

Enabling Environment Snapshot Uganda **17 February 2025**



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Context

As Uganda approaches the 2026 general elections, it is necessary to uphold the fundamental freedoms that allow democracy to thrive. When people can speak freely, assemble without fear, and increase their civic engagement, elections become more meaningful. A strong and active civil society, alongside respect for human rights and the rule of law, creates the foundation for a free and fair electoral process. When civil society operates within a supportive legal framework, has access to information, and works in an environment where human rights are respected, it can effectively advocate for good governance and strengthen public accountability. However, as highlighted in this snapshot, many media outlets in Uganda have reported that these fundamental freedoms are being constrained. Civil society continues to encounter barriers that make it increasingly difficult to mobilise communities, amplify citizens' voices, and safeguard human rights.

1. Respect and protection of fundamental freedoms

Uganda is experiencing a democratic decline characterised by the declining state of press freedom, hostility towards political opposition and critics by state agencies and mounting restrictions on the activities of civil society organisations (CSOs). Journalists continue to face state curtailment of their constitutionally protected rights and freedoms, including through intimidation, harassment, assault, arrests and detention.

In July 2024, Uganda witnessed anti-corruption protests inspired by youth-led demonstrations in Kenya, <u>previously documented</u> in the CIVICUS Monitor. Protesters demanded the resignation of Speaker Anita Among, a reduction in the salaries of members of parliament (MPs), and an end to corruption and misuse of public funds. <u>The government responded with violence</u> and used force to suppress dissent. Prior to the start of the protests, President Museveni <u>threatened</u> protesters, and warned that they were "playing with fire." On 23rd July 2024, police in Kampala <u>detained</u> at least 45 anti-corruption protesters and charged them with "common nuisance," alleging that their actions were likely to breach the peace.

In June 2024, police also <u>arrested</u>, without proper cause, Mr. Adriko Sostein, an environmental human rights defender, for one day before releasing him on bond. In a similar incident, <u>police</u> <u>also harassed Mr. Julius Tumwiine and Mr. Ezama Chirilo</u>, both human rights defenders, and surrounded Tumwiine's house while he was away. Ezama voluntarily <u>reported</u> to the police and secured a bond. Prior to this, the Resident District Commissioner summoned the three after they held a peaceful protest and delivered a petition to Daqing Oil Construction, demanding respect for local communities' human rights and an end to oil extraction activities. These arbitrary arrests have resulted in self-censorship for civil society organisations and activists for fear of arrest.

The <u>Computer Misuse Act of 2011</u> which, according to human rights activists, threatens the freedom of expression, still remains in place. Prosecutors have used section 25 of the Computer Misuse Act, which penalises "offensive communication," to charge opposition figures, critics and social media activists like Emmanuel Nabugodi who was <u>sentenced</u> to two years and eight months in prison for insulting President Yoweri Museveni. This law creates a culture of self-censorship where individuals including CSOs are hesitant to express their opinions or criticise government online. This paints a bleak future for citizens and civil society at a time when many young people have taken refuge in social media to express their voices of dissent.

The Public Order Management Act, which came into effect in October 2013, provides for the regulation of public meetings, spells out duties of organisers of meetings and gives police



officers wide-ranging powers to break up meetings or to deny individuals permission to hold meetings. The law has been used multiple times by security agencies to block or disband peaceful meetings of civil society and the opposition. The Act has faced criticism from domestic and international civil society organisations, as it "restricts freedoms of expression and peaceful assembly and further deteriorates an already shrinking space for civil society and human rights defenders in the country". The Act also "provides no protection to the rights of the media, including bloggers, to access and report on assemblies". As a result of the Act, public gatherings, including those by CSOs, cannot be held without permission from police which affects the efforts of CSOs such as civic and voter education outreaches.

The Anti-Homosexuality Act 2023 has also severely constricted civic space for LGBTQI activists and organisations. The law has created a climate of fear and impunity, forcing LGBTQI individuals and organisations to go underground or self-censor their online activities. The Act has made it difficult for LGBTQI activists and organisations to operate freely, as they face risk of arrest, detention and prosecution. Many activists and organisations have reported increased harassment, intimidation and violence.

2. Supportive legal framework for the work of civil society actors

Uganda's legal framework for civil society organisations is a varied mix. On one hand, the government recognises the importance of non-state actors in the country's development process. However, various laws and regulations restrict the work of civil society organisations, undermining their ability to provide vital services.

On 15th July 2024, The President of Uganda assented to <u>the NGO (Amendment) Act,</u> <u>2024</u> sparking discussions about its potential impact on the country's Non-Governmental Organisations (NGOs). This amendment means that the National Bureau of Non-Governmental Organisations (NGO Bureau), which was previously a semi-autonomous entity responsible for NGO registration, regulation, and monitoring, will now see its functions transferred to the Ministry of Internal Affairs. The independent NGO Bureau will be dissolved and re-established as a department within the Ministry of Internal Affairs. This will eliminate the Bureau's existing governance structure, including the Board of Directors and the Executive Director position, and the oversight and regulation of NGOs will be more directly handled by the Ministry.

The law has far-reaching consequences for civil society operations including increased scrutiny of their operations. It marks a significant shift back to government-centralised oversight and brings regulatory processes directly under government control. NGOs might face stricter regulations and more rigorous reporting requirements under the Ministry of Internal Affairs. Given that the amendment effectively led to a reduction of staffing levels for the NGO Bureau, there is a possibility that this will reduce the operational efficiency of the Bureau and increase bureaucratic hurdles for NGO compliance. Lastly, the Ministry of Internal Affairs is the ministry responsible for security whose current top leadership is constituted by military officials. This shift might increase the securitisation of the NGO sector and the NGO monitoring processes. There is a high possibility that closer monitoring by the government could restrict NGOs' ability to critique government policies or engage in activities perceived as contradictory to government interests.

3. Accessible and sustainable resources

Donors have reduced funding that supports civil society organisations that work on democracy and have taken refuge in less risky areas such as the private sector, climate change,



humanitarian aid and fighting emergent viral diseases such as COVID-19 and Ebola. This situation was exacerbated by the <u>closure of the "Democratic Governance Facility</u>" (DGF), ordered by the President in 2021. The DGF was a European basket fund aimed at providing financial support in areas such as democracy, human rights and the rule of law estimated at \$140 million. This closure and loss of funds considerably disrupted CSO activity as hundreds of projects were closed. It is imperative to note that currently, a large majority of CSOs depend on foreign sources of funding. While there have been efforts to inspire locally led development and giving, this is still limited to CSOs serving as conduits for corporate giving to communities, and isolated cases of individual giving, especially in crisis times. This however has not yet formally been developed, regulated and harnessed. Although the NGO Act 2016 empowers CSOs to engage in business to finance their programmes, very few CSOs have taken advantage of this opportunity, mostly due to the absence of institutional capacity to undertake such initiatives.

4. State openness and responsiveness

Opposition supporters and members of civil society face both overt and covert threats and intimidation. Should they proceed with peaceful protests, they are often met with <u>repression</u> <u>and arrest</u> from the police and military. This results in self-censorship by civil society actors for fear of being arrested when they come out to protest repressive tendencies and laws.

Despite the curtailment of CSO engagement and accountability, there have been efforts to enhance transparency in Uganda. On 23 October 2024, <u>MPs gathered</u> at Kampala's Sheraton Hotel with civil society leaders to discuss the potential of Open Parliament and open government initiatives to transform Uganda's legislative landscape. <u>Open Parliament</u>, at its core, aims to make Uganda's legislative proceedings more accessible, empowering citizens to actively engage in decision-making and holding MPs accountable. If these spaces are open, civil society actors can better influence decision making and carry out their work effectively through collaboration with the political leaders.

The <u>Adjustment of Commencement of the Exercise for General Update of the National Voters'</u> <u>Register</u> by the Electoral Commission is also a step towards ensuring that the upcoming general election is inclusive and credible. This critical exercise aims to ensure that all eligible voters are prepared to participate in free and fair elections. This helps CSOs to work collaboratively with government to mobilise citizens to participate in electoral activities.

5. Political Culture and Public Discourses on Civil Society

Citizen organisations working around democracy, human rights, constitutionalism and the rule of law, have been <u>maligned as foreign agents</u>. Negative narratives against NGOs in Uganda continue to persist. Some of these narratives include claims that NGOs are politically motivated and that they do not comply with the law. Sometimes, these narratives are perpetuated by senior government officials in an attempt to limit the scope of NGO work from any activities perceived to be partisan or subversive. In spite of this, citizens in Uganda continue to support civil society organisations (CSOs) through active participation in their activities. The media demonstrates a positive conversation around civil society work and is often willing to join campaigns spear-headed by civil society.

Election-related corruption and monetisation in the form of voter bribery through money as well as material goods characterise the political culture in Uganda. Such practices undermine not only the electoral, but arguably, the entire democratic process and especially work to the disadvantage of young people struggling to influence politics. Journalists covering campaigns of leading opposition presidential candidates have been subjected to battering and other



inhumane treatment on allegations of biased reporting and getting themselves into harm's way. These trends have a negative impact on the enabling environment, curtailing political discourses.

Challenges and Opportunities

The capacity of the NGO bureau has been significantly scaled down in terms of financing and staffing. There is no data yet on the effect of this scaling down including on what the effect of bureaucracy will be as most of the sentiments are speculative. This is a challenge to the civil society operating environment as there are delays in approvals for NGOs' operations which affects their compliance.

As the country heads into the 2026 general elections there are fears of security forces becoming highhanded given the history of their involvement in elections. This presents an opportunity for civil society to conduct training for members of the Uganda Police Force (UPF) and other security operatives on the prevention of torture and the handling of crowds and journalists on duty, with a view to avoiding excessive use of force in elections.

Civil society organisations can also seize the opportunity to roll out rigorous public awareness campaigns on civic and voter education, passing on critical information targeting grassroots citizens to enable their meaningful participation in elections.

The emergence of the <u>Royal Danish Embassy fund</u> in Uganda is an opportunity for civil society organisations as it provides funding for Democracy, Rights and Governance. The Programme will operate with three intervention areas: strengthening accountability, enhancing civic engagement, and promoting and protecting rights.

