



To the Joint Committee:

Committee of the Defence and Internal Affairs

Committee on Legal and Parliamentary Affairs

Office of the Clerk of Parliament

Parliamentary Building, Kampala,

UGANDA.

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SUBMISSIONS BY ARTICLE 19 EASTERN AFRICA ON THE PROTECTION OF SOVEREIGNTY BILL, UGANDA 2026

(Draft of 3rd March 2026)

Introduction

ARTICLE 19 Eastern Africa (ARTICLE 19 EA) is the leading non-governmental organization promoting and protecting freedom of expression and access to information in Eastern Africa, both offline and online. ARTICLE 19 EA works across the region in seven (7) countries including Kenya, Tanzania, Uganda, Rwanda, South Sudan and Ethiopia. ARTICLE 19 EA fulfils its mandate in partnership with other national and regional organizations and mechanisms and creates solidarity networks aimed at safeguarding freedom of expression and access to information. We envision a region where all people can speak freely, actively participate in public life, and enjoy media and civic freedoms without fear, censorship, or persecution. In the current human rights era, ARTICLE 19's mission is to be an international think-do organization that propels the freedom of expression, movement locally and globally to ensure all people realize the power of their voices.

Background

The proposed National Sovereignty Bill, 2026 (formally the Protection of Sovereignty Bill) was developed by the Ministry of Internal Affairs as a mechanism to operationalize Article 1(1) of the Constitution of Uganda, affirming that all power belongs to the people of Uganda who shall



exercise it in accordance with the Constitution. According to the Minister's memorandum, the Bill intends to address the following national challenges:

- i. Unregulated digital influence and cyber vulnerabilities;
- ii. Foreign aid tied to conditionalities and parallel programming; and
- iii. Inadequate regulation of NGOs and foreign-funded civil society organizations.

On the 23rd March 2026, the draft Bill was discussed and passed by the Cabinet of Uganda, and on 27th March 2026, the Bill was presented before the ruling National Resistance Movement (NRM) parliamentary caucus.

GENERAL COMMENTS

While framed as a measure for national security and "sovereign protection," the analysis reveals how vague definitions, disproportionate penalties, and the removal of independent judicial oversight converge to create a framework that undermines the very constitutional order it claims to protect. The implications of this Bill extend to all Ugandans in their diversity. It directly targets the core tenets of citizenship and fundamental human rights, including the freedom of worship, freedom of movement, and freedom of economic exercise. Its restrictive reach threatens the entire job economy, trade, and wealth creation efforts of the nation.

Specifically, the Bill poses a significant danger to:

- a) The Digital and Innovation Economy: Including Fintechs and their employees, as well as the broader tech ecosystem.
- b) Education and Knowledge: Targeting researchers, universities, and schools, as well as Ugandan students studying abroad.
- c) Culture and Arts: Affecting artistes, creatives, performing artistes, and musicians who engage with global audiences and funding.
- d) Global Labour and Remittances: Threatening Ugandans working in the diaspora and their families back home.
- e) National Development: Discouraging Foreign Direct Investment (FDI) and the operational viability of the private sector.



f) Excessive and Disproportionate Punishment: Throughout the Bill, the penalty for failing to meet obligations is a fine of up to 100,000 currency points (UGX 2 billion) for individuals and 200,000 currency points (UGX 4 billion) for companies, or imprisonment for a period not exceeding 20 years. These penalties lack proportionality, breach global standards, are redundant in law, violate the right to dignity and encroach on fundamental human rights.

SPECIFIC COMMENTS ON THE BILL 2026

NO	SPECIFIC PROVISION	CURRENT PROVISION	PROPOSED REVISIONS	REASONS FOR PROPOSALS
1	<p>Clause 1</p> <p>Definition of "Agent of a Foreigner"</p>	<p>Any person acting as an agent, representative, employee, or servant—or in any other capacity—at the order, request, or under the direction or control of a foreigner. This includes any person whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized by a foreigner.</p>	<p>Delete clause to remove the following categories:</p> <ul style="list-style-type: none"> a) Persons formally appointed as agents of a foreigner e.g. a Ugandan acting as a consular representative of another country; b) Persons acting as representatives of a foreigner e.g. a dealer of products of a foreign company; c) Employees of foreign companies and entities operating within Uganda e.g. most banks and telecoms; d) Legal practitioners (advocates) representing foreign clients; e) Accountants and consultants working for foreign firms and companies e.g. of the Big Five Audit firms; f) Individuals, such as relatives or friends, managing the interests or funds 	<p>This definition is dangerously overbroad and potentially captures the general categories of people and entities. the Bill targets an excessively wide demographic, requiring them to register as foreign agents or face criminalization. This creates significant legal ambiguity and risks stigmatizing innocent citizens by virtue of their employment, trade, or family ties.</p>



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EASTERN AFRICA

			<p>of Ugandans residing outside Uganda e.g. a mother of a girl working as a housemaid in Dubai/ of a son working as a security guard in the middle East; g) Companies or businesses transacting with foreigners or foreign entities; h) Ugandan traders and companies with international trade partnerships. i) Ugandan institutions receiving funding or with partnerships with foreigners e.g. churches, mosques or cultural institutions being supported by foreign donors or diaspora members for social causes such as hospitals, school's social enterprise etc</p>	
2	<p>Clause 1 Definition of "Disruptive Activities"</p>	<p>Under the Bill, "disruptive activities" are defined to include: (a) Any act or conduct prejudicial to or threatening the security of Uganda; (b) Any act or conduct threatening violence against any person; (c) Threatening to cause bodily harm, whether to the person to whom the threat is made or to another; (d) Threatening the destruction of property; (e) Employing, recruiting, engaging, sponsoring, or</p>	<p>Delete the clause in its entirety.</p>	<p>The clause fails to provide a clear legal standard for what constitutes an activity "prejudicial to security," leaving it open to subjective interpretation and state abuse. By including threats of violence and property damage between private individuals, the Bill inappropriately expands the scope of "national security." These matters are already governed by the Penal Code Act, which covers assault, grievous harm, and malicious damage to property.</p> <p>The prohibition on "promoting the interests of a foreigner" is dangerously vague. Not all foreign interests are detrimental to the nation. As</p>



ARTICLE 19
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		contracting any person to promote the interests of a foreigner; (f) Engaging or participating in a riot or unlawful assembly.		drafted, the law does not specify which foreign interests are prohibited. Such generalized regulation threatens the operations and safety of all foreign entities and individuals in Uganda, creating a hostile environment for vital investment and development work.
3	Clause 1 Definition of "Foreigner"	The Bill defines a "foreigner" to include: a) A non-Ugandan citizen; b) A Ugandan citizen residing outside Uganda; c) A foreign government, consulate, high commission, embassy, or other diplomatic mission; d) A company, NGO, or entity registered outside Uganda; e) An international or multinational organization; or f) Any institution that the Minister may declare via Statutory Instrument.	Delete the clause in its entirety.	While the clause addresses standard foreign entities, several inclusions are deeply problematic and legally unsound: a) Disenfranchisement of the Diaspora: By categorizing Ugandan citizens living abroad as "foreigners," the Bill effectively disenfranchises over a million people. b) Threat to Ugandan Multinationals: There is a significant risk that Ugandan owned businesses expanding regionally or internationally will be reclassified as foreign entities. c) Unfettered Executive Discretion: The clause grants the Minister absolute power to categorize any person or business as a "foreigner" through statutory instruments. Without clear legal parameters or parliamentary oversight, this power is highly susceptible to political weaponization or personal misuse.
4	Clause 2	The Bill applies to: a) Agents of foreigners;	Delete the clause in its entirety	The following aspects are already catered for in law and the clause is unnecessary:



ARTICLE 19
EASTERN AFRICA

	<p>Application of the Bill</p>	<p>b) Persons engaged in political activities in the interest of a foreigner; c) Persons who solicit, collect, disperse, or dispense contributions, loans, or other items of value for the interests of a foreigner; d) Persons who agree, consent, assume, or purport to act as a representative of a foreigner; e) Persons who influence the development of government policy; f) Persons who oppose government policy.</p>		<p>a. Vague Definitions as a Tool for Abuse: The Bill fails to define "interests of a foreigner," creating a vacuum susceptible to state abuse. Since many foreign interests align with national development, the lack of distinction between prohibited and permissible interests is dangerously vague.</p> <p>b. Economic Paralysis: The restrictions on soliciting and disbursing funds or loans pose a severe threat to legitimate commerce.</p> <p>c. Criminalization of Professional Services: The provision unfairly targets advocates and accountants. Their professional duty to ensure legal compliance and financial transparency for international clients could be misconstrued as acting "in the interest of foreigners," leading to the criminalization of essential professional services.</p> <p>d. Suppression of Civic Participation: The provisions regarding the "influence" or "opposition" of government policy are alarmingly broad. A government can only gauge the success of its policies through independent research and public critique. By stifling the ability of</p>
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ARTICLE 19
EASTERN AFRICA

				<p>citizens to provide feedback, the Bill undermines the constitutional mandate for citizens to participate in their governance, effectively creating a feedback loop that rewards silence over accountability.</p>
5	<p>Clauses 3 and 4</p> <p>Administration of the Act and Functions of the Department</p>	<p>The Bill provides that the Act will be administered by the department responsible for peace and security within the Ministry of Internal Affairs. This department is mandated to implement the Act in coordination with other government agencies.</p>	<p>Delete the Bill in its entirety.</p>	<p>Standard legal drafting requires that when a law establishes a new administrative entity, it must define the rules for its constitution, leadership, and governance. This Bill is conspicuously silent on the composition and oversight of the Department created under Clause 3. Without a clear governance structure, the department operates in a legal vacuum, lacking the accountability mechanisms necessary to prevent administrative overreach or the abuse of power.</p>
6	<p>Clause 5</p> <p>Sovereignty of the People</p>	<p>This clause provides for the sovereignty of the people of Uganda. It creates an obligation on every Ugandan to prohibit persons from promoting foreign interests over the interests of Uganda and criminalizes any conduct that does so.</p>	<p>Delete the Bill in its entirety.</p>	<p>The Bill fails to provide a legal definition for "interests of Uganda" versus "foreign interests." This ambiguity makes it impossible for an individual to determine which actions are legally permissible, directly violating Article 28 of the Constitution, which requires that any criminal offence be clearly defined so that an accused person understands the nature of the charge. Furthermore, by framing sovereignty as the exclusive preserve of residents, the Bill suggests that Ugandans in the diaspora are</p>



ARTICLE 19
EASTERN AFRICA

				excluded from their constitutional role in exercising national sovereignty—a clear contradiction of the universal rights afforded to all citizens under Article 1.
7	Clause 8 Implementation of Government Policy	This clause stipulates that government policy shall be approved by Cabinet and implemented exclusively by government agencies and ministries. It prohibits private persons from implementing government policies without formal authorization.	Delete the Bill in its entirety.	<p>1. Ambiguous Criminal Triggers: Clause 8(3) prohibits an "agent of a foreigner" from hindering, frustrating, or disrupting the implementation of policy. However, the Bill provides no legal definitions for these terms. As these are the "trigger words" for criminal liability, their vagueness invites subjective interpretation and state abuse.</p> <p>2. Prohibition of Sovereign Rights: By barring private individuals from implementing or engaging with policy, the clause strips citizens of their rights under Articles 1, 38, 42, and 72. These articles mandate that citizens participate in their governance and economic activities.</p> <p>3. Bureaucratic Obstruction: Clause 8(4) creates an unnecessary hurdle by requiring government approval for any activity related to policy implementation. This risk alienating the public and the private sector.</p>
8	Clause 10 Prohibition of the Promotion of Foreign Policy	This clause prohibits any person from soliciting, receiving, or obtaining funding or assistance from a foreigner to sponsor or organize meetings aimed at	Delete the Bill in its entirety.	<p>1. Scope Inconsistency: There is a significant disconnect between the clause's headnote and its practical scope. It is unclear if the prohibition applies only to the official foreign policies of sovereign states or to any</p>



ARTICLE 19
EASTERN AFRICA

	of Another Country	promoting the foreign policy of another country.		<p>policy originating from abroad. Since foreign policies are usually managed through diplomatic channels, prohibiting private engagement could inadvertently criminalize the promotion of bilateral or multilateral agreements to which Uganda is already a party.</p> <p>2. Stifling Policy Innovation: If the goal is to prevent the "importation" of foreign ideas, the Bill threatens national progress. Most successful reforms in Uganda are informed by international best practices and comparative research. This provision makes it legally perilous for researchers and citizens to advocate for reforms based on successful global models, effectively stifling policy innovation and the civic engagement guaranteed by the Constitution.</p>
9	Clause 11 Prohibition of Interfering with Electoral Processes	This clause prohibits foreigners or their agents from interfering in Uganda's elections and electoral processes. While protecting electoral integrity is a standard legislative goal, the Bill's overly broad definition of "foreigner" creates a high risk of disenfranchising Ugandan citizens.	Delete the Bill in its entirety.	<p>A. Vagueness of "Interference": The clause fails to define what constitutes "influencing" or "interfering."</p> <p>B. Disenfranchisement of the Diaspora: Because the Bill defines Ugandans residing abroad as "foreigners," Clause 11 effectively prohibits the diaspora from participating in the country's democratic process.</p>



ARTICLE 19
EASTERN AFRICA

				<p>C. Unconstitutional Penalties: Clause 11(3) criminalizes an "agent of a foreigner" for participating in an election, penalizing citizens for exercising civic rights in violation of Article 59 and Article 21 (freedom from discrimination).</p> <p>D. Inadequate Protections: While Clause 11(4) offers a narrow exemption for officially nominated candidates, it fails to protect citizens participating in internal party primaries, campaign agents, or ordinary voters who may fall under the Bill's broad "foreign agent" definition.</p>
10	Clause 12 Prohibition of Interfering with the Operations of Government	This clause prohibits meetings or the solicitation of funds for activities that undermine the general functioning of the government; then proceeds to criminalise the same with penalties.	Delete the Bill in its entirety.	The clause fails to define what acts constitute undermining or "interfering with the operations of government," leaving the provision open to extreme administrative abuse. For instance, if citizens meet to criticize a government program or collectively opt out of a non-mandatory plan, such actions could be labelled as undermining or "interference." As drafted, the Bill risks criminalizing any form of public oversight or critique. This ambiguity threatens Article 1(Sovereignty of the people) and Article 28 (Legal certainty). By criminalizing challenges to government



ARTICLE 19
EASTERN AFRICA

				programs, the Bill effectively bans the democratic right of citizens to hold their government accountable.
11	Clause 13 Prohibition of Economic Sabotage	The Bill stipulates that any person who publishes information or participates in any activity that weakens or damages the economic system, or causes economic disruption, insecurity, or instability, commits an offence.	Delete the Bill in its entirety.	The Bill fails to define what constitutes "weakening" or "damaging" an economic system, focusing on the perceived result rather than a specific act. This vagueness provides a broad opening for the state to target researchers, journalists, or whistle-blowers whose reporting might be interpreted as "damaging" to the economy. Without a clear definition of what an "economic system" is or how damage is measured, this clause serves as a tool to suppress legitimate economic discourse and transparency.
12	Clause 14 Registration of an Agent of a Foreigner	This clause requires all "agents of foreigners" to register and criminalizes acting as an agent in Uganda without such registration.	Delete the Bill in its entirety.	Given the expansive definition of a "foreign agent"—which captures employees of international companies, legal and financial professionals, and even relatives of Ugandans living abroad—this requirement creates an impractical and massive bureaucratic burden.
13	Clause 16 Considerations for Application for Registration	This clause mandates that the government considers several factors before registering a person, including their identity, character, and mental and physical health.	Delete the Bill in its entirety.	The requirement to vet applicants based on "identity," "character," and "health" is highly subjective and provides a gateway for systemic discrimination and abuse. 1) Constitutional Violation: Individuals who do not conform to state-preferred identities or character traits could be arbitrarily denied



ARTICLE 19
EASTERN AFRICA

				<p>registration, violating the non-discrimination protections under Article 21 of the Constitution.</p> <p>2) Interference with Freedom of Contract: The state is effectively attempting to regulate private professional and employment relationships.</p>
14	<p>Clause 17</p> <p>Certificate of Registration</p>	<p>This clause provides that approved agents shall be issued a two-year certificate confirming their status. It grants the Minister the power to impose additional conditions on the certificate, which the agent must follow.</p>	<p>Delete the Bill in its entirety.</p>	<p>The Bill grants the Minister excessive and unchecked power to impose conditions that are not defined in the law, making the process ripe for political or personal abuse. The agent is further subjected to two-year permit renewal processes which is not only cumbersome but also costly, considering the time and resources that might be required, defined by the regulations. The requirement for citizens to register before acting on behalf of others and more so renew their agency status every two years has far-reaching negative implications.</p>
15	<p>Clause 22</p> <p>Restrictions on Funding from Foreigners</p>	<p>This provision prohibits any person in Uganda from receiving funds from foreigners exceeding UGX 400,000,000 (Four Hundred Million Shillings) within a 12-month period without prior written approval from the Minister. The Bill criminalizes the receipt of such funds without explicit ministerial consent.</p>	<p>Delete the Bill in its entirety.</p>	<p>The Bill offers no clear justification or empirical basis for the UGX 400,000,000 threshold; this arbitrary figure lacks any stated policy rationale. Furthermore, this restriction poses a severe threat to Uganda's investment climate and general commerce by targeting critical financial activities. By creating these unnecessary hurdles, the Bill will inevitably stifle capital inflow and deter Foreign Direct Investment (FDI). Additionally, the clause is dangerously vague regarding whether the threshold applies to a single transaction or the</p>



ARTICLE 19
EASTERN AFRICA

				cumulative total of smaller transactions over a year, creating a legal trap for unsuspecting businesses and individuals.
16	Clause 25 Reporting on Foreign Funding	This clause stipulates that a "supervised institution" shall not disburse funds to an agent of a foreigner unless the agent declares the source of the funding and provides written proof of ministerial authorization. The Bill defines a "supervised institution" as any person licensed under an Act of Parliament to facilitate the cross-border transfer of money.	Delete the Bill in its entirety.	<ol style="list-style-type: none"> 1. Impractical Scope: The definition of a "supervised institution" is dangerously wide. Requiring every agent countrywide to verify ministerial authorization before paying out a transaction is both impractical and technically impossible. 2. Bureaucratic Bottleneck: The Bill requires a declaration of source and ministerial proof for every disbursement, regardless of the amount. By failing to set a minimum financial threshold, the provision becomes entirely unrealistic. 3. Redundancy: Since robust reporting and inquiry mechanisms for large or suspicious transactions already exist under Uganda's Anti-Money Laundering (AML) laws and Tier 1–4 financial regulations, this clause serves no genuine regulatory purpose.
17	Clause 26 Filing Returns	This clause requires every "agent of a foreigner" to submit periodic returns to the Minister detailing all funds received.	Delete the Bill in its entirety.	The obligation to file returns is an unnecessary and punitive administrative burden, particularly for ordinary citizens receiving remittances from relatives abroad or managing family affairs. This provision duplicates existing regulatory



ARTICLE 19
EASTERN AFRICA

				requirements; financial institutions and money transfer operators already submit comprehensive returns on foreign exchange and cross-border transactions to the Bank of Uganda and the Financial Intelligence Authority (FIA). Requiring individuals to do the same is inefficient, serves no unique regulatory purpose, and only increases the cost of compliance for the average citizen.
18	Clause 28 Inspection	This clause provides that a person appointed by the Minister may, at any reasonable time, inspect the premises of an "agent of a foreigner" and request any information deemed necessary to give effect to the Act. Obstruction of an inspector is punishable by a fine of UGX 40,000,000 and/or seven years of imprisonment.	Delete the Bill in its entirety.	<ul style="list-style-type: none"> a. Absence of Judicial Oversight: The powers granted here are excessively broad and lack necessary judicial checks. By allowing inspections "at any reasonable time" without a court-issued search warrant, the Bill bypasses standard legal protections for privacy and property. b. Invasion of Private Residences: Since "premises" is not defined, it could be interpreted to include the private homes of relatives or associates who receive funds or manage affairs for those in the diaspora. This creates a high risk of state sanctioned invasion of privacy. c. Discretionary Overreach and Intimidation: The authority to request "any information" grants inspectors unfettered discretion, violating the principle of legal certainty and risking



ARTICLE 19
EASTERN AFRICA

				the forced exposure of sensitive personal data. Furthermore, the 40 million fine and/or seven-year penalty for "obstruction" is disproportionately harsh;
19	Clause 29 Regulations	This clause empowers the Minister to make regulations for the implementation of the Act. Specifically, subsection (2) grants the Minister the authority to prescribe additional penalties for the contravention of these regulations, including fines of up to UGX 40,000,000 and/or imprisonment for up to seven years.	Delete the Bill in its entirety.	<ul style="list-style-type: none"> a. Excessive Delegation of Legislative Power: This clause grants the Executive branch dangerous quasi-legislative powers by allowing a Minister to prescribe substantial criminal penalties. b. Breach of Separation of Powers: Under constitutional principles, the creation of criminal offences and the determination of severe custodial sentences must remain the exclusive preserve of the Legislature. c. Risk of Victimization: This lack of parliamentary oversight makes the law susceptible to being used as a tool to target specific groups, such as political critics, the diaspora, or NGOs.
20	Clause 30 Minister's Power to Amend Schedule	This clause provides that the Minister may, by statutory instrument and with the approval of Cabinet, amend the Schedule to this Act. The Schedule defines the value of a "currency point," currently set at UGX 20,000.	Delete the Bill in its entirety.	<ul style="list-style-type: none"> a. Executive Circumvention of Legislature: This clause grants the Executive branch unilateral power to alter the financial severity of criminal penalties without Parliamentary oversight. The Bill bypasses the formal legislative process required for



				<p>substantive amendments to criminal law.</p> <p>b. Risk of Arbitrary "Re-sentencing": This creates a dangerous precedent where the Executive can effectively "re-sentence" citizens or businesses by inflating fines overnight.</p> <p>c. Instability for Investors: This provision undermines the principle of legal certainty.</p>
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CONCLUSION

In its current form, the proposed Protection of Sovereignty Bill is not a shield for the nation, but a barrier to its progress. It risks reversing decades of developmental gains, isolating Uganda from the global community, and dismantling the foundational right of Ugandans to govern themselves. To protect the economic and security interests of the nation, this Bill must be fundamentally reconsidered; failing to do so will ensure that Uganda is left behind in an increasingly interconnected world.