STATEMENT OF CONCERN REGARDING THE ENACTMENT OF THE PROTECTION OF SOVEREIGNTY ACT IN UGANDA

The New York City Bar Association is alarmed at the recent passing into law of the Protection of Sovereignty Act (PSA) in Uganda. The Protection of Sovereignty Bill was passed by the Parliament of Uganda on May 5, 2026, and assented to by President Yoweri Museveni on May 17, 2026.

The PSA, aimed primarily at persons who engage in specified civil and political activities and receive foreign funding or direction, raises serious concerns regarding its compatibility with fundamental freedoms and civil and political rights of Ugandans. The PSA requires any person who receives foreign funding, assistance, or "direction" to register as a "foreign agent," subjecting them to extensive and onerous state regulation and major restrictions on funding and civic activities. This law principally affects people who work for and with Non-Governmental Organizations (NGOs) engaged in any civic work, thereby regulating NGOs over and above the existing NGO Act, resulting in potential regulatory duplication and excessive administrative burden on civil society organizations. In addition to burdensome registration and compliance provisions, the PSA subjects civil society actors and others to funding restrictions and heavy criminal penalties that endanger their ability to continue operating.

The City Bar contends that the law, as written, raises grave risks to the fundamental freedoms of association, expression, and public participation protected under regional and international human rights standards. The provisions also violate Uganda's own Constitutional principles, objectives, and fundamental rights guarantees. The law's provisions could be used to stigmatize civil society and risk criminalizing and limiting legitimate civic, development, humanitarian, or rule of law support activities in an environment of increasing restrictions on civic space, as documented by international observers.

I. BACKGROUND

The PSA was introduced on April 15, 2026, by the Minister of Internal Affairs and enacted within a month, despite heavy objections from the public and voices within Parliament.[1] Although the final version passed by Parliament has some significant revisions, including eliminating some of the original proposal's more draconian provisions such as penalties of up to 20 years' imprisonment, the law is still highly repressive.[2] The preamble to

[1] Prisca Wanyenya, "Parliament Passes Controversial Sovereignty Law," Parliament Watch Uganda, May 5, 2026, https://www.parliamentwatch.ug/hot-in-parliament/parliament-passes-controversial-sovereignty-law. (All websites were last accessed June 11, 2026)

[2] *See id.*

About the Association
The mission of the New York City Bar Association, which was founded in 1870 and has over 20,000 members, is to equip and mobilize a diverse legal profession to practice with excellence, promote reform of the law, and uphold the rule of law and access to justice in support of a fair society and the public interest in our community, our nation, and throughout the world.

the Bill states that the purpose of the law is to protect national sovereignty and deter foreign interference in Uganda's internal affairs through regulating foreign funding and assistance.[3] The preamble further states that the law is necessary to prevent foreign interference in development programs and policies, foreign funding to civil society that undermines national values, use of online platforms by foreigners and their agents to "disseminate misinformation," and a perceived inadequate regulation of civil society."[4]

Ugandan NGOs are already subject to extensive regulation under the NGO Act and Regulations,[5] and the government has previously used these powers to suspend and restrict NGOs, particularly those working on human rights and civil and political rights. In 2021, the NGO Bureau, which regulates NGOs, suspended 54 NGOs for administrative complaints.[6]

In enacting the PSA, Uganda joins a small but growing group of repressive regimes, including Russia, Kyrgyzstan, Peru, and El Salvador, that have imposed similar laws aimed at stifling citizen activism and accountability, contrary to democratic ideals and human rights standards. The PSA was passed in the aftermath of Uganda's national elections in January 2026, during which the government used a similar law to suspend NGOs working on human rights and governance under the guise of undefined "national security" concerns.7 The PSA will likely be used similarly to further restrict civic space in Uganda.

II. THE TEXT OF THE LAW

The following provisions highlight key areas of concern identified by the City Bar.

a. Labeling And Registration

The law applies to anyone acting as "foreign agents," defined as a person or entity who engages in specified political or influence activities on behalf of a non-Ugandan citizen, foreign government (including foreign embassies and diplomatic missions), foreign corporation, NGO, or international organization, whether acting directly, under the direction of, or while being financed by such entities.

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[3] Protection of Sovereignty Bill, Memorandum, Apr. 13, 2026, https://ccgea.org/wp-content/uploads/2026/04/The_Protection_of_Sovereignty_Bill2026-Editable.pdf.

[4] *See id*.; *see also* Rodney Muhumuza, "'Sovereignty' bill seeking to deter foreign influence has drawn widespread concern in Uganda," Washington Post, Apr. 23, 2026,

https://www.washingtonpost.com/business/2026/04/23/uganda-sovereignty-bill-remittances-foreign-currency/e687cf26-3f0a-11f1-bb46-ed564688d953_story.html; Sana Khan, "Uganda Enacts Foreign Influence Law Despite Economic and Rights Concerns," Modern Diplomacy, May 18, 2026, https://moderndiplomacy.eu/2026/05/18/uganda-enacts-foreign-influence-law-despite-economic-and-rights-concerns/.

[5] Non-Governmental Organisations Act,2016, Republic of Uganda, Jan. 30, 2016, https://mia.go.ug/sites/default/files/resources/The-Non-Governmental-Organisations-Act-2016.pdf; Non-Governmental Organisations Regulations, 2017, Statutory Instruments 2017 No. 22, May 5, 2017, https://mia.go.ug/sites/default/files/resources/The-NGO-Regulations-2017.pdf.

[6] "Uganda: End repression of civil society: Joint statement on Uganda's NGO Bureau suspensión of 54 NGOs in the country," Amnesty International, Aug. 27, 2021, https://www.amnesty.org/en/documents/afr59/4652/2021/en/.

[7] "Uganda: Human Rights NGOs Suspended and Defenders Targeted Ahead of General Elections," ProtectDefenders.eu,Jan. 28, 2026, https://protectdefenders.eu/uganda-human-rights-ngos-suspended-and-defenders-targeted-ahead-of-general-elections/.

Under the law, a foreign agent, as defined, is required to apply for registration with the Ministry of Internal Affairs and is not allowed to operate or receive foreign funding above a stated threshold unless so registered. All funding received above that threshold must be declared to the government. The penalties for non-compliance are severe, including sentences of up to 10 years' imprisonment. The application for registration also requires extensive disclosure of information, including detailed staff lists, and must be renewed every two years, contingent on satisfactory compliance with the conditions. Ministry officials can reject the application if the applicant fails to satisfy certain vague criteria.

While governments do have a legitimate interest in regulating NGOs, excessive controls and burdensome administrative requirements often aim to stifle civil society organizations. These additional requirements effectively prescribe a double-registration system for civil society in Uganda, as organizations are now subject to the requirements of the PSA in addition to the existing NGO Act, which has its own administrative burdens and penalties.

b. Prohibited Activities

The PSA lists activities in which "foreign agents" are prohibited from engaging. Violating these prohibitions can result in criminal penalties of up to 10 years' imprisonment. These include:

i. Promoting the interests of a foreigner against the interests of Uganda, as defined in the Act and subject to interpretation under existing government laws and policies.

ii. Performing the functions of government (as listed in Schedule 6 of the Constitution) without government and Cabinet approval. These include the provision of social services, education, and the formulation of policies, among other listed functions. This provision may be interpreted to mean that civil service actors cannot provide social services or participate in the formulation of policies without executive approval or licensing.

iii. Development or implementation of government policy without approval of the Executive (Cabinet). Any foreign agent intending to influence government policy must submit proposals to the government for consideration, unless previously licensed and authorized to do so. Furthermore, a foreign agent is prohibited from hindering or disrupting the implementation of a government policy, unless prior approval is given. This appears to be a restriction against government policy advocacy. It implies that civil society organizations (CSOs) cannot develop their own programs and activities unless previously licensed and authorized under other laws, nor can CSOs advocate against the implementation of a policy, regardless of whether it may contravene regional and/or international human rights standards.

iv. Promotion of a foreign policy not adopted by the government through "disruptive activities" or any other means, including conducting meetings organized, supported by, or sponsored by foreigners. This provision implies that any advocacy/engagements with foreigners, involving foreigners or supported by foreigners—including embassies, diplomatic missions, or regional or international human rights bodies—to discuss or influence government policies is prohibited. This provision could even affect engagements with international human rights and development bodies that address government policy.

v. Prohibition against canvassing for votes for elections unless nominated by the electoral commission. In effect, this provision could be used to hinder and target political opposition groups, many of whom receive foreign funding, from campaigning for votes.[8]

vi. Interference with government operations, including through holding meetings sponsored or supported by foreigners. Interference is defined as willful obstruction of a public officer in the performance of their functions. There is no specificity as to which government functions are implicated under the provision, but violations carry a heavy penalty.

vii. Prohibition of activities, including publishing "false" information (as defined by the Act), likely to cause economic instability in the country. This provision is broad and vague enough to include advocacy against, or even simply reporting about, government policies that might be deemed to have caused a loss of investment in the country or international sanctions. This provision could have a chilling effect on journalists and independent reporting.

viii. Obtaining funds from foreigners, including one that has demonstrated an intention to overthrow the government or to "endanger the security" of the country, to engage in "disruptive activities." The liability of an entity found guilty of this activity is personally borne by the entity's leadership.

ix. ''Disruptive activities" include any conduct that is "prejudicial to security," as well as violence or threats of violence, participation in an unlawful demonstration or assembly, and any conduct "disrupting or interfering with the lawful activities, business operations, peace or human rights of any person." This provision could implicate the right to protest and the right to assembly.

The multiple forms of regulation and penalties in the PSA, as well as the broad and vaguely defined prohibitions, increase the onerous compliance burdens on civil society and the risk of criminal sanctions, and thereby further shrink civic space in a manner that is not in line with international standards and Uganda's own Constitution. Moreover, the statute's broad applicability mean that wide swaths of society, including human rights defenders, women's rights activists, journalists, as well as organizations supporting activities related to development and the rule of law, could not only be considered foreign agents but also potentially found to be violating the Act for engaging in standard journalistic and human rights work.

III. THE REACTION OF THE NATIONAL AND INTERNATIONAL COMMUNITY

Civil Society in Uganda has expressed concern and outrage at the law.[9] The Uganda Law Society, reacting to the Bill that was introduced in Parliament, described it as "treason" against the Ugandan Constitution, stating that it "destroys the people's right to self-

[8] Adwoa Tenkoramaa Domena, "Uganda's 'foreign agents' bill: Who could be targeted?", DW AfricaLink, May 11, 2026, https://www.dw.com/en/ugandas-foreign-agents-bill-who-could-be-targeted/audio-77124357.

[9] Craig Sisterson, "Loud, clear calls to ditch Protection of Sovereignty Bill from senior lawyers, Uganda Law Society, and rights groups," Africa Legal, Apr. 21, 2026, https://www.africa-legal.com/news/loud-clear-calls-to-ditch-protection-of-sovereignty-bill-from-senior-lawyers-uganda-law-society-and-rights-groups/126649.

determination."[10] The international community at large has also condemned the law. Civil society groups have expressed concerns that the overbroad provisions of the law would permit the criminalization of almost any form of political opposition.[11] Organizations such as Human Rights Watch described previous versions of the Bill as a means by which the government seeks to shut down civil society, and a continuation of the government's campaign against freedom of expression, association, and assembly.[12] Article 19 Eastern Africa filed submissions with the Ugandan Parliament, criticizing the Bill as "not narrowly targeted at addressing genuine foreign interference. Instead, it introduces a broad and punitive framework that risks criminalizing legitimate civic activity and placing civil society under extensive state control."[13]

IV. VIOLATIONS OF THE UGANDA CONSTITUTION

The democratic principles underlying Uganda's Constitution include active citizen participation in governance and development policies, the autonomy of civic organizations, the state's duty to promote democracy and the rule of law, and accountability to the people.[14] The state is also required to guarantee and respect the independence of NGOs promoting human rights.[15] The principle of public participation is enshrined in the Bill of Rights as the right to civic participation and to influence government policies.[16] The severe restrictions on the participation of civil society in governance and policies imposed by the PSA therefore directly contradict these principles and infringe on the right to civic participation.

The PSA also infringes on the Constitutional rights of Ugandan citizens to freedom of speech and expression, freedom of assembly, to demonstrate peacefully and petition, and freedom of association.[17] The Constitution clearly envisages a democratic process in which the public can peacefully challenge and influence government policies and laws. The PSA seeks to take away this ability by delegitimizing citizens and calling them "foreign agents," and then stripping them of their power as citizens.

V. VIOLATIONS OF REGIONAL AND INTERNATIONAL LAW AND PRINCIPLES

The PSA raises serious concerns regarding compatibility with international and regional human rights standards and the treaties to which Uganda is a party, and raise serious

[10] "Cautionary Statement: the Anti-Sovereignty Bill Signals the Overthrow of the 1995 Constitution and Uganda's Exit from the Democratic Order," Uganda Law Society, Apr. 20, 2026, https://uls.or.ug/wp-content/uploads/2026/04/Cautionary-Statement-The-Anti-Sovereignty-Bill-Signals-The-Overthrow-Of-The-1995-Constitution-And-Ugandas-Exit-From-The-Democratic-Order.-Lend-To-It-At-Your-Own-Risk.-1-1.pdf.

[11] "Uganda's president signs contentious law meant to curb foreign influence," Reuters, May 18, 2026, https://www.reuters.com/world/africa/ugandas-president-signs-contentious-law-meant-curb-foreign-influence-2026-05-18/.

[12] "Uganda: Sovereignty Bill Threatens Speech, Assembly," Human Rights Watch, Apr. 23, 2026, https://www.hrw.org/news/2026/04/23/uganda-sovereignty-bill-threatens-speech-assembly.

[13] "Uganda: Protection of Sovereignty Bill 2026 threatens civic space," Article19.org, Apr. 28, 2026, https://www.article19.org/resources/uganda-protection-of-sovereignty-bill-2026-threatens-civic-space/.

[14] Constitution of Uganda,2017 Objectives II(i), II (vi), X,XXIX(f).

[15] Constitution of Uganda,2017 Objective V(ii).

[16] Constitution of Uganda,2017 Article 38.

[17] Constitution of Uganda,2017 Article 29.

concerns regarding the restrictions imposed on civic space and the exercise of fundamental rights in Uganda. As detailed below, several provisions of this new legislation risk violating the rights to free association and free expression.

As the City Bar noted in previous public statements from October 2024, April 2025, and June 2025, expressing concern about similar legislation to regulate non-profit organizations in Paraguay,[18] Peru,[19] and El Salvador,[20] this new Ugandan law could violate the following international human rights standards.

a. Freedoms Of Association And Expression

The right to freedom of association, as guaranteed by Article 22 of the International Covenant on Civil and Political Rights (ICCPR) and Article 10 of the African Charter on Human and Peoples' Rights (Banjul Charter), guarantees the right to form and join formal and informal groups, including non-profit organizations. The right to freedom of expression, as guaranteed by Article 19 of the ICCPR and Article 9 of the Banjul Charter, protects the right of individuals to receive information and to express and disseminate their opinions.

Under these international treaties, States are required to take measures to establish and maintain a safe and enabling environment for associations to function, to respect their privacy and that of their members, and to abstain from unduly obstructing these rights. The government may only limit these rights when such restrictions are required by law, necessary for a limited range of legitimate purposes (such as public safety or national security), necessary for a democratic society, and must be proportionate in nature.[21] The right to freedom of association has also been found to include the right to access funding and resources.[22]

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[18] "Statement Expressing Concern About the New Legislation to Regulate Non-Profit Organizations in Paraguay," New York City Bar Association, Oct. 14, 2024, https://www.nycbar.org/reports/statement-expressing-concern-about-the-new-legislation-to-regulate-non-profit-organizations-in-paraguay/.

[19] "Statement Expressing Concern Over the New Peruvian Law Restricting Civil Society Organizations," New York City Bar Association, Apr. 2, 2025, https://www.nycbar.org/reports/statement-expressing-concern-over-the-new-peruvian-law-restricting-civil-society-organizations/.

[20] "Statement of Concern Regarding the Foreign Agents Law in El Salvador, and its Threat to Civil Society and Human Rights Defenders," New York City Bar Association, Jun. 4, 2025, https://www.nycbar.org/reports/statement-of-concern-regarding-the-foreign-agents-law-in-el-salvador-and-its-threat-to-civil-society-and-human-rights-defenders/.

[21] Human Rights Committee, Romanovsky v. Belarus, Communication No. 2011/2010, 7.2, U.N. Doc. CCPR/C/115/D/2011/2010 (December 7, 2015). *See also* "Statements by the Special Rapporteurs on the rights to freedom of peaceful assembly and of association; on the promotion and protection of the right to freedom of opinion and expression; and on the situation of human rights defenders," OL PRY 1/2024, (19 July 2024) at p. 5, https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=29221 ("States should ensure that any restrictions on the right of civil society organizations to access funding and resources comply with the international human rights requirements of legality, legitimate aim, necessity and proportionality in a democratic society, as set out in Article 22(2) of the ICCPR." (translated from Spanish).

While the City Bar recognizes the value and legitimate government interest, as a general matter, in regulating foreign influence in domestic political affairs, any such regulation must meet legitimate objectives, align with international standards, and be narrowly tailored, clearly defined, and proportionate to the risk it seeks to address. The PSA, as enacted, sweeps far beyond such legitimate purpose. It subjects a broad range of civic, humanitarian, journalistic, and development, among other activities, to burdensome controls, vaguely defined restrictions, and severe penalties in a manner inconsistent with international human rights standards.

[22] "General principles and guidelines on ensuring the right of civil society organizations to have access to resources," UN General Assembly, Report of the Special Rapporteur on the rights to freedom of peaceful

The African Commission on Human and Peoples' Rights has issued guidelines on the application of these standards, including the Declaration of Principles on Freedom of Expression and Access to Information[23] and the Guidelines on Freedom of Association and Assembly in Africa.[24]

The Ugandan Act imposes burdensome and undefined reporting and registration controls on all organizations and persons receiving foreign support or direction, regardless of size, mission, or risk profile. It creates heavy sanctions and terms of imprisonment of up to ten years. Regional and international standards and guidelines call for the utmost respect and facilitation of these rights. Any limitations on such rights must be provided by law, necessary, proportional, justifiable in a democratic society, and not have the effect of abolishing the right(s) it seeks to limit. The measures in the Act are not narrowly tailored and create a chilling effect, discouraging independent organizations and individuals engaged in human rights, accountability, governance, or journalism from operating freely.

b. Internal Affairs Of Organizations

Imposing funding restrictions on NGOs, coupled with penalties, constitutes interference with their internal affairs, which is inimical to the exercise of freedom of association. The UN Special Rapporteur on Freedom of Association has stated that "(a)ny associations, both registered or unregistered, should have the right to seek and secure funding and resources from domestic, foreign, and international entities."[25]

The PSA constitutes an unjustified limitation of fundamental rights, contrary to international law and standards, as the restrictions and penalties imposed are unnecessary, arbitrary, and not proportional to the unsubstantiated fears of the state.

VI. THE CITY BAR CALLS ON THE UGANDAN GOVERNMENT TO RECONSIDER THE IMPLEMENTATION OF THE PSA

The PSA constitutes a grave intrusion into fundamental freedoms in Uganda. It not only violates international law and standards, but also the principles and guarantees enshrined in Uganda's own Constitution. It seeks to delegitimize civil society by attacking associations and their funding and stripping citizens of the right to participate in democratic processes, development, and governance. The PSA's broad and vague definitions, excessive penal provisions, and unwarranted interference in the internal affairs of civil society organizations are not consistent with democratic principles and the healthy functioning of civil society in Uganda.

The City Bar urgently calls on the Ugandan government to pause the implementation of the law and engage in meaningful consultation with all stakeholders, particularly civil

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assembly and of association, Clement Nyaletsossi Voule, A/HRC/53/38/Add.4, Jun. 23, 2023, https://docs.un.org/en/A/HRC/53/38/Add.4.

[23] Declaration of Principles on Freedom of Expression and Access to Information in Africa 2019, African Commission on Human and Peoples' Rights, Nov. 10, 2019, https://achpr.au.int/en/node/902.

[24] Guidelines on Freedom of Association and Assembly in Africa, African Commission on Human and Peoples' Rights, Sep. 21, 2017, https://achpr.au.int/en/soft-law/guidelines-freedom-association-and-assembly-africa.

[25] Maina Kiai (Special Rapporteur on the rights to freedom of peaceful assembly and of association), Rep. on the right to freedom of association, ¶ 68 U.N.Doc. A/HRC/20/27 (21 May 2012), https://freeassembly.net/wp-content/uploads/2013/10/A-HRC-20-27_en-annual-report-May-2012.pdf.

society actors, to address government security concerns in a manner that upholds human rights, constitutional principles, and fully complies with international human rights standards.

We also call on international human rights bodies, regional organizations—including the African Commission on Human and Peoples' Rights—foreign governments, and the international legal community to engage with the Ugandan government to ensure the respect and implementation of international and regional human rights standards in line with applicable guidelines and standards, and to remain vigilant and closely monitor the implementation of this law.

The City Bar reaffirms its solidarity with Ugandan civil society, including lawyers, journalists, activists, and human rights defenders affected by this law and stands ready to support efforts to defend and safeguard civic space, the rule of law, human rights, and democratic ideals in the country.

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