a permanent injunction against the Media Council.
4. On January 13, 2021, the government implemented an internet shutdown, just a day before the general elections held on January 14, 2021. The internet shutdown continued until January 18, 2021 and adversely affected patients’ access to medical care, disrupted businesses and the banking and telecom sectors, and reduced access to information on social media during the elections.

There has been a growing phenomenon of enforced disappearances. Since the elections on January 14, 2021, opposition activists have been routinely abducted or kidnapped and many families cannot trace their relatives in Wakiso, Mukono, Masaka, Mpigi, Kyotera, and Kampala. Unconfirmed reports indicated that over 243 National Unity Party (NUP) supporters were missing as of March 2021. Government security forces accepted responsibility for holding 177 of them, while others could not be accounted for, but it is believed that security forces detained them illegally. The President acknowledged ongoing illegal detentions, but said that the suspects were misled by criminal groups to engage in treasonous acts.

In 2022, illegal detentions and other restrictions on NGOs for their speech and expression continued:

1. On October 22, 2021, six staff of the Africa Institute for Energy Governance (AFIEGO) were arrested and detained by police and placed on a holding charge for operating without a permit. The police informed the detainees that the NGO Bureau had ordered for the arrest of AFIEGO staff.
2. The satirical novelist Kakwenza Rukirabashaija was on January 12, 2022 charged before the Buganda Road Chief Magistrates Court after spending 15 days incommunicado with two counts of offensive communication against President Museveni and his son. According to the prosecution, Kakwenza willfully and repeatedly used his Twitter handle to disturb the peace of President Museveni and his son with no purpose of communication. Kakwenza denied the charges and was remanded to Kitalya Prison. Following persistent demands for his unconditional release and condemnation from lawyers, human rights organizations, and the diplomatic community, Kakwenza was granted bail. On release, Kakwenza applied to the court to have his passport returned so he could travel to Europe to seek medical treatment. The court rejected the application on grounds that investigations had been completed and his trial was to begin soon. Kakwenza has since reportedly fled into exile.
3. Following the suspension of 54 NGOs in August 2021 for non-compliance, Chapter Four sued the NGO Bureau and accused it of operating in “non-compliance” with the law. Chapter Four argued that the allegation of non-compliance with the NGO Act, 2016, was irrational, unreasonable, unlawful and void. However the NGO Bureau alleged that Chapter Four had failed to file its annual returns of 2020 and hence warranted the suspension. Following a court hearing on January 11, 2022 of Chapter Four’s petition challenging the indefinite suspension, the court set March 18, 2022 as the date for ruling on the matter.
4. On March 16, 2022, police arrested Tumuhimbise Norman, the Chief Executive Officer of Alternative Digtalk Online Television, and charged him with the offence of cyber-stalking contrary to Section 26 of the Computer Misuse Act, 2011. It was alleged that between January 2020 and March 9, 2022, Norman purposefully, maliciously, and repeatedly used electronic communications on Alternative Digtalk Online Television to relay offensive content against the President of the Republic of Uganda.

Such trends have continued into 2024. For example, Students for Global Democracy is a student-led non-profit and non-partisan organization founded in 2006 to inspire young people, and mainly students, to promote principles of good leadership, good governance, and sustainability with the goal of greater participation in democratic processes and sustainable development. However, the organization was harassed by police following the arbitrary arrest and subsequent release of its founder and policy advisor, Mike Gesa Munabi, and field officer, John Bosco Mutyaba, on July 23, 2024. The duo were arrested during the March 2024 protests against corruption in parliament. In addition, on July 23, 2024, a group of youth activists marching against corruption by members of parliament were arrested and detained in breach of their rights under Article 29(1) (d) of the Uganda Constitution.

Barriers to International Contact

Under the law NGOs may contact and cooperate with colleagues in civil society, business, and government sectors both within and outside the country (Article 29 of the 1995 Constitution of Uganda).

There are no legal provisions requiring advance notice of international cooperation or prohibiting conferences or restricting travel. Article 29(2) of the Constitution guarantees every person the right to free movement in and outside Uganda.

Section 45 of the NGO Act requires each organization, upon application for a permit, to submit to the Bureau a chart showing its organizational structure, accompanied by a statement relating to its foreign staff requirements and the period for the replacement of its foreign employees with qualified Ugandans. The NGO Act, therefore, does not allow organizations to employ foreign staff on a permanent basis.

As noted above in the Barriers to Operations section, Section 45 of the NGO Act, 2016 imposes burdensome requirements on the hiring of non-citizens, such as the requirement to ensure that all foreign employees present their “certificates, credentials and recommendations of his or her academic and professional qualifications and proven work experience” to the Ugandan diplomatic mission in his or her country of origin prior to entering Uganda.

On November 23, 2020, the Government of Uganda deported two foreign citizens engaged in election-related, not-for-profit work on accusations of supporting regime change; and denied entry to foreign citizens working with international NGOs, including the Democratic Governance Facility (DGF), National Democratic Institute (NDI), and International Republican Institute (IRI).

Lastly, on February 3, 2023, the Ministry of Foreign Affairs (MFA) notified the Office of the UN High Commissioner for Human Rights (OHCHR) that the host country agreement it signed with OHCHR, whose mandate expires in August 2023, will not be renewed. The decision not to renew OHCHR's mandate deprives Uganda of a key player in the field of human rights promotion and protection in the country.

Barriers to Resources

NGOs in Uganda have come under increasing resource constraints, often linked with counter-terrorism measures. For example, in December 2020, the National NGO Forum and Uganda Women's Network (UWONET) had their accounts frozen on orders of the Financial Intelligence Authority (FIA). The two NGOs were accused of maintaining active links with opposition parties and engaging in terrorist financing. Citing section 17A (2) of the Anti-Terrorism (Amendment) Act, 2015, the FIA urged that they be prosecuted. However, the High Court in Kampala on September 7, 2022 ruled that the December 2020 decision by the Financial Intelligence Authority (FIA) to freeze, restrict, or halt withdrawals and debits from the accounts of Uganda Women's Network (UWONET) and Uganda National NGO Forum (NNGO Forum) on allegations of their terrorism financing was illegal and null and void.

In addition, on December 22, 2020, security operatives arrested Nicholas Opiyo, a human rights lawyer and executive director of Chapter Four Uganda, on charges of money laundering and related malicious acts. He was arrested together with four other lawyers and detained at the Kireka Special Investigations Unit. Following an application for bail, the Anti-Corruption Court granted him 15 million shillings (USD 400,000) cash bail. He is alleged to have received USD 340,000 and to have failed to declare the funds, in violation of 116 and 136(1) (a) of Sections 3 (c) of the Anti-Money Laundering Act (2017).

In a policy statement issued by the Minister of Finance on September 6, 2021, the government directed all development assistance, including support to NGOs and the private sector, to require prior approval by the Cabinet in accordance with the Paris Principles on Aid Effectiveness and to be signed off by the Minister of Finance. According to the statement, the government will issue a detailed Development Cooperation Policy after consultation with Cabinet.

Barriers to Assembly

The Public Order Management Act (POMA) came into effect in October 2013 and includes several restrictive provisions.

Time, Place and Manner Restrictions. Section 5(2)(c) of the Act restricts the time of public meetings (except town hall meetings) to between 7:00am and 7:00pm. Sections 12 & 13 and Schedule 3 list restricted areas where entry is prohibited, such as the Parliament building, State House and Lodges countrywide, international airports, and courts. State House refers to the official residence(s) of the President of Uganda in Kampala, while State Lodges are scattered throughout the country.

Grounds for Refusal of Permission and Dispersal. Section 6(1) permits the government to refuse permission to hold a proposed public meeting because "notice of another public meeting on the date, at the time and at the venue proposed has already been received by the authorized officer; or the venue is considered unsuitable for purposes of crowd and traffic control or will interfere with other lawful business." According to section 6(3), where an authorized officer notifies the organizer that it is not possible to hold a proposed meeting on the date or at the venue proposed, the meeting shall not be held on that date or at that venue. Section 7(2) provides for the dispersal of a spontaneous gathering for similar reasons. Section 8 authorizes the responsible officer "to stop or prevent the holding of a public meeting where the public meeting is held contrary to the Act," and to order the dispersal of a public meeting where "reasonable in the circumstances."

Requirements on Organizers and Participants. The Act imposes potentially burdensome requirements on the organizers and participants of a public meeting. Section 10 requires organizers to provide sufficient stewards proportionate to the number of participants; ensure that the public meeting is concluded peacefully before 7:00 p.m.; and co-operate and co-ordinate with the police to ensure that all participants are unarmed and peaceful and that peace and order are maintained. Participants are required to act in a manner that ensures obstruction of traffic, confusion, and disorder are avoided. Failure to comply with these requirements can result in criminal prosecution and liability.

In January 2020, District and Division Police Commanders were directed to disband all political meetings in private homes, alleging that politicians were violating the POMA by holding illegal political meetings in their respective homes or those of their allies. Civil society activists believe the ban on political meetings in private homes is official and consider it a result of a biased interpretation of the POMA.

Specifically, this occurred when the “People’s Government” vowed to defy a police ban on political gatherings in homes after District and Division Police Commanders (DPCs) were directed to disband all political meetings in private homes. Police Spokesperson, Fred Enanga, said police had noticed a continuous violation of the POMA, where politicians hold illegal political meetings in their respective homes or those of their allies. Addressing the press, the Vice President of the People’s Government, Erias Lukwago, described the ban as ridiculous, and an insult to people’s intelligence. He asserted they will hold meetings in homes and in public places during their upcoming meetings across the country. The ban emerged shortly after opposition singer-turned-political activist, Bobi Wine, showed “blatant disregard for the law” when he tried to convene an indoor meeting that police described as an illegal public assembly. Civil society activists believe the ban is official and consider it a result of a biased interpretation of the POMA. The expectation is the ban would be enforced against a select group of politicians who often hold political meetings at their homes.

The “People’s Government” is a pressure group initiated by former presidential candidate, Dr. Kizza Besigye following his loss to President Museveni in the 2016 presidential elections. Besigye is affiliated with the Forum for Democratic Change (FDC), which is the country’s major opposition political party. Besigye disputed the official poll results in 2016 and has since self-proclaimed himself “the People’s President.”

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Reports

UN Universal Periodic Review Reports	Uganda (January 27, 2022)
Reports of UN Special Rapporteurs	Uganda
USIG (United States International Grantmaking) Country Notes	Uganda
U.S. State Department	2023 Country Reports on Human Rights Practices: Uganda
Fragile States Index Reports	Foreign Policy: Fragile States Index
IMF Country Reports	Uganda and the IMF
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News and Additional Resources

While we aim to maintain information that is as current as possible, we realize that situations can rapidly change. If you are aware of any additional information or inaccuracies on this page, please keep us informed; write to ICNL at ngomonitor@icnl.org.

Key Events

Uganda underwent the Universal Periodic Review (UPR) for the third time before the UN’s UPR Working Group on January 27, 2022. Among the recommendations made by UN Member States was for Uganda to respect and uphold freedom of expression, association and assembly, to protect human rights defenders, civil society, and journalists,

and to end harassment of human rights defenders and political opponents. In response to the recommendations, the Ugandan government stated that the enforcement of COVID-19 regulations affected the enjoyment of some rights; NGOs are required to align their activities to the priorities of government; some NGOs were found to be involved in unlawful activities with respect to the Financial Intelligence Authority and their accounts were frozen; and the government would follow the guidance of the courts on issues of NGO closures.

General News

No more MoUs without my nod, Attorney General tells agencies (July 2024)

Attorney General Kiryowa Kiwanuka announced that any partnership between government regulatory bodies and entities they regulate without his office's nod will not be authorized. Mr Kiryowa said his office shall not recommend the partnership of a regulatory body and a regulated private entity, except where there shall be a clear legal or policy reason to do so.

NGOs return to Internal Affairs (April 2024)

On April 24, the 11th Parliament passed the NGO Amendment Bill, 2024 following several weeks of scrutiny. Among its new provisions is the return of the NGO Bureau back to the Ministry of Internal Affairs. Under the new law, the bureau will become a department in the Ministry of Internal Affairs and will be headed by a secretary under the supervision of the ministry's permanent secretary. Until now, the National Bureau for Non-Governmental Organisations has been a semi-autonomous body under the Ministry of Internal Affairs established under the NGO Act, 2016.

Court Upholds Anti-Homosexuality Act (April 2024)

Uganda's Constitutional Court upheld the abusive and radical provisions of the 2023 Anti-Homosexuality Act. The ruling further entrenches discrimination against lesbian, gay, bisexual, and transgender (LGBT) people, and makes them prone to more violence. The court did strike down sections that restricted healthcare access for LGBT people, criminalized renting premises to LGBT people, and created an obligation to report alleged acts of homosexuality.

UN ends Uganda human rights operations (August 2023)

The United Nations' human rights office said it has been forced to close its office in Uganda and that it would officially cease operations in the country. In a statement announcing the closure, Volker Türk, U.N. high commissioner for human rights, said, "I regret that our office in Uganda had to close after 18 years, during which we were able to work closely with civil society, people from various walks of life in Uganda, as well as engaging with state institutions for the promotion and protection of the human rights of all Ugandans."

A new anti-gay law in Uganda calls for life in prison for those who are convicted (August 2023)

Ugandan prosecutors have charged a man with "aggravated homosexuality," potentially a capital offense under new controversial anti-gay legislation, an official said. The law — considered one of the harshest of its kind in the world — contains provisions that make "aggravated homosexuality" an offense punishable by death and includes penalties for consensual same-sex relations of up to life in prison. The suspect "was charged in Soroti [in eastern Uganda] and he is on remand in prison. He will be appearing in court for mention of the case," said Jacquelyn Okui, spokeswoman for Uganda's directorate of public prosecutions.

A new anti-gay law in Uganda calls for life in prison for those who are convicted (May 2023)

Uganda has passed one of the world's toughest anti-gay laws that calls for life imprisonment for anyone convicted of homosexuality. Ugandan president Yoweri Museveni signed the Anti-homosexuality Act despite widespread condemnation from many Western governments and human rights activists. Same-sex relations were already illegal in Uganda, a religiously conservative East African nation. But the new law levies harsher penalties for LGBTQ people.

Total and NGOs in court over oil projects (December 2022)

Friends of the Earth, Survival and four Ugandan NGOs accuse TotalEnergies of carrying out a project in defiance of human rights and the environment and call on the company to respect a law passed in 2017 which imposes on multinationals a "duty of vigilance" on their activities around the world.

Most Suspended Ugandan NGOs Still in Limbo (July 2022)

Nearly a year after the Ugandan government suspended 54 NGOs for allegedly operating illegally and failing to file accounts, most civil society organisations (CSOs) remain shut. Analysts say this is because President Yoweri Museveni sees them as a threat to his 36-year regime.

Ugandan Author Kakwenza Rukirabashaija Flees the Country (February 2022)

Kakwenza Rukirabashaija, an internationally acclaimed writer, was released from jail in late January after being arrested in late December for communications offences related to a series of tweets he posted about Museveni and his son, an army general. Rukirabashaija has since fled Uganda across the land border with Rwanda and will settle at least temporarily in an unnamed European country.

Anger as Cabinet Okays Bail Reforms (October 2021)

Lawmakers and human rights defenders have condemned ministers for backing what they have called “draconian laws” that seek to curtail freedoms and take away the discretion of judicial officers to grant or deny bail. Cabinet endorsed criminal justice reforms, among them amendments to the 1995 Constitution and the Police Act, to deny suspects on capital offences bail or police bond.

Electoral Commission Rejects Audit of Polls (March 2021)

The Electoral Commission chairman, Justice Simon Byabakama, said the Commission will evaluate the 2021 General Election but ruled out an audit because there is no supporting law under which it can be carried out. According to Justice Byabakama, the country missed an opportunity to audit the results after National Unity Platform (NUP) party president Robert Kyagulanyi, aka Bobi Wine, withdrew a petition challenging the January 14 Presidential and parliamentary elections. In February, Kyagulanyi announced that he had instructed his lawyers to withdrawal his petition, citing frustration by the Supreme Court justices.

People’s Government Vows to Defy Ban on Political Meetings in Homes (January 2020)

The People’s Government has vowed to defy a police ban on political gatherings in homes. District and Division Police Commanders (DPCs) were directed to disband all political meetings in private homes. Police Spokesperson, Fred Enanga, said police had noticed a continuous violation of the Public Order Management Act (POMA), where politicians hold illegal political meetings in their respective homes or those of their allies. Addressing the press at their offices the Vice President of the People’s Government, Erias Lukwago, described the ban as ridiculous, and an insult to people’s intelligence. He says they will hold meetings in homes and in public places during their upcoming meetings across the country.

Uganda police detain Bobi Wine, foil meeting with supporters (January 2020)

Ugandan police detained the singer and political activist known as Bobi Wine, who was prevented from holding his first public meeting with supporters as a presidential aspirant. Police fired tear gas as they dispersed a crowd of supporters outside the capital, Kampala. The foiled meeting had been authorized by electoral authorities. It was the first of several planned by Wine, a 37-year-old opposition lawmaker whose real name is Kyagulanyi Ssentamu. Police said he was arrested for showing “blatant disregard for the law” when he tried to convene what they described as an illegal public assembly instead of an indoor meeting.

Government probes 13 NGOs over money laundering (August 2019)

The Financial Intelligence Authority (FIA) has asked Equity Bank for account details of 13 non-governmental organisations (NGO) to establish their source of funding. In an August 8, 2019 letter, FIA directs Equity bank to “search your databases and avail us account opening documents, bank statements for the last three years and any other information available to you linked to each of the above-listed entities for further review.”

Voter education is crucial as 2021 elections approach (March 2019)

Article 1 of the Constitution vests all power in the people of Uganda, who are required to exercise their sovereignty in accordance with the law. In order to do this, the people must be informed. Voter education and publicity create awareness and knowledge among voters.

Government Moves To De-Register 7,000 Dormant NGOs (September 2018)

The government will soon deregister over 7,000 non-active non-governmental organizations (NGOs) in a bid to stream the sector. Mr Owor Osinde, the Commissioner for Community Development in the Ministry of Gender, Labour and Social Development, said that whereas the country has about 13,400 registered NGOs, only 6,000 are operational.

Popular Ugandan opposition MP Bobi Wine charged with treason (August 2018)

Robert Kyagulanyi, a musician-turned-MP whose arrest prompted protests in Uganda, has been charged with treason. The indictment at a civilian court on Thursday came shortly after military prosecutors dropped weapons possession charges against Kyagulanyi, who is better known by his stage name, Bobi Wine. There were scenes of celebration as the court dropped the weapons charges, and supporters were seen hugging the pop star. But he was rearrested moments later.

NGOs told to declare sources of funding (April 2018)

Non-governmental organisation (NGOs) have been challenged to be transparent by declaring their sources of funding. Speaking at a Thought Leadership Forum organised by Standard Chartered Bank in Kampala, Mr Micheal Olupot, the deputy executive director of Financial Intelligence Authority, told more than 200 development partners and NGOs that whereas NGOs in Uganda are not vulnerable to money laundering, they are vulnerable to terrorism funding, something that needs to be guarded against.

Police explain NGOs offices raid (September 2017)

Gulu, Lira, Bushenyi and Makerere University were rocked by protests, sparked by fears that a controversial bill that proposes the lifting of age limit was going to be tabled in Parliament. In a statement, police said Action Aid Uganda and Great Lakes Institute of Strategic Studies (GLISS) possibly received funding from foreign elements to

facilitate the protests. "...Police, both in plain clothes and uniforms, stormed the premises of the duo and searched their offices. Some staff of the NGOs were prevented from accessing or leaving the precincts of the NGOs located in Kampala. The act drew a barrage of condemnations from human right activists and both US embassy and EU released statement criticizing government for the act. The Police spokesperson has defended the act saying it was justified to forestall a possible destabilization of peace in the country" according to the NGO Act, 2016

Uganda's fever spikes over age limit bid (September 2017)

The rising tide of tension in Uganda over presidential eligibility age limits spilled into and shut down the country's parliament building, as the discourse among ministers inside the chambers became as contentious as the heavily-guarded streets outside in Kampala. Opposition political leaders demanded to know why there was such a heavy security presence, amid allegations that some MPs and other political leaders have been detained in the latest round of incidents curtailing the activities of elected officials, NGOs and activists. They were told by Prime Minister Ruhakana Rugunda – who had been scheduled to address parliament – that the additional security was necessary because of threats made against the legislature as they were to introduce a bill that would remove the existing age limitation of 75 years for presidential candidates. That move would allow the 73-year-old President Yoweri Museveni to run again in 2021.

Uganda's Deteriorating Human Rights Record up for Review (November 2016)

On November 3, the United Nations Human Rights Council will scrutinize Uganda's human rights record – a process known as the Universal Periodic Review (UPR). During its last review in 2011, Uganda agreed to take on a wide range of recommendations – including ensuring full respect for freedom of association and peaceful assembly, and investigating the excessive use of force and torture by security forces. It also pledged to prosecute and punish perpetrators. In this year's submission, the government declared it has made "tremendous progress in promoting respect for human rights," listing its numerous human rights desks, committees, and subcommittees on human rights in different government offices. But those offices have been largely mute on violations of free expression, assembly, and association.

Uganda's Repressive NGO Act (April 2016)

Nearly two weeks after controversially winning a fifth term, it has emerged that Uganda's President Yoweri Museveni has signed a repressive law which restricts the operations of thousands of NGOs working in the country. The veteran leader signed the NGO Act, 2016, which rights groups stress contains "special obligations provisions which are vague and undefined, thus prone to abuse."

Parliament Passes Controversial NGO Bill (December 2015)

Ugandan lawmakers have passed a bill that would give authorities sweeping powers to regulate civil society, and which rights groups say will "strangle" criticism of the government. "The bill was unanimously passed," the government chief whip said after lawmakers voted at a late-night sitting. Gay rights groups are particularly worried that if the bill is passed they might be targeted in a country that has previously passed tough anti-homosexuality legislation, which was later overturned on a technicality. Groups working on sensitive issues such as oil, land ownership and corruption also fear it could stifle their efforts. "The bill ... is a hindrance to the activities of NGOs, and gives powers to the government-approved NGO board to deny some NGOs registration by hiding behind some clauses which cite public interest," one activist said.

Bill Threatens Rights Groups (April 2015)

A proposed bill to regulate non-governmental organisations would severely curb Ugandans' basic rights. The bill would subject groups to such extensive government control and interference that could negate the very essence of freedom of association and expression. A complete version of the Non-Governmental Organisations (NGO) Bill was published in the government gazette on April 10, 2015, and is expected to be debated in parliament soon.

Uganda Anti-gay Law Struck Down by Court (August 2014)

In front of an overflowing courtroom in Uganda's capital, Kampala, a panel of five judges announced that the Anti-Homosexuality Act, which punishes some homosexual behavior with life in prison, was invalid because it had been passed by Parliament without a proper quorum. "We're very happy," said Sylvia Tamale, a Ugandan law professor who has supported gay rights despite persistent threats and harassment. "But it's unfortunate that the court did not deal with the substantive issues that violate our rights."

Government issues statement on Anti-Homosexuality Act (July 2014)

On July 7, 2014, the Government of Uganda issued a statement on the Anti-Homosexuality Act, 2014. The statement was to the effect that the law has been misinterpreted and that the Anti-Homosexuality Act, 2014, was enacted with a view to curbing open promotion of homosexuality, especially among children and other vulnerable groups. Despite the aforementioned statement, it remains unclear whether the "offence of homosexuality" as stipulated in the Act is annulled.

Government to Track NGO Cash (May 2014)

New legislation, the Non-governmental Organisations (NGOs) Registration (amendment) Bill 2014, has been approved by Cabinet. Through the bill, Cabinet seeks to enhance documentation of funding for NGOs and their

source of funds and enhance tracking mechanisms of their activities. Addressing a news conference at the Uganda Media Centre on May 29, Rose Namayanja, the Minister of Information and National Guidance, said government has been exploring ways of shielding Uganda from undocumented inflow and outflow of funds for NGOs. Namayanja said undocumented funds cause difficulties in forecasting exchange rates, money laundering, tax evasion and raise the possibility of such resources being directed towards fanning instability.

Uganda's LGBTI community needs the UN now more than ever (May 2014)

On 24 February 2014, President Yoweri Museveni of Uganda signed the controversial Anti-Homosexuality Act 2014 into law. The law came into force on 10 March 2014. At the UN level, the Secretary-General condemned the development, and the Office of the High Commissioner for Human Rights issued a statement raising concerns with the law. By contrast, the UN Human Rights Council (UNHRC) has remained largely silent. A recent article has called upon the UNHRC to act more decisively to compel the Ugandan government to change its position on this law.

Analysis of 'Anti-gay Law' in Uganda (March 2014)

LGBT and other human rights campaigners in Uganda and around the world are deeply concerned that the draconian 'Anti-gay Law' creates a sweeping new crime in terms so broad that it could be used to prosecute any actively gay person, as well as being a gift to anyone who wants to make a malicious accusation. In addition it raises the threat of "mob" vigilantism and a massive crackdown on civil society organizations and individual advocates of LGBT rights.

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[**Space for civil society shrinking in Uganda say national and global CSOs**](#) (June 2012)

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