**Mandate of the Special Rapporteur on the rights to freedom of peaceful assembly and of association**

Ref.: OL UGA 4/2026
(Please use this reference in your reply)

13 May 2026

Excellency,

I have the honour to address you in my capacity as Special Rapporteur on the rights to freedom of peaceful assembly and of association, pursuant to Human Rights Council resolution 59/4.

In this connection, I would like to bring to the attention of your Excellency's Government information I have received concerning the Protection of Sovereignty Bill, which was passed by the Parliament of your Excellency's Government on Tuesday, 5 May 2026.

In the past years, Special Rapporteurs have sent letters to the Ugandan Government with concerns regarding several human rights violations against individuals, including activists and Human Rights Defenders, and civil society actors in Uganda: i) on the basis of perceived support or affiliation with the political opposition, including UGA 6/2025; UGA 5/2025; UGA 2/2025; UGA 6/2022; UGA 4/2021; UGA 3/2021; UGA 1/2021; UGA 5/2020; UGA 4/2020; UGA 3/2020; UGA 3/2019, ii) threats against, and intimidation of, human rights defenders and civil society actors working on human rights issues in the context of oil and gas extraction, land rights, compensation of communities affected by extractive industries (UGA 3/2025, UGA 4/2024, UGA 3/2023, UGA 2/2023, UGA 1/2022, UGA 1/2020), iii) risks to the human rights of LGBT persons and harassment to civil society organizations defending LGBT rights (UGA 1/2025; UGA 4/2022, UGA 1/2014, UGA 6/2012, UGA 2/2012); among others.

The Bill is based on the premise that the Republic of Uganda faces risks to "the nation's ability to self-govern without undue external interference" (art. 2, Memorandum). However, it fails to present concrete data characterizing this phenomenon—specifically its origins, the actors involved (both public and private), or empirical studies accounting for the scope and characteristics of the problem to determine the most effective countermeasures. Such evidence could include, for example and non-exhaustively, specific risk assessments across various economic and social sectors, including civil society. Instead, the Bill casts explicit suspicion on civil society as though it were the sole actor - as no other is mentioned - associated with this stated, yet unsubstantiated, problem.

Specifically, the Bill asserts that the alleged "inadequate regulation of civil society" (art. 2, Memorandum), a claim also left unproven, bears a direct relationship to issues of "autonomy and stability" (art. 3, Memorandum). Moreover, the Bill implicitly insinuates that civil society organizations do not "operate transparently and in accordance with the laws, national policies, programmes and interest of Uganda", once again, without justification or proof (art. 2, Memorandum).

The intent of stigmatization underlying this Bill is deeply problematic, as it may lead to a denial of fundamental rights by mischaracterizing the legitimate exercise of freedom as a threat to national security or sovereignty. By labelling civil society actors as "agent of a foreign," the Bill is expected to create a hostile environment that criminalizes basic organizational actions, thereby undermining the very essence of the right to freedom of association. Because the right to association is an enabling right, its restriction directly impairs the exercise of all other human rights.

Such negative narratives, particularly when setting the premises for legislation, create a significant "chilling effect" that discourages public participation and isolates activists from their communities. By casting unproven suspicion on civil society, the State fosters an environment of hostility and polarization that erodes the trust necessary for a functioning democracy. Under international law, States have a positive obligation to promote and protect the right to freedom of association; therefore, using hostile rhetoric to delegitimize civil society organizations constitutes a direct or indirect violation of this right.

A further analysis on the impacts of hostile narratives and stigmatization processes affecting civil society can be found in the report I presented to the UN General Assembly in 2024 (A/79/263) In its para. 39-41 the report indicates:

> "There has been a rise of narratives labelling civil society and protesters as "foreign agents" and "agents of foreign influence", often basing such allegations on the type of funding that they receive. Those receiving foreign funding have been explicitly singled out and attacked with harassment and stigmatizing campaigns. This labelling is accompanied by excessive supervision and potential restrictions on access to resources for civil society. The "foreign agent" stigmatization further undermines the public trust needed for civil society to be able to do its work. These narratives have become a widespread tool for stigmatization aimed at delegitimizing activists and associations and are enabled and entrenched by the wide adoption of so-called "foreign agent" laws, which have resulted in criminalization, and, in some countries, the mass dissolution of civil society organizations designated as foreign agents (Nicaragua and Russian Federation). This has been further supported by smear campaigns against civil society organizations receiving funds from abroad, including the publication by authorities of lists of such organizations. Lists have also been published on social media or by media outlets using negative stigmatizing language, targeting both the funding organizations and the civil society organizations themselves, as well as their staff, amplifying the stigmatization and exposing them to hate speech, vilification and attacks".

Mindful of the harms presented by these type of laws, in September 2024, I along with the Special Rapporteur on Freedom of Expression of the InterAmerican Commission on Human Rights (IACHR), the Commissioner Rapporteur for Human Rights Defenders of the IACHR, the Special Rapporteur on Human Rights Defenders and focal point on reprisals in Africa of the African Commission on Human and Peoples' Rights (ACHPR), the Representative of Indonesia to the ASEAN Intergovernmental Commission on Human Rights (AICHR), and the OSCE Office for Democratic Institutions and Human Rights (ODIHR), released a Joint Declaration on

Protecting the right to freedom of association in light of “Foreign Agents”/ “Foreign Influence” Laws.

In this statement, all regional mechanisms of the protection of Human Rights, expressed their concern about the link between the adoption of the “so-called “foreign agent”/foreign influence legislative initiatives and laws with similar effects, which introduce unnecessary, disproportionate and discriminatory obligations, restrictions or prohibitions on associations that unduly restrict its funding from international sources and cause unjustified and discriminatory interference with the enjoyment of the right to freedom of association and related rights and freedoms, which is disproportionate and unnecessary in a democratic society. Therefore, there is an agreement between Human Rights protection systems on how these laws fail to comply with the principles of: i) legal certainty and foreseeability of legislation and allow wide discretion and arbitrary application on the part of the implementing authorities – specially due to the “vague, overbroad and/or ambiguous definitions” they employ”; and ii) non-discrimination, as these laws are intrinsically discriminatory, as they target associations based on the foreign origin of their funding and their legal form, and they do not apply to for-profit entities, which do not receive the same scrutiny.

Also, the Statement indicates that in general “the authorities’ justification for the introducing such legislative initiatives are insufficient, not based on concrete, transparent or thorough risk assessment, fails to explain why such measures need to apply to associations and not to other entities, such as private entities; fail to explain why such laws are necessary and what specific gaps they seek to fill in the existing legal framework”. Which is precisely the analysis included previously.

Considering all of the above, this Bill further accelerates the worrisome trend of shrinking civic space and eroding democratic systems in Uganda, a trend which my mandate has observed worldwide. My mandate had sent official communications to several countries and entities in different regions, to address this trend. This included a letter sent in September 2024 on the European Union (EU) Directive aimed at increasing transparency for interest representation activities carried out on behalf of third countries (OTH 122/2024). In this letter colleagues and I express grave concern that the Directive risks stigmatizing civil society organizations, human rights defenders, and media outlets by publicly labelling them as entities representing foreign interests, and indicating that the Directive could discourage legitimate advocacy, lead to self-censorship.

The same concerns apply to the Bill passed yesterday by your Excellency’s Government. Just as the EU Directive, that may fail the tests of proportionality and necessity by targeting organizations based on the origin of their funding, this Bill similarly seem to lack concrete data to justify its sweeping restrictions. As mentioned in the letter sent to the EU, "the mere existence of a separate registry risks creating stigmatisation". This reinforces the argument that this Bill’s focus on civil society as a primary challenge of the "nation’s ability to self-govern" is a form of institutionalized stigmatization that undermines the right to freedom of association and distances the Republic from international human rights standards.

In addition, the public declaration by the Attorney General, as published in national media, is deeply concerning. The assertion that Uganda is merely "following

the steps of other countries"—citing that nearly every nation, including the European Union, now has laws to combat foreign interference—is paradoxical.

It is highly contradictory to justify this bill by claiming a need to mimic the legislative actions of foreign governments. Furthermore, the mere existence of laws with similar stated objectives globally fails to understand two critical issues: i) the presence of such laws does not guarantee they are compatible with human rights (as mentioned above); ii) laws with similar objectives and contents can be implemented with vastly different intents and outcomes across different jurisdictions, often being repurposed to stifle dissent rather than protect national integrity.

While the adoption of well-intended and meticulously designed legislation does not inherently guarantee its misuse, there is a profound concern that this Bill —which lacks such rigorous design—may be weaponized as a tool for the harassment and persecution of dissent, activism, and civil society. The lack of evidentiary basis for the Bill's necessity, combined with its stigmatizing rhetoric and problematic provisions, creates a high risk of arbitrary application. Rather than protecting national interests, such a framework threatens to dismantle the infrastructure of collective action and silence the very voices essential for a transparent and democratic society.

*Specific concerns about provisions in the Protection of Sovereignty Bill:*

**Parts I and II**:

I similarly wish to remind your Excellency's Government that the broad and vague terminology employed throughout the Bill—such as "act of foreign", "hindering", "interfering", "disrupting", etc—grants authorities' excessive discretion, creating a significant risk of politically motivated and biased decision-making. Without specific safeguards to ensure the independence of supervisory bodies, these norms can be weaponized against groups that are already marginalized or perceived as critical of the State. For instance, environmental defenders challenging land use or agricultural policies and LGBT organizations advocating for equality in the face of "moral" or "traditional" rhetoric are particularly vulnerable to being labelled as "foreign agents" or "threats to sovereignty". This discretionary power allows the State to selectively target associations based on the content of their work rather than any verified illegal activity, effectively silencing dissent under the guise of administrative oversight.

Given that civil society's work is both vast and diverse—often complementing and reinforcing government action—the prohibition against "exercising functions and services for which Government is responsible" (art. 6) without express approval by the relevant agency, and of the "implementation of government policies" (art. 8) severely constricts the autonomy of associations to define their own objectives and activities. It is especially problematic that these prohibitions encompass sectors such as i) land, mines, mineral and water resources, and the environment; ii) public services; iii) education and health policies; and iv) forest, reserve, and agricultural policy. Such a broad mandate for exclusion invites the increase of persecution of environmental and land activists, as well as of associations providing essential health and education services.

Furthermore, the obligation to submit initiatives aimed at "influencing or proposing amendments to policy development" (art. 7) for prior approval restricts a fundamental method of work for civil society: advocacy. By requiring state authorization for these activities that usually also include reaching the public and stakeholders' education and information, the Bill directly impedes the ability of organizations to freely define their own objectives and strategies. Such a requirement shifts the role of civil society from an independent participant in public discourse to a state-supervised entity, effectively stifling the proactive engagement necessary for a healthy and transparent legislative process.

Moreover, the prohibition against "promoting any foreign policy" (art. 9) severely constricts the ability of civil society, activists, and human rights defenders to engage in international advocacy and citizen diplomacy. This restriction may effectively prevent these actors from participating in international and regional organizations, where they often criticize government policies or report on human rights protection failures. This may open the door for intimidation and reprisals for cooperation with the United Nations, including the Human Rights Council, Special Procedures mandate holders, the OHCHR, among others. By barring engagement with the international community on policy matters, the Bill may lead to isolating Ugandan civil society and eliminating essential channels for global accountability and the universal promotion of human rights.

In the same line, the prohibition against the "promotion of foreign policy of another country" (art. 10) may do more than merely obstruct the ability of the international community, including diplomatic missions, to interact with individuals and organizations. It may also severely restrict the free flow of information, which in turn impairs the fundamental rights to freedom of opinion and expression. Creating legal barriers to the exchange of ideas and international cooperation prevents the public from accessing diverse perspectives on global and domestic affairs.

The provision stating that "a person or agent of a foreigner shall not implement, hinder, frustrate or disrupt the implementation of a Government policy" (art. 8), and the "Prohibition of interfering with operations of Government" (art. 12) could severely restrict the ability of individuals and groups to express opposition or dissent. This language effectively criminalizes the mobilization of others, the organization of peaceful protests—protected under the right to freedom of peaceful assembly—and the engagement in acts of civil disobedience, including the call for "economic sabotage" also forbidden in art. 13. As noted by the UN Special Rapporteur on Environmental Defenders under the Aarhus Convention, civil disobedience is a protected form of protest under international human rights law, specifically falling within the scope of the right to peaceful assembly under article 21 of the International Covenant on Civil and Political Rights (ICCPR). By penalizing any action perceived as "frustrating", "disrupting" of "interfering" policy and operations, the Bill creates a broad and vague threshold for prosecution that targets the very essence of democratic participation.

In addition, the specific prohibition against "organizing a meeting or any function with the aim of interfering with the operations of Government" (art. 12) raises concerns: This provision may lead to a direct and undue restriction on the right to freedom of peaceful assembly. By using the vague and subjective term "interfering," the Bill grants authorities' broad discretion to criminalize any gathering—ranging from

policy workshops to peaceful protests - that expresses a dissenting view or challenges government inefficiency, establishing a de facto blanket prohibition which have been defined as "presumptively disproportionate" by the UN Human Rights Committee[1]. Such a measure would effectively subordinate fundamental constitutional rights to the convenience of the executive branch.

Furthermore, the prohibition of activities related to national elections (art. 6) and of "interfering with electoral processes" (art. 11) is deeply alarming, especially for its extreme ambiguity. As noted in my report to the Human Rights Council on 22 April 2025 (A/HRC/59/44, paras. 13-20), civil society plays a vital role in ensuring electoral integrity, protecting democratic freedoms, and fostering inclusive participation. The full guarantee of the rights to freedom of assembly and association remains indispensable for the realization of free and fair elections. This is even more worrisome considering the allegations we have been communicating to the governments in the past in relation to harassment of activists and civil society organizations due to "perceived support or affiliation with the political opposition", as mentioned above.

All the provisions mentioned in articles 2 to 8 could fundamentally undermine the right to participate in public affairs, risking dismantling the mechanisms through which governments are held accountable. These restrictions do not merely affect the organizations themselves; they deprive the public of their right to contribute to the development, formulation, and implementation of national policy. Such a framework is incompatible with a democratic society where the participation of diverse voices is recognized as an indispensable threshold for peace, development, and the protection of human rights.

Since many activities conducted by civil society organizations—including conferences, workshops, and training sessions—are carried out through peaceful assemblies, any measure that restricts the ability of these groups to freely determine their activities inherently limits the exercise of the right to peaceful assembly. By imposing state-mandated controls on the subject matter or nature of these gatherings, the Bill shifts from a regime of facilitation to one of restriction, undermining the fundamental freedom of groups to meet and exchange ideas without unjustified state interference.

The imposition of high administrative fines and criminal sanctions for non-compliance with the Bill's restrictive provisions will create a severe "chilling effect" on the entire civic sector. Such penalties are often disproportionate to the economic capacity of civil society organizations, particularly smaller associations with limited resources. The fear of facing crippling financial liabilities or potential imprisonment for legitimate advocacy work discourages organizations from engaging in public discourse and leads to pervasive self-censorship. Furthermore, this climate of distrust may deter both domestic and international partners from providing necessary support, as the reputational and legal risks of being associated with a "listed" entity become too high. Ultimately, these punitive measures serve to dismantle the operational environment for human rights defenders and civil society action, rendering the right to freedom of association virtually impossible to exercise.

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[1] General comment No. 37 (2020) on the right of peaceful assembly (article 21), Para 38. https://docs.un.org/en/CCPR/C/GC/37

**Part III and IV**:

The mandatory obligation to register as an "agent of foreigners" serves to institutionalize stigmatization, obstruct the operational life of associations, and deter the formation of future organizations. By imposing a label that implies a “lack of national loyalty”, the State creates a reputational barrier between civil society from the public and potential partners. This restrictive framework does not merely regulate; it actively de-legitimizes the civil society sector, fostering a climate of suspicion that undermines the very foundations of the right to freedom of association. And it also can lead to a further defunding of the sector, risking its survival.

In addition, the requirement for prior approval of funding is fundamentally contrary to international human rights law because the freedom to seek, receive, and use resources is an integral and indispensable component of the right to freedom of association. Under article 22 of the ICCPR, any restriction on an association's ability to access funding must strictly adhere to the principles of legality, necessity, and proportionality in a democratic society. Prior approval regimes violate these standards by inhibiting the functional autonomy of organizations and placing them under the discretionary control of the State, which often uses such powers to silence critical voices or groups working on sensitive human rights issues. Furthermore, international bodies have consistently clarified that undue limitations on access to resources—whether domestic or foreign—render the right to associate meaningless, as organizations cannot discharge their functions or survive without the financial means to operate. Thus, shifting from a system of mere notification to one of prior authorization constitutes an unjustified interference that distances a State from its international obligations.

I would like to remind to your Excellency’s Government that reporting requirements should not impose excessive or costly burdens on associations; requiring them to publicly disclose financial information constitutes a serious restriction on freedom of association. All reporting requirements must be designed to protect the rights of donors, beneficiaries, and staff of associations (A/HRC/50/23, para. 23).

Moreover, the requirement for the Department to consult local authorities to "ascertain the suitability" of a site, combined with the power of a Minister-appointed official to inspect premises and "request any information" deemed necessary, creates a high risk of intrusive and arbitrary state surveillance. Such broad inspection powers and discretionary site approvals often exceed the requirements of necessity and proportionality, effectively inhibiting the functional autonomy of associations. These measures grant authorities nearly unlimited access to an organization’s internal operations and sensitive information.

The original bill included a requirement to investigate the "identity, character, and mental and physical health" of applicants for the registration, including their directors and officers, constitutes an invasive and disproportionate interference with the right to privacy and the right to freedom of association. By conditioning legal registration on subjective and highly personal criteria like "mental health" or "character," the Bill wanted to grant the executive branch unfettered discretion to exclude individuals or organizations based on arbitrary or discriminatory standards. Such intrusive inquiries are neither necessary nor proportionate. Although this

provision was removed in the adopted Law, the intent of including it shows a signal of disproportionate disruption in the right to individuals to associate and assemble.

The right of associations to freely access national and international funding sources is an inherent part of the right to freedom of association and a crucial element for the existence and effective operation of any association (A/HRC/50/23, para. 13). In the same vein, the Human Rights Committee has noted that "the right to freedom of association is not only related to the right to form associations but also guarantees the right of associations to freely carry out the activities provided for in their statutes," including the use of materials received as aid from abroad.

The right of access to resources is also grounded in the right to peaceful assembly. In its general comment No. 37 (2020), on the right to peaceful assembly, the Human Rights Committee recognized that article 21 of the ICCPR protects activities that were "outside the immediate context of the assembly" but were "essential for the exercise of the right to have meaning," such as "the mobilization of resources by participants or organizers."

International human rights law and standards widely recognize the freedom to access resources as part of the right to freedom of association. Article 22 of the ICCPR protects all activities of an association, including activities aimed at accessing resources or funding, subject to restrictions consistent with article 22. This includes the freedom to seek, receive, and use resources from natural and legal persons, whether national, foreign, or international, without prior authorization or other undue impediments, including individuals, associations, foundations and other civil society organizations, foreign governments and aid agencies, the private sector, the United Nations, and other entities. Consequently, undue restrictions on the freedom of associations to access funding violate States' obligations under article 22 of the ICCPR (A/HCR/53/38/Add.4, para. 11).

The Human Rights Committee has consistently expressed its concern about restrictions on foreign funding as an impediment to the full realization of the right to freedom of association. Other international human rights instruments also recognize the right of associations to access resources. For example, the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (the Declaration on Human Rights Defenders) establishes in its article 13 that everyone has the right, individually and in association with others, to seek, receive and use resources to promote and protect human rights by peaceful means.

Besides, the "Guidelines on Freedom of Association and Assembly in Africa" of the African Commission on Human and Peoples' Rights, in arts. 37 to 39, indicates that:

a. The law shall clearly state that associations have the right to seek, receive and use funds freely in compliance with not-for-profit aims. Associations shall be free to conduct fundraising through various means, including engaging in economic activities designed to support the aims of the organization.

b. Associations shall be able to seek and receive funds from local private sources, the national state, foreign states, international organizations, transnational donors and other external entities. States shall not require associations to obtain authorization prior to receipt of funding.

c. Associations shall be subject to the same general laws governing money laundering, fraud, corruption, trafficking and similar offenses as individuals and for-profit enterprises.

Additionally, in resolution 22/6, the Human Rights Council urged States to ensure that reporting requirements imposed on individuals, groups, and civil society bodies do not inhibit their functional autonomy. States must 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.

States must ensure that sanctions for non-compliance with legal obligations are proportionate to the alleged wrongdoing. Furthermore, procedures such as enhanced inspections and audits, and sanctions such as suspensions, dissolution, or closure of an association, may only be imposed as a last resort and by court order.

Likewise, associations must have access to effective remedies for violations of their right of access to resources. To this end, states must guarantee that all associations have access to independent, impartial, and effective judicial bodies, as well as independent processes of judicial oversight and review against arbitrariness and abuse in the implementation of laws that may affect the right of access to resources, including those related to the financing of terrorism. (A/HRC 53/38/add.4).

***Other relevant Human Rights Standards**:*

Restrictions to the rights to freedom of assembly and of association must be 'established by law.' However, a restriction does not meet this requirement simply because it is formally enacted as national law. The legality requirement also relates to the quality of the law. The laws in question must be accessible and sufficiently precise to allow members of society to decide how to regulate their conduct (predictability) and must not confer unlimited or broad discretion on those who enforce them.

Restriction must protect only the interests listed in article 22(2) of the ICCPR: national or public security, public order, the protection of public health or morals, or the protection of the rights and freedoms of others.

To meet the necessity requirement, authorities must demonstrate that the restriction can be genuinely effective in achieving the legitimate objective and is the least intrusive means among those that could achieve the desired objective. The State must also prove that the measure is necessary to avert a real, not hypothetical, threat to one of the grounds for limitation, such as national security or public order (A/HRC/23/39, para. 23). In assessing the proportionality of a restriction imposed on associations, States must examine whether the measure is excessively burdensome and whether the nature and severity of the sanctions imposed for non-compliance are proportionate to the seriousness of the violation. Restrictions must not undermine the

substance of the right or have a chilling effect that prevents its enjoyment (A/HRC/50/23, para. 14).

States have the responsibility, under international human rights law, to respect, protect, and facilitate the right of civil society organizations to freedom of access to resources. States' obligations must be implemented in a non-discriminatory manner, with particular attention to the rights and needs of individuals from groups or populations at greater risk of discrimination and marginalization. Establishing different registration and reporting regimes for non-profit organizations based on their funding sources would appear to contravene the principle of non-discrimination.

In light of the concerns detailed above, I strongly urge your Excellency's Government to reconsider the adoption of the Protection of Sovereignty Bill. The legislation risks contravening the human rights obligations of the Republic of Uganda through institutionalization of stigmatization and creation of unjustified impediments to the rights of assembly and association.

As it is my responsibility, under the mandate provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned analysis.

2. Please provide information on the manner in which your Excellency's Government aims to implement the newly adopted Bill, particularly with a view to ensuring compliance with existing human rights obligations of the Republic of Uganda.

3. Please provide information on remedies available to individuals or organizations who wish to contest action taken against them by your Excellency's Government based on the bill.

This communication, as a comment on pending or recently adopted legislation, regulations or policies, and any response received from your Excellency's Government will be made public via the communications reporting website after 48 hours. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Please be informed that a copy of this letter has also been sent to the European Union.

Please accept, Excellency, the assurances of my highest consideration.

Gina Romero
Special Rapporteur on the rights to freedom of peaceful assembly and of association