

STATE OF CIVIC SPACE IN UGANDA 2022



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The needs assessment study on the status of civic space in Uganda (2022) was conducted by a dedicated team of Alliance for Finance Monitoring (ACFIM) staff members who have been experiencing first-hand, the process of systematic shrinking of the space for civic expression and participation which heightens around election time, and where frontline civil society activists and journalists are under increasing attack.

The study was conducted by Abel Eseru and Gerald Koraneza assisted by Eddie Kayinda for data coding, cleaning and analysis. Special thanks Abel Eseru, who has managed the project from its inception, putting in extra effort to ensure that the key milestones are achieved.

This research would not have been possible without the cooperation of the various civil society actors in Uganda who participated and openly shared their experiences in terms of civic space restrictions.

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List of Abbreviations

ACFIM:	Alliance for Finance Monitoring
CBO:	Community Based Organisation
CCEDU:	Citizen Coalition for Electoral Democracy
CSO:	Civil Society Organisation
EC:	Electoral Commission
FIA:	Financial Intelligence Authority
HRNJ:	Human Rights Network of Journalist
ICCPR:	International Covenant on Civil and Political Rights
ICNL:	International Center for Not-for-Profit Law
LGBTIQ+:	Lesbian, Gay, Bisexual, Transgender, Intersex, Queer plus
NCHRDU:	National Coalition of Human Rights Defenders Uganda
NEW-U:	National Election Watch Uganda
NGO:	Non-Governmental Organisation
NGO:	Non-Governmental Organisations
POMA:	Public Order Management Act, 2013
PPOA:	Political Party and Organisations Act
UDHR:	Universal Declaration of Human Rights
UHRC:	Uganda Human Rights Commission
UNNGOF:	Uganda National NGO Forum
UPDF:	Uganda Peoples' Defense Forces
URSB:	Uganda Registration Services Bureau
UWONET:	Uganda Women's Network

This study was driven by the desire of ACFIM to obtain coherent understanding of the forces at play that constrain and protect civic space within which citizens and citizen organisations can enjoy their fundamental freedoms and rights, perform their civil obligations and fulfill their constitutional duties.

Objective

The cardinal objective of the study was to understand the current state of civic space restrictions in Uganda and develop informed measures that enable concerned actors and stakeholders to be more effective in supporting and advocating for promotion and safeguarding of civic space in Uganda. Specifically, the study intended to identify gaps and opportunities in civic space, the capacity of civil society partners to thrive, protect and promote civic space in a repressive environment. This assessment was conducted in 15 districts within the purposively sampled 10 sub regions of Uganda. These included Acholi, Ankole, Buganda, Bugisu, Busoga, Rwenzori, Teso, Bukedi, Kigezi and West Nile.

Focus

The focus of the assessment was on five dimensions of civic space namely:

- 1) Freedom of information and expression;
- 2) Rights of assembly and association,
- 3) Citizen participation,
- 4) Non-discrimination or inclusion;
- 5) Human rights or rule of law.

This was premised on the transparency & accountability initiative document "Improving the measurement of civic space". The study recognized some of the common strategies used by the states to restrict civic space to include stigmatizing CSOs, tightening legal restrictions, employing repressive strategies, creating loyal voices, resorting to violent repression and restricting the free flow of information among others.

Methodology

The study employed both qualitative and quantitative methodological approaches and study design.

Data was sourced from secondary and primary sources. Data from primary sources was derived through 65 Key Informant Interviews and 45 Focus Group Discussions (FGDs) each consisting of between 6-8 participants. A questionnaire employed to collect quantitative data while an interview guide was used to facilitate the conduct of key informant interviews. Information was gathered from 38 CSOs and actors.

Findings

a) Majority of the respondents believing that human rights, rule of law, freedom of assembly and association are the two most restricted civic space dimensions rating them at over 75 per cent. This was associated with enactment of draconian laws that were selectively enforced to suppress citizens' dissenting voices and to silence political opposition.

b) Freedom of information and expression was the third most restricted freedom at 57.1 per cent in terms of being restricted.

c) Slightly more than half of respondents (53.6 per cent) believe that the civic space dimension of Non-discrimination/inclusion is partially protected by ratification of international covenants and enactment of laws that protect it.

d) The dimension of citizen participation was rated as partially protected at 50 per cent. Only 35.7 per cent rated it as a restricted space while 14.3 per cent perceived it as a promoted space. None of the respondents rated this dimension as non-existing in Uganda.

e) On non-discrimination and inclusion, 53.6 per cent of the respondents rated Uganda to be under the parameter of partially protected space, then 39.3 per cent scored it at restricted space and 7.1 per cent think this is a protected space.

f) Overall, the citizens still think the situation is not yet out of control because there are still a few citizens who can openly criticize government on radio and not be summoned by security operatives. 57.1 per cent of the respondents argued that whereas there are laws that protect the freedom and right of access information, they are not respected in practice.

g) The media is by and large, not independent because many of the radios, television and newspapers are owned and controlled by either the government, ministers, or cronies of the NRM regime. The few independent media available are operating under a hostile environment.

h) Journalists covering opposition campaign events, are targeted with battering, harassment, arrests and confiscation of devices by security authorities while in their line of duty.

i) Majority of the respondents (71.4 per cent) believe that freedom of assembly and association were restricted in Uganda. Only 3.6 per cent of the respondents held the view that freedom of association, assembly and association is protected.

j) Majority of respondents (71.6 per cent) rated freedom of assembly and association as a restricted space in Uganda. This they based on the numerous restrictive laws

k) Majority of the civil society organisations working on democracy, human rights, accountability, constitutionalism and the rule of law (79 per cent) said their organizations are perceived as foreign agents because they largely get their funding from foreign donors and private foundations. Only 21 per cent of the CSOs feel that government perceives them as allies contributing to the national development of Uganda.

l) On citizen participation there are the feeling is even as half the respondents (50 percent) feel it is protected while the other half feels that participation is either not protected or restricted.

m) Only 29 per cent of the respondents including key informants rated Uganda's general elections as being free and fair with majority feeling that they are not.

Recommendations

- 1)** Security agencies namely the Police, Internal Security Organisation (ISO) and military, should stop arbitrary arrests, detentions and persecutions of human rights defenders, pro-democracy, constitutionalism, and political activists. The use of “drones” to arrest citizens with dissenting views, the inhumane treatment (flogging and battering) of Journalists covering public demonstrations and opposition presidential candidates on campaign trails including the wanton shooting against demonstrators, should cease.
- 2)** All claims of torture and other inhumane acts committed against journalists, activists and opposition politicians should be investigated with a view to bring to justice the perpetrators. These must not only be held accountable but must be seen by citizens to be brought to book.
- 3)** The Computer Misuse (amendment) Act 2022 should not be used to restrict the freedom of expression of citizens on social media and other online platforms.
Government should exhibit a degree of tolerance to dissenting voices from citizens that have found refuge on online spaces. The ban on Facebook which used to be the most popular social media platform in Uganda, should be lifted to allow citizens enjoy their freedom of expression. The shutdown of internet during elections should not be repeated as it casts a shadow on Uganda’s democracy credentials.
- 4)** Conduct additional training for members of Uganda Police Force (UPF) and other security operatives on the prevention of torture and handling/management of crowds, journalists on duty, with a view of avoiding excessive use of force against civilians during protests. There is also need to address the multiplicity of policing units and the overlapping chain of command between different policing units and between the military and UPDF.
- 5)** Review and amend the restrictive provisions on all legal instruments that curtail civic space, and replace them with more enabling provisions. Some of the laws that require amendment include; NGO Act 2016, the Computer Misuse (as amended) Act, 2011, the Public Order Management Act, 2013 among others. These should conform to the International Conventions on Civic and Political Rights.
- 6)** Rollout rigorous public awareness campaign on the freedom of access to information and expression particularly targeting the grass root citizens on their right as protected by law. This is a role that civil society is best positioned to play.
- 7)** Reconstruct citizenship. Civil society organisations working on democracy, rights and governance must come together and build resilience among themselves.
- 8)** Development partners should make available flexible funding and other forms of support to civil society organisations that work on democracy, rights and governance to address the gap left by the exit of the Democratic Governance Facility.

This needs assessment is driven by the desire of Alliance for Finance Monitoring (ACFIM) to obtain coherent understanding of the forces at play that constrain or protect civic space within which citizens and citizen organisations can enjoy their fundamental freedoms and rights, perform their civil obligations and fulfill their constitutional duties.

ACFIM takes cognizance of the fact that Civic space is the bedrock of any democratic society, and it can only thrive in an open, secure and safe environment that is free from all acts of intimidation, harassment and reprisals, whether online or offline. When civic space is open, citizens and civil society organisations are able to organize and play a role in policymaking and contribute to decision-making, political and peace building processes. In doing so, they are able to claim their rights and influence the political and social structures around them. This can only happen when a state holds by its duty to protect its citizens and respects and facilitates their fundamental rights to associate, assemble peacefully and freely express views and opinions. This study is a major step in a longer-term exercise of measuring and describing the status of civic space in Uganda.

1.1 Objective of the study

The cardinal objective of the study was to understand the current state of civic space restrictions in Uganda and develop informed measures that enable concerned actors and stakeholders to be more effective in supporting and advocating for promotion and safeguarding of civic space in Uganda. Specifically, the study intended to identify gaps and opportunities in civic space, and the capacity of civil society partners to thrive, protect and promote civic space in a repressive environment.

1.2 Geographical Scope of the Study

The needs assessment study was conducted in 15 districts within the purposively sampled in 10 sub regions of Uganda. The table below details the sub-region covered in the geographical scope, and the districts.

Table 1: Geographical scope of the study

Snr	Sub Region	District(s) Sampled
1	Acholi	Gulu
2	Ankole	Bushenyi
3	Buganda	Kampala, Wakiso and Luweero
4	Bugisu	Mbale and Sironko
5	Bukedi	Pallisa
6	Busoga	Jinja and Iganga
7	Rwenzori	Kasese
8	Teso	Soroti
9	Kigezi	Kabale and Kisoro
10	West Nile	Arua

1.3 Background and Context

Uganda adopted a new constitution in 1995 which established a comprehensive framework for entrenching electoral democracy, safeguarding, and promoting respect for human rights and human dignity, building pillars for economic inclusion and shared economic prosperity while erecting safeguards against all forms of inequality and discrimination. The constitution further included a wide range of safeguards including presidential term limits, presidential age limit, and regular, free and fair elections. Appropriate principles were also adopted guaranteeing the independence of civil society and a comprehensive bill of rights was enshrined in chapter four of the very constitution.

However, with a commanding majority in Parliament, the incumbent National Resistance Movement (NRM) regime has tampered with the national constitution almost at will. Notably, in 2005, it was amended to remove presidential term limits and enable Gen. Yoweri Museveni to contest again for the presidency. The remaining safeguard was removed in 2017 when the constitution was once again amended to remove the provision that prohibited anybody above the age of 75 years from contesting for the presidency, thus enabling Gen. Museveni to contest again and consequently creating what some respondents in this study referred to as “life presidency situation”. Therefore, incumbent President Museveni will have been in power for forty years by the time he completes his current term of office in 2026.

At the national level, the emerging political landscape is creating an increasingly risky environment for citizens to participate in any form of political, social and economic organizing. The incumbent regime appears to have become so insecure and frightened of citizens that any form of citizen organizing is considered a threat to its survival. The space for citizens organizing around democracy, human rights, constitutionalism, rule of law and environmental degradation is by and large, restricted.

Draconian laws such as the Computer Misuse (amendment) Act, the Communication commission Act and Public Order Management Act have been used severally to deny citizens the freedoms of assembly and expression. In addition, well intended laws such as the Anti-Money Laundering Act and Anti-Terrorism Act, have been weaponized against pro-democracy civil society organisations by freezing their bank accounts on baseless allegations of terror financing. Consequently, while tightening laws and administrative procedures, the regime

has also reconfigured the security forces whereby there are increasing cases of citizens arrests by plain clothed security operatives.

The electoral system has become increasingly distorted. The 2021 general elections were unprecedented in terms of the scale of monetization, securitization, violence and political intolerance. Previously, successive elections since 2001 have been marred by excessive campaign spending, violence, irregularities, contested results and numerous election petitions. Election related corruption, monetization and securitization, are used to manipulate and control voter consent at the detriment of electoral competition. These stand in the way of citizens, mainly youth and women participating in the electoral processes as candidates.

The country is undergoing a process of systematic democratic reversals openly undermining the space for civic expression and participation. Institutions that support democratic processes such as the legislature, judiciary, and election governing body are increasingly being undermined by overzealous politicians and individuals who take themselves as “untouchable”.

In addition, Uganda's geopolitical position and regional posture presents a unique challenge to civic expression and participation as well as regional peace and security. At the moment, Uganda has formal and informal deployments of its security forces in a variety of countries including Congo Brazzaville, Equatorial Guinea, South Sudan, Somalia and Burundi. Recent indications are that Uganda may also have limited military presence in Sudan. Through these deployments, the Museveni regime is able to extend its influence across the entire region while projecting a pan-African agenda to camouflage its excesses against domestic political dissent and civic activism.

1.4 Conceptual Understanding of Civic Space

In the context of this study, civic space is defined as the set of conditions that determine the extent to which all members of society, both as individuals and as groups (whether organised groups or informal groups), are able to freely, effectively and without discrimination exercise their basic civil rights. Conversely, civic space has further been defined as an environment that enables people and groups – or “civic space actors” – to participate meaningfully in the political, economic, social and cultural life of their societies. States shape the legal and policy space within which people express views, assemble, associate and engage in dialogue with one another and with authorities about issues that affect their lives, from the quality of basic services, to better institutions and respect for fundamental freedoms. Civil society actors – including human rights defenders, women advocates, children, young people, members of minorities and indigenous people, trade unionists and journalists – should be able to express themselves freely in full security and effect change peacefully and effectively (United Nations, 2020).

It is a set of legal conditions experienced as a lived environment that enables people—whether alone or with others, physically or online—to be active in their communities, to speak out, to organize, to gather together in protest or to help one another, and to participate in the governance of their community, area, or country. These conditions stem from international and regional treaties as well as domestic constitutions and laws, which enshrine people's fundamental freedoms: to express themselves, to associate with others, to assemble peacefully, and to access information. They are intrinsic human rights that generations of activists have mobilized collectively to guarantee so we can enjoy (Cocom & Savage, 2021).

Civic space is also conceptualized as the bedrock of any open and democratic society. When civic space is open, citizens and civil society organisations are able to organise, participate and communicate without hindrance. In doing so, they are able to claim their rights and influence the political and social structures around them. This can only happen when a state holds by its duty to protect its citizens and respects and facilitates their fundamental rights to associate, assemble peacefully and freely express views and opinions (CIVICUS, 2021). Furthermore, Civic space has been defined as the physical, virtual, legal, regulatory, and policy space where people can, among other things, securely exercise their rights to the freedoms of peaceful assembly, association, and expression, in keeping with human rights (OECD, 2022).

1.4.1 Dimensions of Civic space

This study is guided by the Transparency & Accountability Initiative document “Improving the measurement of civic space” which highlights five key dimensions of civic space namely;

- 1) Freedom of Information and Expression
- 2) Rights of Assembly and Association
- 3) Citizen Participation
- 4) Non-Discrimination / Inclusion
- 5) Human Rights / Rule of Law.

Each of the five dimensions mentioned above is guided by a set of principles whose presence or the lack of, contributed to measuring the extent of civic space available for citizens to engage with people in power.

Table 2: Dimensions and Principles of Civic Space under Review

	Dimension	Principle
1	Freedom of Information and Expression	<p>Access to information guaranteed by law and respected in practice</p> <p>Freedom of expression is guaranteed by law and respected in practice</p> <p>Media freedom is guaranteed by law and respected in practice</p> <p>Internet freedom is guaranteed by law and respected in practice</p>
2	Freedom of Assembly and Association	<p>Rights of assembly are guaranteed by law and respected in practice</p> <p>Rights of association are guaranteed by law and respected in practice</p> <p>CSOs are able to function independently and free of government interference</p> <p>There is an enabling fiscal environment for CSOs</p>
3	Citizen Participation	<p>Elections are free and fair</p> <p>The government facilitates the participation of citizens and CSOs in processes of public deliberations and decision making</p> <p>The government recognizes and respects the legitimate role of citizens and CSOs as independent advocates, watchdogs and development agents</p>
4	Non-Discrimination/Inclusion	<p>Women have equal civil rights and equal access to civic space</p> <p>Minority groups have civil rights and equal access to civic space</p> <p>Marginalised groups have civil rights and equal access to civic space</p>
5	Human Rights/Rule of Law	<p>Basic human rights are guaranteed by law and respected in practice</p> <p>Basic human rights are guaranteed by law and respected in practice</p>

1.4.2 Key International trends related to Civic Space

1.4.2.1 Closing civic space: Global

There is a growing trend of closing civic space- which is a bedrock for an open and democratic society – around the world. CIVICUS ,-which monitors civic space globally, highlights that over 88.5% of the world's population now live in countries rated as 'closed', 'repressed' or 'obstructed'. Closing civic space is marked by restrictive laws, surveillance, intimidation, stigmatization, and attacks. At its most extreme, this includes jailing, torturing, and killing activists. Under these conditions, activists can't gather, organize, take action, or share information and opinions without facing threats or repercussions.

The CIVICUS Monitor ratings further indicates that civil society continues to work in an increasingly hostile environment, where there are 25 countries with closed civic space, 49 with repressed space, and 43 with obstructed space, meaning that 117 of 197 countries are assessed as having serious civic space restrictions. In comparison, 41 countries are rated as having narrowed civic space and just 39 countries have an open rating.

Since 2016, ICNL has tracked 265 legal measures, proposed or enacted in 91 countries, that have had or would have had (if enacted) an impact on civic space. Of these measures, most – 72 per cent – have been restrictive, constraining civil society. The available evidence shows an increase in the number and complexity of the attacks and threats against civil society actors, which are

spreading across a range of development and governance contexts, including several generally considered to be “developed” or “consolidated” democracies. In many contexts, these trends are closely intertwined with democratic backsliding .

In 2016, ICNL estimated that 58 per cent of the restrictions were related to the ability of CSOs to operate, while 22 per cent were related to freedom of assembly and 20 per cent to access to international funding. Increasingly, reprisal against civil society actors is manifesting itself through different forms of harassment and intimidation, which may include killings, arbitrary arrests and sexual violence.

As civic space shrinks, so, too, do human rights. Repressive laws are spreading, with increased restrictions on the freedoms of expression, religion, participation, assembly and association. Journalists, human rights defenders and environmental activists – especially women – are increasingly threatened at a time when they are critically needed to ensure accountability. New technologies have helped civil society networks grow, but they have also given authorities unprecedented ability to control movements and curtail freedoms .

1.4.2.2 Actors, groups and sectors targeted

The degree to which individuals and organised groups have adequate 'civic space' - i.e., the freedom and means to speak, access information, associate, organise, and participate in public decision-making - is essential to the healthy functioning and development of any society (Transparency Accountability Initiative; , 2015).

Research has shown that restrictive frameworks and closing civic space do not have the same impact on all civil society actors. The impact can vary significantly based on factors including the size, networks, operating modalities, location and focus of the actors involved. Individuals engaging in public gatherings, protests and social movements that seek political, social or economic reform and strive to draw attention to patterns of discrimination – including youth and student-led social unrest – have been more prominently at the forefront of dissent in the past decade and therefore also a primary target of restrictive and punitive measures as well as intimidation and harassment.

Actors, groups and sectors that have been found to be “most at risk” with respect to the impact of closing civic space include;

- Human rights defenders and organizations critical of the state that pursue advocacy, litigation and mobilization efforts to hold governments and private actors accountable with respect to their human rights obligations.
- Investigative journalists, media professionals and online activists who monitor public policies and large-scale development projects, as well as anti-corruption, transparency and accountability activists.
- Business and human rights activists, labour activists and labour unions, consumer protection activists, land and environmental activists, indigenous groups and others that challenge economic interests.
- Individuals and organizations working on socially contested issues, such as sexual and reproductive rights; or defending marginalized, discriminated and vulnerable groups, including youth, children, women, persons with disabilities, LGBTIQ, refugees, minorities, asylum seekers and migrant workers.

In any case, it is important to note that while groups most at risk may bear the brunt of legal restrictions, civic space limitations affect civil society at large, from development organizations to community-based organizations to foundations engaged in global philanthropy. Even where restrictions specifically target a narrow segment of rights and advocacy organizations, there is commonly a broader impact on other sub-sectors within civil society, if not the entire sector. For example, burdensome legal requirements, restrictions on foreign funding and affiliations, vilification, distrust and violence have all challenged the ability of organizations focused on development and humanitarian aid to operate effectively (International Center for Not-for-Profit Law, 2018).

Data retrieved from the ICNL Civic Freedom Monitor in June 2021

United Nations (2020). Secretary-General's remarks to the UN Human Rights Council on The Highest Aspiration: A Call to Action for Human Rights. Geneva, Switzerland.

1.4.2.3 Civic space in the Digital Era

Digital technologies have brought about a fundamental shift in civic space. This shift has greatly expanded access to information, as well as opportunities for debate, mobilization and participation. However, several UN Special Rapporteur reports highlight that technology has also been used to “silence, surveil and harass dissidents, political opposition, human rights defenders, activists and protesters, and to manipulate public opinion” over the past decade.

Given the rapid pace of digital transformation, new technologies, such as “the Internet of Things, open data, artificial intelligence and robotics, are deeply reshaping civic space. Undue restrictions imposed through cybercrime legislation, Internet shutdowns, control and manipulation of information flows, mass digital surveillance, smear campaigns and online harassment are only a few examples of the ways in which digital tools have been used to undermine participation.

Coordinated efforts to design, regulate and manage the governance of digital technologies will therefore be instrumental to address the potential adverse impacts of technology-related policies, products and services, particularly during critical democratic moments such as elections and demonstrations .

1.4.2.4 A complex landscape

With regard to state institutions, the authority to design and implement frameworks that impact civic space is diffuse, extending beyond the executive and legislative power at the national level to a range of other institutions including administrative organs, sub-national authorities and judicial and law enforcement authorities, among others. This complicates advocacy and policy dialogue and can create situations in which civic space remains constrained despite efforts to open up at the central level. At the same time, it is important to note that non-state actors can also play a significant role in curtailing civic space. Among others, these actors can include armed groups and militias in conflict and post-conflict areas, as well as politically-coopted non-governmental organizations, civic movements and media outlets that, in some instances, may actively participate in protracted forms of harassment.

1.4.2.5 Drivers of Closing Civic Space

The specific driver(s) of closing space restrictions will, of course, vary from country to country, as government and political leaders act from a variety of motivations. At the same time, one can identify several drivers that have fueled the global crackdown against civil society, including the following:

- a)** The dramatic growth and demonstrated power of civil society and civil society organizations during the 1990s;
- b)** The increasing priority given to counter-terrorism and national security by governments around the world;
- c)** A shift in global power relations, which has reduced the influence of western governments and traditional multilateral institutions and resulted in challenges to the liberal democratic model;
- d)** The increasing collusion between political and economic elites to protect their interests against oversight or criticism; and

- e)** The rise in ideological and religious extremism, resulting in increasingly hostile environments for defenders of vulnerable groups, including those representing women, LGBTIQ, minorities and others.

- f)** Apparent descent towards electoral authoritarianism.

In recent years, a number of countries have seen a rise in intolerant political populism. These populist movements seem to portend a further narrowing of civic space, including in established democracies. This may embolden authoritarian governments to further constrain civil society. Indeed, the civic space challenge is embedded into a much larger struggle relating to democratic recession and the emboldening of autocrats. Since we are likely on the cusp of a new wave of restrictions on civil society, the engagement of donor governments, as principled, credible voices on civic space issues, is more important than ever.

UN Human Rights Council (2014).

Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association on challenges faced by groups most at risk when exercising or seeking to exercise the rights to freedom of peaceful assembly and/or of association (A/HRC/26/29). Geneva, Switzerland.

1.4.2.6 Strategies used by States to restrict Civic Space

In a policy brief, (Kreienkamp, 2017) notes that many states have developed a sophisticated playbook to repress civil society, often combining legislative restrictions with targeted delegitimization campaigns. CSOs with weak governance and accountability structures and those reliant on foreign funding are especially vulnerable to governments' efforts to stigmatize them as 'elitist', 'undemocratic', or 'anti-national'. Some of the common strategies used by the states to restrict civic space include:

a) Stigmatizing CSOs:

State-sponsored smear campaigns targeting certain types of CSOs (especially those that are foreign-funded) are often employed to justify legal restrictions and/or violent repression. Delegitimizing narratives may portray CSOs as anti-national, elitist, undemocratic and corrupt, or even as terrorist organisations. In addition to stigmatizing externally supported CSOs, many governments are regulating or cutting their funding, for instance, by making it dependent on government approval, implementing a cap, prohibiting funding by certain donors or for certain kind of activities, making it mandatory to channel donor funding through government banks, or banning foreign funding altogether.

b) Tightening legal restrictions:

States around the world have enacted laws that restrict CSO activities and funding. In some states, CSOs have to register as 'foreign agents' or seek advance permission to receive foreign funding. In others, CSOs are not allowed to receive foreign funding at all – or only with serious limitations. Restrictions on CSOs are frequently combined with broader legislative measures that limit civic freedom, e.g., anti-protest laws. These laws often use deliberately vague language, increasing states' discretionary authority.

c) Employing non-legal repressive strategies:

While legal restrictions directed at CSOs have received much attention, states are also seeking less visible ways of demobilizing civil society actors. For example, CSOs and individual activists might be subjected to repeated audits and investigations, intimidation, harassment, and surveillance, or face travel obstructions and difficulties obtaining visas.

d) Creating loyal voices:

Some states have set up so-called GONGOS (government-organised non-governmental organisations) that are specifically designed to imitate authentic, grassroots CSOs. While GONGOS have different forms and functions they generally serve to legitimize government policies and crowd out critical voices.

e) Resorting to violent repression:

In many countries with heavily restricted civic space, civil society actors are at constant risk of deportation, detention, imprisonment, torture, or even execution. Even in countries that are considered relatively open, human rights activists and journalists often find themselves at danger of physical attacks

f) Restricting the free flow of information:

According to Reporters Without Borders, media freedom around the world 'has never been so threatened.' Even in supposedly stable democracies, media freedom is increasingly inhibited, largely as a result of the spread of 'fake news' and the populist anti-media backlash. The Internet and the new media can help support civic engagement and mobilization; however, they also provide new opportunities for governments to control public opinion and monitor civil society action.

UNDP, (2021). Legal Frameworks for Civic Space: A Practical Toolkit, One United Nations Plaza, New York, NY10017, USA

Thomas Carothers and Saskia Brechenmacher, [Closing Space: Democracy and Human Rights Support Under Fire](#), Carnegie Endowment for International Peace, February 20, 2014;

Sarah Mendelson, [Why Governments Target Civil Society and What Can Be Done in Response](#), Center for Strategic and International Studies, April 2015

The overall methodological approach for the study was qualitative and quantitative in design. Data was sourced from secondary and primary sources. Data from primary sources was derived through the 65 key Informant Interviews (physical and virtual), and 45 Focus Group Discussions (FGDs) of which each consisted of between 6-8 participants. A questionnaire was developed and used to collect quantitative data while the interview guide was used to facilitate the conduct of key informant interviews with respondents. FGDs were conducted using an FGD guide. Digital tools such as voice recorders, Google forms, and phones as well as virtual platforms such as zoom were used in instances where face to face interactions were not possible.

The data obtained from primary and secondary sources was collated in accordance with the five dimensions of civic space. The field notes obtained from the key-informant interviews, were thoroughly scrutinized to ensure that the study team obtained good familiarity with them. Quantitative data was coded, cleaned and analyzed using the Statistical Package for Social Scientists (SSPS).

In order to enhance the quality, validity and reliability of the findings, triangulation was applied to the secondary data obtained from documentation review as well as on primary data obtained from key informant interviews and FGDs. The data was analyzed and synthesized to rate the status of civic space in Uganda as either of the following:

- a) Protected Space;
- b) Partially Protected Space;
- c) Restricted Space;
- d) Non-Existing Space.

The rationale for each level is as follows:

Protected Space:

- All principles for the specific dimensions are met.
- The country respects all relevant international treaties it has ratified by amending its domestic legislations so as not to contradict with the provisions of the international treaties.
- The country's protection mechanisms are effective.

Restricted Space:

- Presence of legislations that restrict the space provided in the ratified international treaties or in the mother law (e.g. constitution) and other legislations.
- Some of the international treaties are not ratified.
- Ineffective protection mechanisms.

Partially Protected Space:

- Ratification and enacting legislations that protect the relevant dimension.
- There are protection mechanisms in place.
- There are legal loopholes that can restrict civic space if not properly checked.

Non-Existing Space:

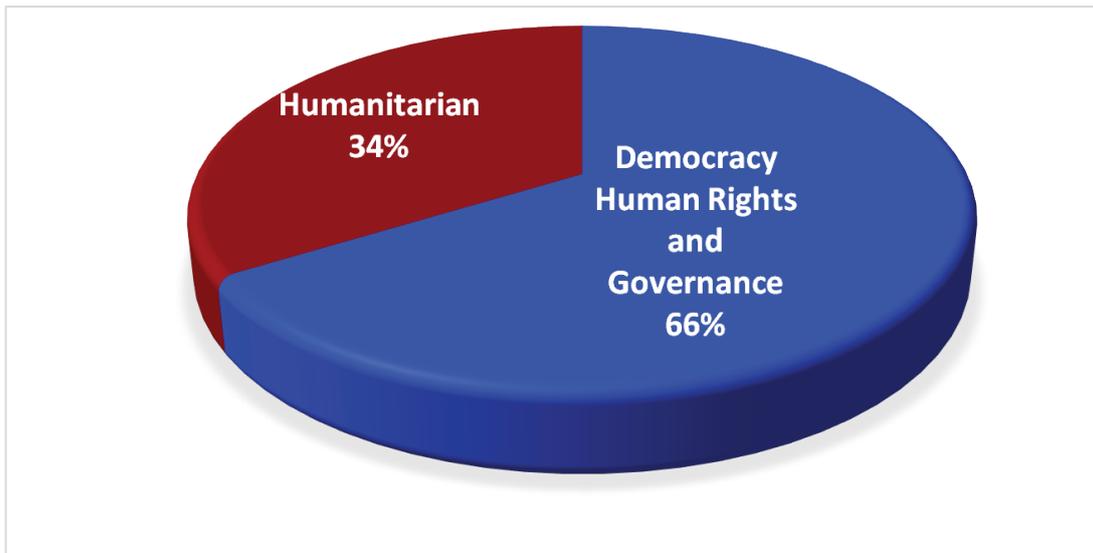
- Civic space is completely denied; there is no provision for its protection

Reporters Without Borders (2017b). 2017 World Press Freedom Index – tipping point [online]. Available at <https://rsf.org/en/2017-world-press-freedom-index-tipping-point>

2.1 Thematic areas of the Organizations that participated in the study

The data that informed the needs assessment was mainly generated from 38 CSO organisations spread across the 10 sub regions in Uganda.

Figure 1: Categorization of CSOs that participated in the Study



3.1 Overall assessment of Uganda's Civic space

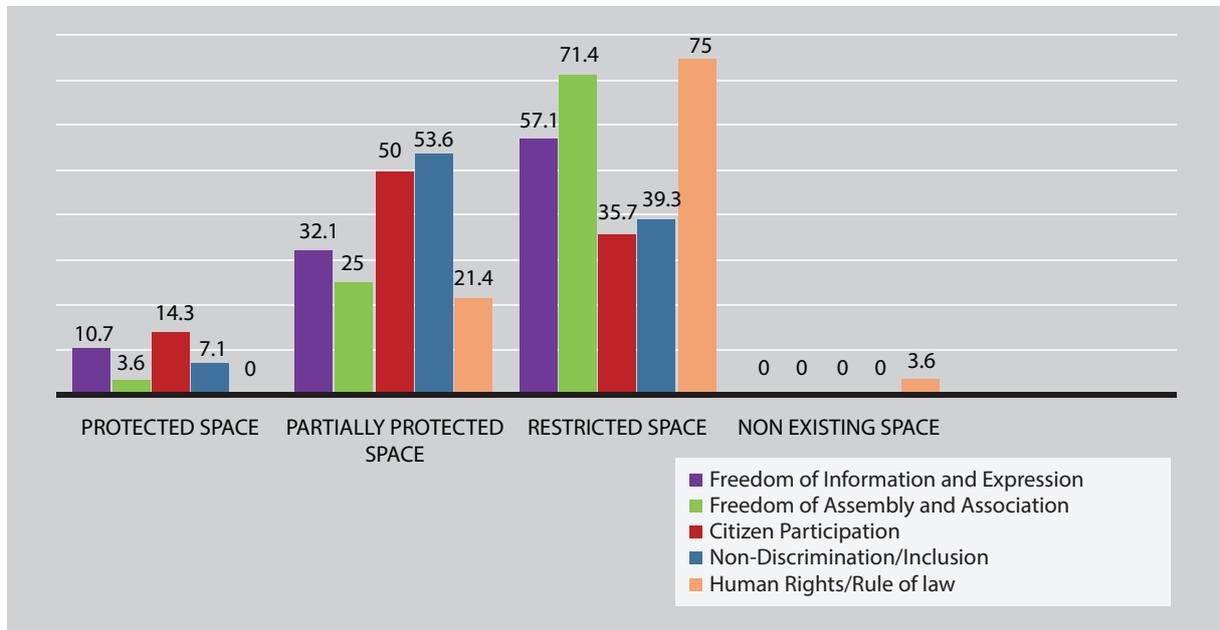
Majority of the respondents believe that human rights and rule of law as well as freedom of assembly and association are the two most restricted civic space dimensions rating them at 75 per cent and 71.4 per cent respectively. The means used to restrict these civic space dimensions is enactment of draconian laws that are selectively enforced to suppress citizens' dissenting voices and to silence political opposition. Specifically, the dimension on freedom of assembly and association has been restricted through the enactment of laws that respondents called draconian. These include among others; the Public Order Management Act (2013) the NGO Act (2016), the Penal Code Act (1950), the Anti-Terrorism Act (2002), the Police Act, cap 303 and the Press and Media Act (2000).

It was the perception of the respondents that whereas the basic human rights are guaranteed by law, they are not respected in practices. An example was cited of supporters of the opposition National Unity Platform party (NUP) and their two legislators Hon. Allan Ssewanyana and Hon. Muhammad Ssegirinya who despite the law stating that every citizen has a right to bail, have been held in jail for over a year without their bail applications being heard. There is a sense in which the regime and its operatives have placed the law upon their whims. The selective application and biased interpretation of the laws is one of the reasons cited by respondents who believe that it is restricted.

The third most restricted dimension of civic space is freedom of information and expression at 57.1 per cent in terms of being restricted. Again, the respondents cited a number of laws that have been used by the regime operatives to restrict this dimension. These include the Official Secrecy Act (1964), the Electronic Media Act (2011), the Press and Journalist Act (2000), the Electronic transactions Act, the National Information Technology Authority, Uganda Act (2009), the Computer misuse Act (2011) recently amended, the Interception of Communications Act (2011), the Uganda Communications Act (2013) and the Anti-pornography Act (2014).

Slightly more than half of respondents (53.6 per cent) believed that the civic space dimension of Non-discrimination/inclusion is partially protected by ratification of international covenants and enactment of laws that protect it. These were said to include among others the National Constitution (1995), Persons with Disabilities Act (2006) the Employment Act (2006), the Equal Opportunities Act (2007) the Education Act (2008), and the Parliamentary Elections Act (2005). The figure below presents a summary of the overall assessment.

Figure 2: Overall assessment of Uganda's Civic Space



Respondents rated the dimension of citizen participation as partially protected at 50 per cent, 35.7 per cent rated it as a restricted space, while 14.3 per cent perceived it as a promoted space. None of the respondents rated this dimension under non-existing in Uganda.

On the dimension of non-discrimination and inclusion, 53.6 per cent of the respondents rated Uganda to be under the parameter of partially protected space, then 39.3 per cent scored it at restricted space and 7.1 per cent think this is a protected space.

However, despite the restriction, respondents believed that Uganda is not in a situation where all the civic space dimensions are completely denied. The restrictions notwithstanding, there is still some small space for maneuver in terms of civic space.

3.2 Justification for the Rating of Uganda's Civic Space pointing gaps

3.2.1 Freedom of Information and Expression

Uganda has domesticated international covenants on the right to information including the Universal Declaration of Human Rights Article 19 which recognizes the right of access to information, and the International Covenant on Civil and Political Rights (ICCPR), Article 19 which also recognizes access to information as an element of freedom of expression.

In addition, Article 41(1) of the constitution of the Republic of Uganda guarantees every citizen a right to access information in possession of the state or any other organ or agency of the state except where the release of information is likely to prejudice the security of the state or interfere with the privacy of any other person. This right has been operationalised by enactment of the Access to Information Act (2005) and attendant regulations (2011). However, whereas the right of access to information is anchored in law, it is not respected in practice. The government institutions largely operate under a shroud of darkness, with only a handful of requests for information responded to. Yet, the access to information law reflects the fundamental premise that government is supposed to serve the people.

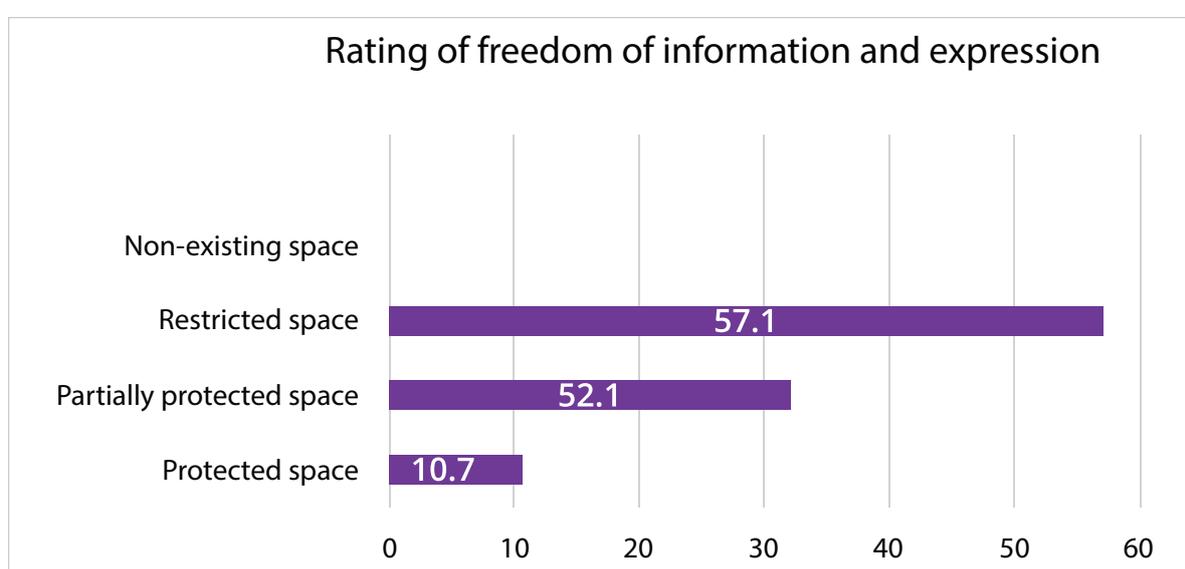
Analytical Reports on media freedom released by Human Rights Network for Journalists – Uganda (HRNJ-U) (2011-2020) depict a worrisome trend of continued harassment and intimidation of journalists. Whilst Uganda seems to have good safeguards and domesticated a number of laws to guarantee the freedom of expression and information, during the past decade, there are practices that have consistently shrunk this space.

1.4.2.3 Civic space in the Digital Era

Journalists covering citizen demonstration and campaigns of front opposition presidential candidates have often been on the receiving side of battering and other forms of inhumane acts inflicted by security operatives that enjoy impunity. During the campaigns for the 2021 general elections, journalists like Ashraf Kasiryre, Irene Abalo and others, were brutally battered and are still nursing the derangement of their limbs as a consequence of being battered by the police and military while trying to gather news on a campaign trail and provide information to the electors. It is likely that journalists will shun covering campaigns of opposition presidential candidates in Uganda general elections 2026 for fear of facing the same fate as Kasiryre, Abalo and others. Whereas Article 19 of ICCPR has described information as “the oxygen of democracy” and emphasized its essential role to democracy at a number of electoral levels, Ugandans may not have the opportunity to be informed about the opposition campaign trail because of journalists’ fear of being battered and shattered by security operatives.

In addition, is the high-handed crackdown of civil society activists working on democracy, human rights, constitutionalism and the rule of law, who have come out to express themselves against the wrong doings committed by government. This explains why almost 6 out of 10 believe the civic space dimension of the freedom of expression and information is restricted as illustrated below.

Figure 3: Rating of freedom of information and expression



3.2.1.1 Why Freedom of Information and Expression is perceived as promoted and partially promoted space?

Majority of the (10.7 per cent) of the respondents who rated this dimension as protected space argued that government has put in place laws that guarantee freedom of information and expression because its cognizant of the fact that information is what citizens need to enable them actively participate in government programs. They noted that citizens particularly CSO actors do have access media like radios, televisions and social media where they express their views.

3.2.1.2 Why Freedom of Information and Expression is perceived as a partially promoted space?

Meanwhile the 32.1 per cent of the respondents who scored this dimension under the parameter of partially protected space shared almost the same views with those who scored the protected space. The difference was in the practice of this parameter. They argued that whereas government has put in place the Access to Information Act (2005) to among other things:

- a) Promote an efficient, effective, transparent and accountable government
- b) Give effect to Article 41 of the constitution by providing the right to access to information held by organs of the state, other than exempt records and information

- c) Protect persons disclosing evidence of contravention of the law, mal-administration or corruption in government bodies.
- d) Promote transparency and accountability in all organs of the state by providing the public with timely, accessible and accurate information
- e) Empower the public to effectively scrutinize and participate in government decisions that affect them.

This right is not fully being enjoyed because the duty bearers do not often avail citizens with information as required by the law.

3.2.1.3 Why Freedom of Information and Expression is perceived as Restricted?

Whilst Uganda has domesticated a number of laws to guarantee freedom of information and expression, 57.1 per cent of the respondents interviewed argued that these laws are not being respected. Though Uganda has enacted a right to information law, the Access to Information Act (2005) and the Access to Information Regulations (2011). The law on access to information remains largely a paper tiger yet it plays a supportive role in promoting freedom of expression. The bureaucracy in accessing this information, blatant arrogance of some duty bearers, and the lengthy nature of the procedures for legal recourse when access has been denied, are some of the limitations to the access to information. According to section 3 (d) of the Access to Information Act, every citizen is supposed to access information easily and in a timely manner. The Act provides for a maximum of 21 days within which a citizen's information request is responded to. On many occasions, the response to information request is delayed leading to the loss of usability of information for purposes of freedom of expression. The remedy for denied information is the court which also has challenges with backlog.

Whereas the Constitution provides for freedom speech and expression, respondents noted that there are several obstructive laws, rules, policies such as Computer Misuse Act (2011), Public Order Management Act (2010), NGO Act, (2016) and the Press and Journalist Act (1997) that makes it difficult for CSO actors to enjoy this right.

3.2.1.4 Media Freedom not respected in Practice

The study established that the media which is renowned to play an important role in promoting democracy and good governance through providing citizens with information about political dynamics and decisions, is by and large owned and controlled by the regime, its ministers or its cronies. The few independent media outlets available are operating under a hostile environment. Journalists who are the foot-soldiers of most media houses in Uganda have been targeted with battering, harassment, arrests, and confiscation of devices by security authorities while in their line of duty. Reviewed reports from HRNJ-Uganda indicate that from 2017, 162 cases of arrests, detentions, and trumped-up charges against journalists were recorded. The report reveals that the Uganda Police Force is the leading perpetrator of attacks against journalists. Between 2017 and 2020, HRNJ-U recorded 375 cases committed by the police.

During the 2021 general elections campaigns, the media which majority is privately owned by government officials and members of the ruling party-imposed reporting restrictions where editors instructed what stories to publish. Censorship and clampdown on media houses by the Uganda Communications Commission for covering incidents of police brutality against journalists for doing their work and lack of accountability has increased.

In Busoga sub-region particularly in Jinja district the study established that on election day January 14, 2021 Busoga One FM was shut down by police after the station broadcasted preliminary election results, which authorities claimed incited violence and interfered with the electoral process.

3.2.1.5 Why Internet freedom is not Respected in Practice

In the past decade, there have been many incidents that attest to the fact that internet freedoms are threatened with internet shutdown and social media critics of government being targeted. Uganda has passed several laws that have an effect on the Internet freedom. Some of these laws impinge on Internet freedom and are pure cyber laws that are exclusively aimed at the digital environment, whereas other laws are not exclusively directed on the digital environment but nevertheless contain provisions that have effect on the scope of online freedoms.

In the run up to the 2021 general elections, government on 11 January 2021 banned Facebook in Uganda. The reason given by President Museveni for banning Facebook was that government presumed it was not being used equitably. This ban came after Facebook suspended accounts associated with the Ministry of Information's Government Citizens Interaction Centre. Facebook declared that the center had violated the platform's use policy by engaging in "inauthentic behavior" and seeking to manipulate public opinion in favor of the ruling NRM party ahead of the January 14 elections.

After the ban on Facebook, the Uganda Communications Commission on January 12, 2021 wrote to internet service providers and instructed them to immediately suspend any access and use of any social media platforms, including messaging applications. A day later, the evening before the general elections, the commission again directed internet service providers to shut down all internet access, which lasted until January 18, 2021. Government communicated that the decision to shut down the internet shutdown was intended to prevent incitement of violence during the elections. Access to social media platforms were only restored on February 10, 2022, except Facebook, whose ban still continues.

To further curtail the freedom of expression, the 11th Parliament of Uganda in September 2022 passed the Computer Misuse (Amendment) Bill 2022 to introduce within it regressive provisions, which among include the prohibition of the "misuse of social media", described in clause 6 as publishing, distributing or sharing information prohibited under Uganda's laws. A highly punitive penalty has been prescribed for the offence: imprisonment of up to five years, a fine of up to UGX 10 million (USD 2,619), or both.

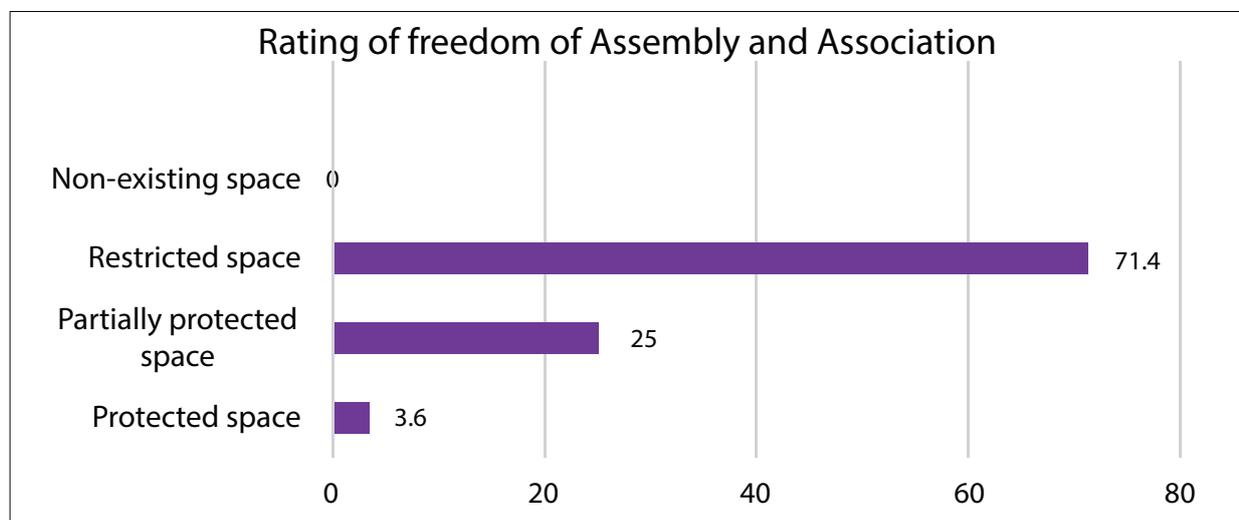
3.2.2 Freedom of Assembly and Association

Freedom of assembly and association are essential elements of civic space as they affirm the rights of citizens and citizen organizing through civil society organisations (CSOs) to come together in the public sphere to advance their common interests, including their legitimate right to exercise dissent through peaceful protest, demonstrations and public meetings; and right of individuals to form, join and participate in associations, groups, movements and civil society organizations respectively .

In Uganda, the Constitution under Article 29 guarantees the protection of freedom of conscience, expression, movement, religion, assembly and association. Specifically, Article 29 (1)(d) of the provides that: "Every person shall have the right to freedom to assemble and to demonstrate together with others peacefully and unarmed and to petition." While Article 29 (1)(e) provides that: "Every person shall have the right to freedom of association which shall include the freedom to form and join associations or unions, including trade unions and political and other civic organisations." However, draconian laws have been enacted to restrict this dimension of civic space with 71.4 per cent of the respondents believing this is so. These include among others;

- a) Public Order Management Act (2013)
- b) NGO Act (2016)
- c) Penal Code Act (1950)
- d) Anti-Terrorism Act (2002)
- e) Police Act, cap 303
- f) Press and Media Act (2000)

Figure 4: illustration showing rating of freedom assembly and association



Whereas this right is not absolute, there are strict grounds under which it may be restricted under the law as detailed by Article 22 (2) of the ICCPR which provides that: “No restrictions may be placed on the exercise of this right other than those which are prescribed by law and which are necessary in a democratic society, in the interests of national security or public safety, public order (order public), the protection of public health or morals or the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on members of the armed forces and of the police in their exercise of this right.” The State has obligation to respect and ensure exercise of the right to peaceful assembly and association without discrimination. For the right to peaceful assembly to have meaning, other overlapping rights such as freedom of expression and political participation must be adhered to.

Under this study, participants were asked to rate Uganda on whether the domestic laws guarantee freedom of assembly and association and whether the laws are respected in practice. The illustration shows how participants rated.

3.2.2.1 Why freedom of assembly and association is perceived as a promoted or partially promoted space?

The 3.6 per cent of the respondents who held the view that freedom of association and assembly and association is a protected space argued that Uganda has ratified laws that guarantee this right which is why citizens when organized can be able to peacefully assemble and demonstrate against and/or petition government for its actions and inactions. They noted that citizens who are denied this right are always not peaceful and orderly yet the laws are clear. Furthermore, they held the view that the laws allow citizens to form and join associations or unions, including trade unions and political and other civic organizations. All these associations or groups formed are allowed to operate within the laws and some especially CSOs are allowed to receive funding for their activities from both national and foreign sources. Some individuals or organisations that felt their enjoyment of this right was violated by government have sought court redress and some won the cases and were compensated.

The 25 per cent of the respondents who rated this dimension as partially promoted based their opinion on the availability of laws and protection mechanisms on freedom of assembly and association. They noted that the reason the dimension is not fully promoted is because of some loopholes created by the enforcers of the law like security officers who some do not understand the laws very well and tend to misinterpret it.

3.2.2.2 Why freedom of assembly and association is perceived as a restricted space?

Majority of respondents (71.6 per cent) rated this dimension as a restricted space in Uganda. They argued that whereas government has put in place laws that guarantee freedom of assembly and association, it has also enacted legal barriers that undermine the enjoyment of this freedom by citizens. Among the legal barriers pointed out was the Public Order Management Act (POMA) enacted in 2013. Section 8 of the POMA has been used by the Police to block and disrupt any assembly or citizen organizing not given clearance by police to take place. This section of POMA was challenged in court by Human Rights activists and on March 26, 2020 the court ruled that;

“The police have absolutely no authority to stop the holding of public gatherings on grounds of alleged possible breach of peace if such gatherings are allowed to proceed. The police’s duty is to regulate the holding of public gatherings and to ensure there is no breach of peace... The attention of the police must be directed at the individuals causing the breach of peace.” – Hon. Justice Barishaki, JAJCC;

Despite the constitutional court ruling that the section 8 of POMA was unconstitutional, government has since appealed against the ruling and continues to enforce this particular section of the Act while controlling public demonstrations. The POMA has had a significant role in the shrinking of the civic space and suppressing the efforts of NGOs discussion on advocacy, human rights, and governance.

The other legal barriers respondents noted that continue to restrict this freedom and shrinking civic space are the NGO Act, 2016, the Anti-Money Laundering Act, 2013 (as amended in 2017) and Anti-Terrorism Act (as amended 2017) which have been used by the State to control associations and funding resources. For instance, section 44 of the new NGO Act, 2016 prohibits NGOs from carrying out activities in any part of the country unless they have approval from the District Non-Governmental Monitoring Committee (DNMC) and the Local Government, and have signed a Memorandum of Understanding (MoU) to that effect. NGOs may not extend their operations to new areas unless they have received a recommendation from the National Bureau for NGOs through the DNMC of that area. The same Act provides under section 40 for offences and penalties for engaging in any activity that is prohibited by the Act. Any person who contravenes the section commits an offence and is liable to a fine not exceeding Ugx. 1,440,000 or to imprisonment for a term not exceeding three years or both.

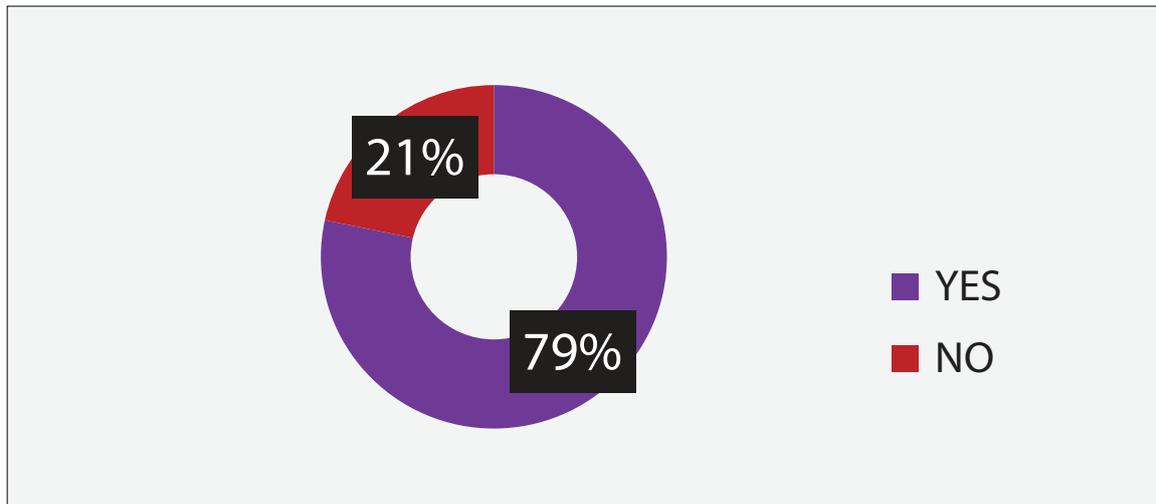
Another issue that most respondents also expressed concern with, was the rigorous and numerous reporting obligations which requires CSOs to report to the Uganda Registration Services Bureau, NGO Bureau, Financial Intelligence Authority, District NGO Monitoring Committee, District Technical Planning Committee, Uganda Revenue Authority, NSSF, among others. This long chain of reporting has made some CSOs fail to meet the reporting obligation, and this has aided government in the suspension of those CSOs. For instance, on August 20, 2020, the National NGO Bureau halted the operations of 54 NGOs on the basis of what it termed as “non-compliance”.

The respondents also revealed that majority of the traditional public grounds/ booma/ freedom squares where citizens could gather to express their views and opinions on their social affairs have been encroached and transformed to either market places or sold off to investors in the pretext of development. A case in point is the Soroti booma ground that was transformed to a market for vendors, and the Uhuru Park and lions park in Mbale city that were sold off to investors. Others have become every day stage points for Uganda Police officers.

which gave the Inspector General of Police wide discretionary powers to arbitrarily stop or prevent public gatherings from happening and to combat protests.

Respondents were also asked on whether government perceived their organisations as foreign agents. Their responses are illustrated below.

Figure 5: illustration on whether government perceived CSOs as foreign agents



Majority of the respondents (79 per cent) said their organizations were perceived as foreign agents because they largely get their funding from foreign donors and private foundations. However, whereas the common argument peddled by the regime and/or its cronies is that the work of CSOs is influenced by foreigners, they know that this is not true but only say it to find an excuse for restricting the space for citizen organizing. It was a paltry 21 per cent of the respondents that felt Government does not construe them as organisations with foreign agendas but perceives them as allies contributing to the national development of Uganda. This is an area on concern because it is the reason why civil society leaders and activists have started exercising self-censorship and restraint much to the happiness of the regime in power that is uncomfortable with checks and balances.

3.2.2.3 Funding environment of CSOs in Uganda

The right of CSOs to access funding is protected in numerous international treaties, under provisions related to freedoms of association. For example, Article 22 of the International Covenant on Civil and Political Rights protects all activities of an association including fundraising activities. States are therefore required under the law to refrain from restricting the means of financing of human rights organisations and other association.

Though that's the internationally accepted practice, the respondents revealed that the ability of civil society organizations particularly under the thematic area of democracy, rights and governance to seek, receive and use resources in Uganda is continuously being constrained. According to respondents, this is being done through government's frustration of donors and freezing of bank accounts on CSOs on allegation of financing terrorism. Reference cases:

a) Uganda NGO Forum and Uganda Women's Network

In November 2020, the Financial Intelligence Authority (FIA) instructed banks to freeze all accounts belonging to two non-governmental organisations, that is Uganda Women's Network and the Uganda National NGO Forum on allegations of financing terrorism activities. This act crippled their planned activities particularly on election monitoring. However, in 2021, the state revoked the decision, and the accounts were unfrozen after the general elections. This decision was challenged in court and the High Court in Kampala on 7th September 2022, ruled that the Financial Intelligence Authority (FIA) has not have powers under the Anti-Terrorism Act, 2015 (as amended) to order the freeze of bank accounts of organisations in the absence of evidence leading to its satisfaction that the organisations are financing terrorism activities.

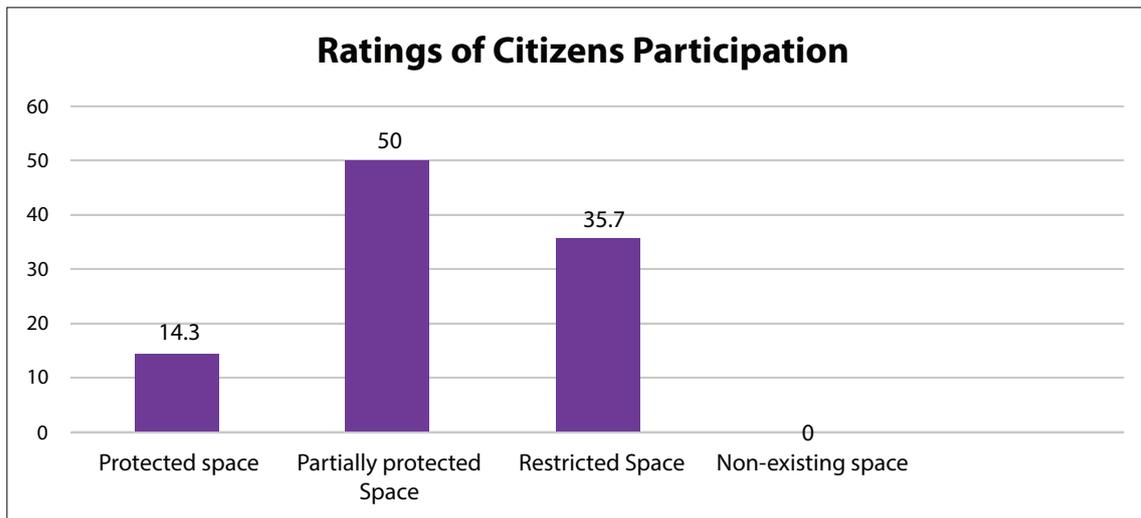
b) Democratic Governance Facility suspension

In January 2021, government suspended the activities of Democratic Governance Facility (DGF), a basket fund supported by numerous EU Member States including Austria, Norway, The Netherlands, Sweden, Denmark, and Ireland to provide financial and technical support to both State and non-state actors in the program areas of strengthening democracy, human rights and rule of law were suspended by government. Government claimed that DGF funds were "used to finance activities and organisations designed to subvert [the] Government under the guise of improving governance." The suspension of Uganda's biggest funding facility for civil society greatly impacted on CSOs as some of them closed since funds were not available for continuous operations.

In terms of legal protection, Article 31(i) of Uganda's 1995 Constitution guarantees the right of every Ugandan citizen to participate in the affairs of Government, individually or through his or her representatives in accordance with the law. Sub section (ii) states that every Ugandan has a right to participate in peaceful activities to influence the policies of government through civic organisations.

The dimension on citizen participation was rated as a partially protected space by half of the respondents (50 per cent), 14 percent rated it protected while 35.7 per cent feel it is also restricted as illustrated below:

Figure 6: illustration show respondents rating of citizens participation



The rating of 50 per cent was mainly under the sub-dimension/principles of government recognizes and respects the legitimate role of citizens and CSOs as independent advocates, watchdogs and development agents; and government facilitates the participation of citizens and CSOs in processes of public deliberations and decision making. In justifying their rating, most respondents opined that government has put in place frameworks that facilitate the participation of citizens and CSOs in decision. For instance, local government authorities in partnership with civil society organisations conduct budget conferences at sub-county, district and regional levels where citizens participate and voice their concerns. On top of this, some of the respondents are invited by government to make input on reforms in line with elections.

The decentralization process has created strong focus on district level planning and many CSOs are involved in planning dialogue at this level. The Local Government Act lays out the main framework for citizen participation in governance at the local level. Government conducts budget conferences at sub-county, district and regional levels where citizens participate and voice their concerns. There is affirmative action that ensures participation of women, youth and people with disabilities in national parliament, district and sub-county councils.

The downside is that whereas participation has been guaranteed by law, the increase in corruption and perpetual decline in quality of social services has given rise to some inertia creeping into people to believe that their participation in electoral spaces, yields nothing.

Some respondents also revealed that government recognizes CSOs as watchdogs and development agents and that is why some of their reforms are adopted to better the governance of the country. The fact that some of the reforms proposed by CSOs have been adopted by government is a clear indicator that government recognizes and respects their role as watchdogs and agents of development. Other respondents also revealed that their organizations have been working closely with government in monitoring of government projects and also carrying out civic awareness programs through community engagements. For example, they cited collaborating with Public Procurement and disposal of Public Assets (PPDA) on tracking procurement processes at the district level.

3.2.3.1 Perception on the level of Freeness and Fairness of Elections

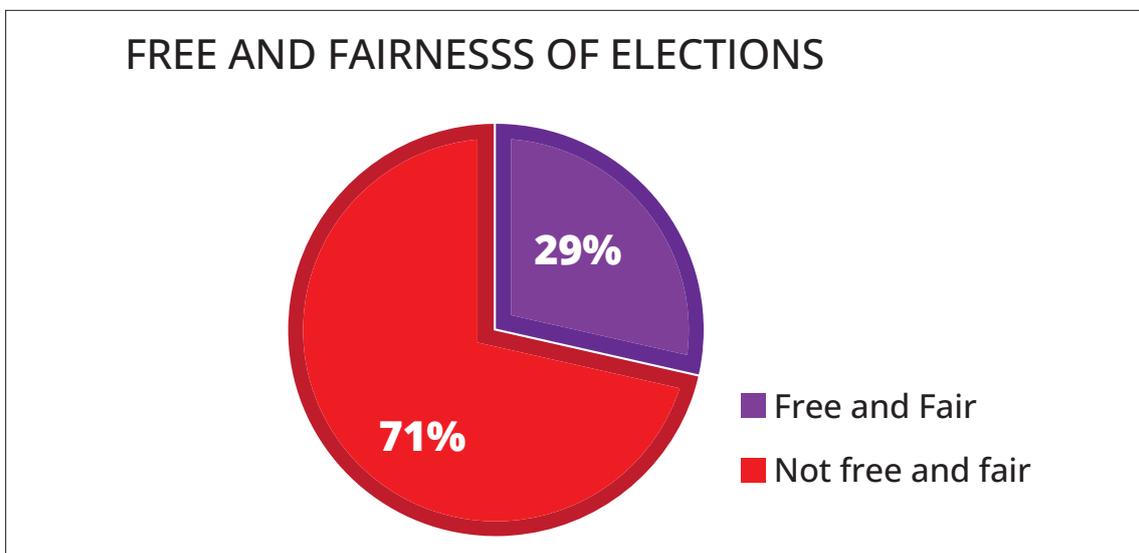
The most basic form of citizen participation is the right to choose one's government and elected representatives. Free and fair elections are necessary to allow citizens to express their political will, hold their leaders to account and protest against abuses of power or limitations of civil rights. The right to free and fair elections is enshrined in various international treaties. The Universal Declaration of Human Rights states that elections must be periodic, genuine, organised according to universal suffrage, and by secret ballot.

In other words, elections must: be held on a set schedule known to the electorate, offer equal opportunities for all competing parties and candidates, allow all citizens to vote (limiting participation only on the basis of legitimate criteria such as age or residence); and protect the anonymity of voters.

Uganda under the 1995 Constitution has held six periodic Presidential and Parliamentary elections, the most recent one being in 2021. The elections in Uganda are guided by laws such as The Presidential Elections Act, 2005 (as amended); The Political Parties Organisations Act, 2005 (as amended); The Electoral Commission Act, Cap 140 (as amended) The Parliamentary Elections Act, 2005 (as amended); The Local Governments Act, Cap 243 (as amended) among others.

Only 29 per cent of the respondents including key informants rated Uganda's general elections as free and fair with majority feeling that they are not as illustrated below.

Figure 7: illustration showing on whether elections are free and fair



The 71 per cent respondents who said that Uganda's general elections do not meet the standards of being free and fair, premised their rating on a number of underlying factors including the following:

- Monetization and commercialization of election campaigns;
- Militarization and securitization of elections;
- Arrest and detention of opposition political candidates,
- Media and internet censorship;
- Brutalization of journalists covering opposition candidates
- Abuse of state resources for elections;
- Political intolerance among political players;
- Disregard of the law on public financing of political parties in respect of elections;
- Delayed and/or denial of accreditation to domestic election observers

The 2021 general elections for instance, was one of the most brutal and violent elections Ugandans have ever witnessed. It is recalled that on November 18-19, 2020, during election campaigns, following the vicious arrest of opposition presidential candidate Hon. Robert Kyagulanyi's, protests broke out in Kampala and other cities, security operatives senselessly fired live ammunition in the process killing over 54 citizens and injuring even more. The Security Minister Gen. Elly Tumwine (now departed), went on record to justify the killings and threatened that a lot more will die if protests of that magnitude ever break out again. Such incidences created fear among citizens and forced some to abscond from participating in voting their leaders.

On election day, January 14, 2021, Police raided a civil society coordination data center at Hotel Africana in Kampala arresting and detaining over 30 leaders of pro-democracy civil society organisations observing their own country's election and volunteers that were coordinating short term observers. The group was released on police bond three days after. Consequently, organisations like Citizens Coalition for Electoral Democracy in Uganda (CCEDU) had their operating permits halted by the Uganda National Bureau for Non-Governmental Organisations for releasing an election observation report when the Electoral Commission had only credited them to carry out civic education.

Uganda has continued to register low voter turnout and respondents attributed this to the electoral integrity deficits which has made citizens to lose trust in the process. According to the Uganda Electoral Commission, out of the 18,103,603 registered voters, only 10,744,319 (59.35 per cent) turned out to vote in 2021 for the Presidential election. This was a drop as compared to 2016, where out of the 15,277,198 registered voters, 10,329,131 (67.61 per cent) turned out to vote. This indicates that citizens are gradually losing trust in their own elections where they are supposed to elect their leaders.

3.2.3.2 Quality of By-Elections Conducted after the 2021 General Elections

The study coincided with by-elections that electoral commission conducted for Members of Parliament in the constituencies of Soroti City East and Busongora County in Teso subregion and Rwenzori subregion respectively. These by-elections were observed by the research team to assess citizens participation in the electoral space. In all these by-elections, electoral integrity deficits were a mainstay. For instance, there were increased cases of arrests of opposition political leaders and polling agents by security officers, excessive use of money, increased misuse of state resources for elections, and destruction of polling materials.

All these by-elections registered less than 55 per cent of voter turnout as illustrated in the table below:

Table 3: Showing registered voters and voter turnout in by-elections observed.

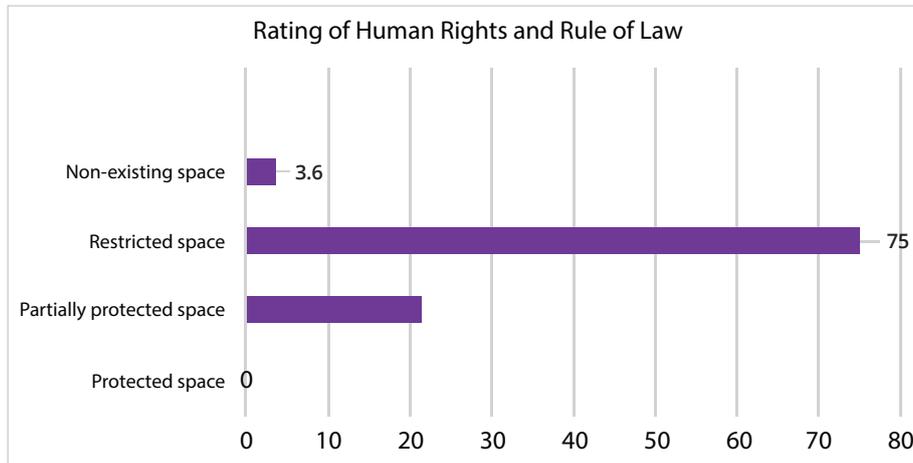
Snr	Constituency	Registered voters	Voter turnout	Percentage
1	Soroti City East	36,442	18,606	51.1
2	Busongora South	50,292	27,126	53.9

Source: Electoral Commission reports and declaration forms

3.2.4 Human Rights and Rule of Law

Human rights and rule of law is the civic space dimension respondents rated Uganda performing worst with 75 per cent of them unequivocally calling out government for this poor record. There were also outliers of whom 3.6 per cent rated this dimension as a non-existing space. The figure below illustrates this:

Figure 8: illustration showing respondents rating of human rights and rule of law in Uganda.



There have been situations which legal analysts have characterized as “rule by law” There are cases of arbitrary use of torture as administered on among others, novelist and lawyer, Kakwenza Rukirabashaija who sneaked into exile with testimonies of torture in so called safe houses. Kakwenza was arrested by security authorities in December, 2021, detained, and only produced and arraigned to court with a body full of torture scars .

Extrajudicial killings, incommunicado detention, torture and other practices that offend the human rights and rule of law were a concern to most of the respondents because such acts were becoming a common practice with little to no consequence for the violators. This is tainting Uganda’s Human Rights and Rule of law image globally as pointed out in most reports. For instance, The World Justice Project (WJP) Rule of Law Index 2021 ranked Uganda 125 out of 139 countries in respect to constraints on Government Powers, Absence of corruption, Open Government, Fundamental Rights, Order and Security, Regulatory Enforcement, Civil Justice and Criminal Justice (World Justice Project, 2021). This ranking means that the Rule of Law continues to decline on account of issues such as the level of corruption, the disregard of court orders, executive excess, weaknesses in the justice system, police brutality, unlawful arrests and detention, and malicious prosecutions among other negative developments.

National reports from the Uganda Human Rights Commission (UHRC) point to human rights concerns, mostly related to enforced disappearances; torture and cases of cruel, inhuman, or degrading treatment; and lack of investigation of and accountability for violence. The Uganda Law Society’s Annual Report also highlights the criminalization of the practice of journalism, serial killing of women and disappearances of citizens as having been dominant in 2021. The practice and highhandedness of the police, military and security agencies shows a spate of human rights violations.

In order for civic space to be real and meaningful, it’s imperative that the social and political context in which that space exists must meet certain minimal standards. The fundamental preconditions for civic space include the protection of a culture of basic human rights and rule of law. In the absence of these, the more specific rights and freedoms associated with civic space discussed above are jeopardized.

According to the United Nations, the rule of law refers to a principle of governance in which all persons, institutions and entities, public and private, including the state itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision making, legal certainty, avoidance of arbitrariness and procedural and legal transparency. "

For rule of law to thrive and be promoted, the country must have strong and effective democratic institutions (e.g., an independent judiciary, parliament, a free press, strong political parties and a robust civil society). With effective and fully functioning democratic systems, individuals who attempt to subvert national laws and engage in efforts to capture either the state or some of its institutions or agencies can be frustrated and exposed by the press.

3.2.4.1 Cases of Human rights violations

Respondents noted that there has been continued use of repressive tactics such as harassment, threats, arbitrary arrests, illegal detentions, and torture of human rights activists and political opponents to violate the freedoms and human rights of Ugandans with dissenting views against the regime. The study established that on 10 March 2022, security authorities raided the Alternative DIGITALK TV an Online television and arrested nine (9) of its staff and equipment such as cameras and computers were taken as well as the station’s mobile van. This study was informed that the raid and arrest was triggered by a social media notice issued by the leader of the Alternative DIGITALK TV, Norman Tumuhimbise about the launch of a book titled “The Komanyoko Politics, Liars and Accomplices and Un-sawing the Mustard Seed”. Human rights activists mounted pressure on authorities and the team was eventually released.

On 22 December 2020, civil society leader and lawyer Nicholas Opiyo, with other lawyers namely; Herbert Dakasi, Esomu Obure, Anthony Odur and human rights officer Hamid Tenywa, were arrested and handcuffed by a Joint Task Team of Security Operatives before being speedily driven off in vans with tinted windows to the Police Special Investigations Division, Kireka. Opiyo was charged with economic crimes of laundering over \$340,000 through Chapter Four’s account. On 24th December 2020, Opiyo’s four colleagues were released on bail.

The Observer: [Kakwenza: I have 63 torture scars \(observer.ug\)](https://www.uhrc.ug/download/24th-annual-report/?wpdmdl=1696&refresh=6332848d06a5a1664255117)
<https://www.uhrc.ug/download/24th-annual-report/?wpdmdl=1696&refresh=6332848d06a5a1664255117>
Uganda Law Society’s Annual Report 2021 on the State of the Rule of Law in Uganda

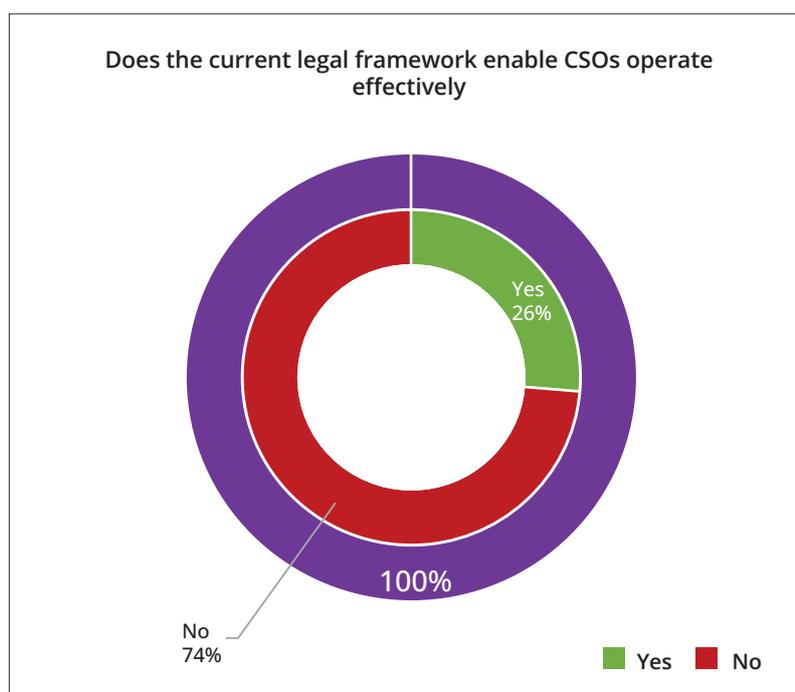
Some of the respondents revealed that these actions are deliberately intended to instill fear, weaken and eventually wipe out all forms of citizens organizing around democracy, human rights and accountability. Particularly, vocal CSOs that are demanding the regime to govern the country based on the constitution and internationally accepted governance standards, are the ones most targeted

This worsening situation of Human rights violations record has become a concern to diplomatic missions which have cautioned government of Uganda on violations. For instance, on the 4th February 2020, US Mission Uganda issued a statement on recurring credible accounts of forced disappearance, arbitrary detention, and torture in Uganda. On the 7th February 2022, EU delegation to Republic of Uganda also made a statement on torture and human rights violations in Uganda

The Observer: [Kakwenza: I have 63 torture scars \(observer.ug\)](https://www.uhrc.org/download/24th-annual-report/?wpdmdl=1696&refresh=6332848d06a5a1664255117)
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3.2.4.1 Perception on the current legal framework and CSOs operations

Figure 9: illustration on the perception whether the current legal framework enables CSOs to operate effectively



On whether the current legal framework enables CSOs to operate effectively, majority of respondents (74 per cent) said that Uganda currently has restrictive legal instruments that are curtailing effective operation of CSOs. Some of the restrictive legal instruments the pointed out included the NGO Act (2016) and attendant regulations, Public Order Management Act (2013) which police keeps misinterpreting to mean that they have powers to authorize a public demonstration, Anti-Terrorism Act (2015) which has been weaponized against CSOs that work on democracy, human rights and accountability, and the more recently passed Computer Misuse (Amendment) Bill (2022). Some of these legislations have contributed to NGOs suspensions, freezing of accounts, and denial of funding, among other restrictions on freedom of expression, association, and assembly.

While 26 per cent of the respondents revealed that the current legal framework offers an enabling environment for CSOs to operate, they argued out that the legal framework facilitates ease of renewal of operation permits; access to funding; access to Justice; access to information; and participation in strategic engagements with government.

3.2.4.2 Restrictive Legal Instruments used to curtail Civic Space in Uganda

a) NGO Act 2016

The NGO Act 2016 which now primarily governs the NGOs in Uganda continues to come under criticism for furthering a narrowing civic space for free speech especially for NGOs advocating for democracy in the governing of the country and the respect for human rights. Section 7 of the NGO Act 2016 grants the National Bureau of NGOs (Bureau) - which used to be the NGO Board in the previous Act - even wider and more discretionary powers in terms of controlling, summoning and disciplining organisations than the NGO Board had in the previous Act. These include the powers of 'blacklisting the organisation', 'exposing the affected organisation to the public' or respectively 'revocation of an organisation's permit'. Some of these powers have been used to stifle operations of NGOs who have come out to exercise their right to free speech and hold government accountable.

The registration process under the NGO Act 2016 together with NGO Regulations 2017 remains long and tedious and shall be done with the Bureau (Part VIII of the Act). The Bureau is allowed, under section 30(1), to refuse the registration of an organisation whose objectives are 'in contravention of the laws of Uganda'. While applying for the permit, the organisation must also specify several objectives, including the areas that its operations will cover among with the geographical coverage of the organisation (Section 7, NGO Regulations 2017).

In case the organisation wants to commence a new project in any other part of the country, it needs to seek approval from the District Monitoring Committee and have signed a memorandum of understanding (MoU) with the Local Government of the area (Section 44 (a) of the Act). These provisions are in contradiction to the constitutional right which grants everyone the freedom to work in any part of the country.

Another restrictive measure in the Act grants the state inspection powers, which establishes that an inspector may, after giving notice of at least three days, inspect the premises and "request for any information" from the organisation which "appears [to be] necessary for purposes of giving effect" to the Act (section 41 of the Act). These regulations appear to be wide and discretionary and present the possible effect of crippling NGO activities in areas of Democracy, Human Rights and Governance.

b) The Computer Misuse Act (2011)

Ugandans are increasingly experiencing a shrinking civic space both physical and virtual. The introduction of the Computer Misuse Act (2011) has ended up curtailing civic space over cyber spaces. For example, the vaguely worded section 25 of the Computer Misuse Act 2011 prohibits "offensive communication" and threatens fines and imprisonment to anyone using "electronic communication to disturb or attempt to disturb the peace, quiet or right to privacy of any person." This legislation could potentially lead to removals of content and the criminalization of user comments. Section 25 of the Computer Misuse Act contravenes some international standards such as fair comment and its vagueness for example on what is tantamount to "disturbance of peace and quiet", and "legitimate communication" provides room for abuse of the law and restrictions on freedom of expression.

c) Uganda Communications Act (2013) and Regulations

The Uganda Communications Act (2013) and Regulations have been faulted in controlling the exercise of free speech alongside which have been used to curtail civic space access to information and internet freedoms considering these rights play a major role in citizens exercising their rights to free speech. One of the objectives of this Act is to 'set standards, monitor and enforce compliance relating to content' and promote fair competition. The problem with this Act is that it gives the minister in charge of Information and Communication Technologies (ICT) a lot of powers to make regulations that govern the sector. These arbitrary powers are prone to abuse and on many occasions the Minister in charge has been seen to exercise these powers selectively in a manner that suffocates the civic space and freedom of expression.

Uganda Communications Commission has come under criticism for controlling the exercise of freedom of expression under the guise of controlling misinformation and fake news and in some cases abating unfair access to media spaces especially by the opposition political actors or not taking action as mandated under the law to address the unfair access. Many media houses continue to face threats on allegations of violating the minimum broadcasting standards following coverage of opposition politicians and the 2019 riots. Media houses are continuously under pressure not to host any opposition politicians or individuals criticizing government with threats of revoking their operating licenses.

d) The Public Order Management Act (POMA, 2013)

This Act is designed to regulate public gatherings and has been a point of contention ever since coming into force. The criticism against the POMA derives from the impediments it presents for the right to freedom of peaceful assembly, freedom of association and demonstration.

Section 8 of the POMA is problematic because it gives the Inspector General of Police wide discretionary powers to arbitrarily stop or prevent public gatherings from happening and to combat protests. A notification by NGOs is required in case a meeting is being held with more than three people. Many of the activities carried out by NGOs can be considered as a 'public meeting' under the POMA and this has developed an atmosphere where NGOs have not been able to operate or objectively interrogate without the fear of reprisal or prosecution. Furthermore, the mandate to use force to disperse assemblies with no proper guidance for using other methods for managing public order disturbances, is granted by the law under Article 19 of the national constitution.

On 24th March 2020, the constitutional court annulled the POMA ruling actions under the Act null and void following the challenging of the law by organisations like NETPIL and Chapter Four in the courts of Law. While the law was ruled as unconstitutional, government has since appealed against the ruling and continues to enforce particular sections of the Act while controlling public demonstrations. The POMA has had a significant role in the shrinking of the civic space and suppressing the efforts of NGOs discussion on advocacy, human rights, and governance.

e) The Anti-Terrorism Act (amended) 2017

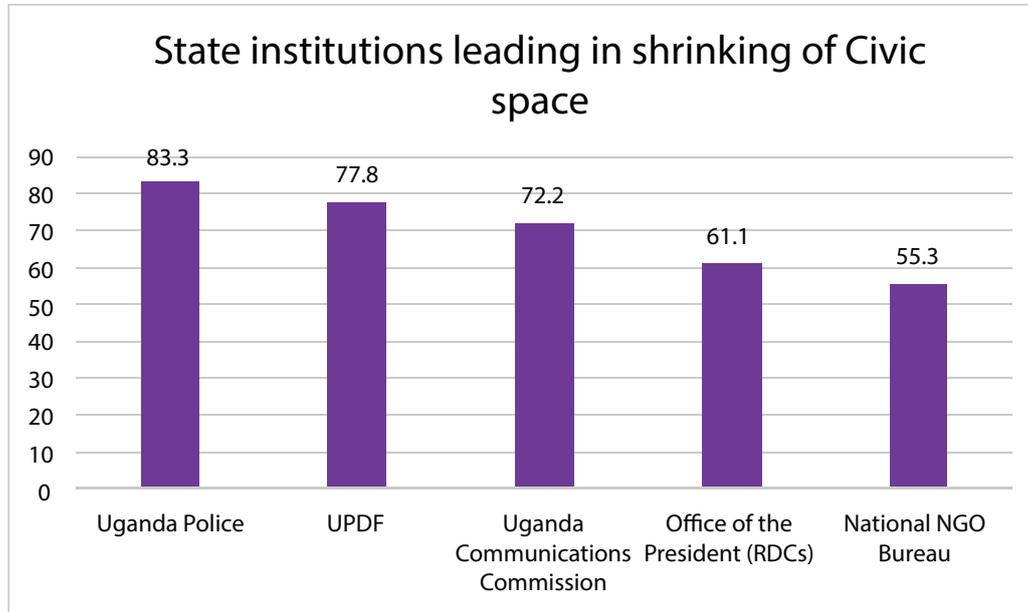
This act aims at suppressing acts of terrorism and generally to provide for the punishment of persons who plan, instigate, support, finance or execute acts of terrorism; to prescribe terrorist organizations and to provide for the punishment of persons who are members of, or who profess in public to be members of, or who convene or associate with or facilitate the activities of terrorist organizations. The Act also provides for the investigation of acts of terrorism and the surveillance of persons suspected to be planning or involved in acts of terrorism.

Though terrorism is a global threat that needs to be fought. Authoritarian governments globally have resorted to the use of Anti-terrorism legislations to suppress or undermine democratic opposition and also clampdown on Civil Society Organisations. In Uganda for instance, the bank accounts of Uganda Women Network and Uganda NGO Forum were in 2020 frozen under the orders the Finance Intelligence Authority (FIA) on allegations of terror financing.

UCC Public advisory on circulation of fake news https://twitter.com/UCC_Official/status/1241725721367756800
<https://observer.ug/news/headlines/60575-ucc-orders-suspension-of-39-journalists-at-13-media-houses>
https://www.ucc.co.ug/wp-content/uploads/2019/10/ucc_Broadcasting_Investigation_Report.pdf
<https://chapterfouruganda.org/articles/2020/03/29/poma-uganda-court-annuls-public-order-law>

3.2 Institutions perceived to be leading in shrinking civic space under the current legal framework

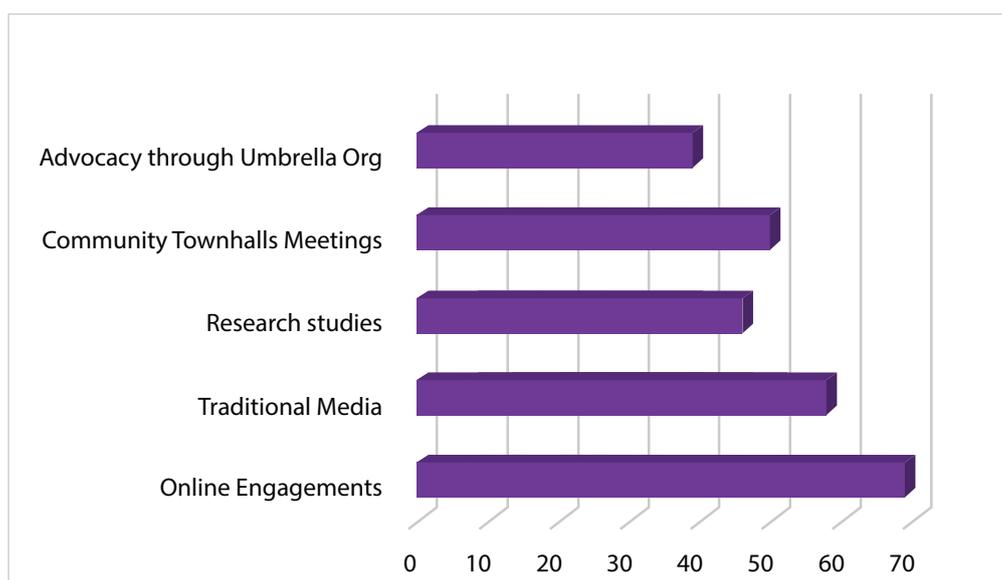
Figure 10: illustration of state institutions perceived to be leading in shrinking civic space.



4.0 Approaches Commonly used by CSOs for advocate for civic space promotion in Uganda

Lately, many civil society organisations that work on democracy, human rights, constitutionalism and the rule of law, have run away from physical spaces and retreated to online spaces. The percentage of CSO respondents who interacted with this study and were majorly doing online engagements, is 68.9 per cent as illustrated below:

Figure: illustration showing the most used approaches by CSOs to engage despite shrinking civic space



These organisations found refuge in online spaces in response to the so called new normal occasioned by the COVID-19 pandemic. They resorted to using online platforms such as social media particularly Facebook, twitter, YouTube channel for engagement on civic space issues. 57.8 per cent of the respondents revealed that they use traditional media like radios and televisions where they are invited for talk shows and also sometimes run radio informercials depending on availability of funding. 50 per cent of the respondents said that they use community townhall engagements meetings.

Others (46 per cent) engage in research and advocacy through umbrella organizations (38 per cent). Some of these umbrella organizations are loose while others are formally registered. It is recalled that even loose coalitions for advocacy are being targeted because in October 2020, the National Bureau for NGO used the state media platform – Media Center – to announce the civil society loose coalition on elections, National Election Watch Uganda (NEW-U) as an illegal entity and thus banished from operating in Uganda. Subsequently the two front-line umbrella organisations namely; Uganda National NGO Forum (UNNGOF) and Uganda Women’s Network (UWONET) had their bank accounts frozen on allegations of terrorism financing. The charges were dropped after elections were conducted and the bank accounts unfrozen. However, in doing this, the regime had succeeded in ensuring that there is civil society coalition on domestic election observation and that UNNGOF and UWONET did not participate in observing the 2021 general elections. In other words, the banishing of NEW-U and the attendant freezing of bank accounts of UNNGOF and UWONET were actions of

restricting civic space and instilling fear in other CSOs. It was also a testimony of how well intended laws can be used by an authoritarian regime against citizen organizing around democracy.

5.0 Strategies CSOs and donors need to focus on to effectively promote and safeguard civic space in Uganda.

Uganda does not have as yet a law or regulations that restrict or impede access to external funding for civil society organisations (CSOs). Until now, civil society organizations in Uganda have accessing funds largely from embassies of European countries based in Kampala or local funding mechanisms supported by the European countries or Americans. In January 2021, government of Uganda suddenly suspended the biggest European basket fund in East Africa- the Democratic Governance Facility (DGF). The DGF was a 100-million-euro funding mechanism that supported over 90 civil society organizations, over 10 government institutions and political parties that subscribed to IPOD. The fate of DGF is likely to be faced by many other donor funding mechanisms towards citizen organizing around Democracy, Human Rights, Accountability, Rule of Law and Constitutionalism.

It remains to be seen if government will consider instituting legal barriers to such foreign funding for CSOs. However, there is every justifiable reason for donors to invest in supporting citizens organisation of any form or shape to push back and reclaim space for civic engagement. The time has come for donors to find ways and channels of engaging the Government of President Museveni to exercise a degree of tolerance to dissenting voices from citizens, media freedoms and citizen assembly as foundational tenets of democracy. Specifically, the following are some of the strategies to consider.

- a)** Strengthening local trust and support: CSOs should create strong local links with the grassroots communities with a view of creating and consolidating relevance to the ordinary person. This calls for design of interventions that have a component of livelihood enhancement which is critical for creating a grassroots movement. This is one area that would increase the legitimacy and support of citizen organisations. Genuine community participation is critical to pushing back as one force and speaking as one voice in claiming and reclaiming civic space.
- b)** Capacity building: CSOs should be supported to build the capacity and resilience of their staff and activists to safeguard civic freedoms within the context of a long serving regime without unnecessarily getting in harm's way. Digital platforms are increasingly one avenue to explore in terms of citizens information and mobilisation.
- c)** Using strategic litigation: Under certain circumstances, CSOs should opt for strategic litigations as an effective way to challenge restrictive laws and raise awareness of the barriers CSOs face.
- d)** Increasing peer-to-peer support: CSOs should increase peer-to-peer exchange, joint trainings and capacity building initiatives that can help them navigate the restrictive environments. External partners (e.g., donors, consultancies, pro-bono lawyers, or international organisations) can provide important legal advice and technical know-how.
- e)** Paying attention to early warning signs: CSOs, and donors should take early warning signs seriously and increase investment in preventive action to counter government repressive tactics.
- f)** Flexible funding: Donors should support provide flexible funding to CSOs through small grants and rapid response funds that can be directed for different purposes within broad program objectives as the landscape of threats and opportunities shift.
- g)** Donors should explore and share lessons on how to best support a broad range of formal and informal, traditional, and new types of civil society actors and actions at regional, national, and sub-national levels in partner countries or territories, such as social movements, social economy actors, trade unions, and faith-based organisations.

6.0 Mechanisms recommended to CSOs, donors and government to help in promotion and safeguarding of civic space

The following recommendations are made to Government particularly the Executive and security agencies to observe the following:

Recommendations for state institutions

- 1)** Security agencies namely the Police, Internal Security Organisation (ISO) and the Uganda People's Defense Forces (UPDF), should stop arbitrary arrests, detentions and persecutions of human rights defenders, pro-democracy, constitutionalism, and political activists. The use of "drones" to arrest citizens with dissenting views, the inhumane treatment (flogging and battering) of Journalists covering public demonstrations and opposition presidential candidates on campaign trails including the wanton shooting against demonstrators, should cease. Relatedly, the overzealous acts of security officials at the district level who often obstruct live radio broadcasts that involve critical civil society activists and opposition politicians, particularly during electioneering period should not be tolerated.
- 2)** Investigate all claims of torture and other inhumane acts committed against journalists, activists and opposition politicians and bring to justice those responsible and ensure that victims are adequately compensated. The perpetrators of the inhumane acts must not only be held accountable but must be seen by citizens to be brought to book. In addition, all break-ins at premises of CSOs and law firms that represent opposition political parties should be thoroughly investigated and the findings made public.
- 3)** The recently passed Computer Misuse (amendment) Act 2022 should not be used to restrict the freedom of expression of citizens on social media and other online platforms. Government should exhibit a degree of tolerance to dissenting voices from citizens that have found refuge on online spaces. The ban on Facebook which used to be the most popular social media platform in Uganda, should be lifted to allow citizens enjoy their freedom of expression. The shutdown of internet during elections should not be repeated as it casts a shadow on Uganda's democracy credentials.
- 4)** Conduct additional training for members of Uganda Police Force (UPF) and other security operatives on the prevention of torture and handling/management of crowds, journalists on duty, with a view of avoiding excessive use of force against civilians during protests. There is also need to address the multiplicity of policing units and the overlapping chain of command between different policing units and between the military and UPDF. This is essential in ensuring that specific perpetrators can be identified and held accountable for violations of human rights. However, the starting point should be at recruitment where the recruits are subjected psychological check to establish their mental disposition. Where appropriate, background checks should be conducted on the recruits to establish a track record on their behaviors.
- 5)** Review and amend the restrictive provisions on all legal instruments that curtail civic space, and replace them with more enabling provisions. Some of the laws that require amendment include; NGO Act 2016, the Computer Misuse (as amended) Act, 2011, the Public Order Management Act, 2013 among others. These should conform to the International Conventions on Civic and Political Rights.
- 6)** Rollout rigorous public awareness campaign on the freedom of access to information and expression particularly targeting the grass root citizens on their right as protected by law. This is a role that civil society is best positioned to play.

Recommendations for civil society

- 7)** Reconstruct citizenship. Civil society organisations working on democracy, rights and governance must come together and build resilience among themselves. The current contextual risks related to the operating environment for CSOs demands resilient organisations that can work creatively with the rest of the citizenry to generate pressure from below with a view of pushing back and protecting civic space.

Recommendations for development partners

- 8)** Development partners should make available flexible funding and other forms of support to civil society organisations that work on democracy, rights and governance to address the gap left by the exit of the Democratic Governance Facility. This should be done in line with third recommendation under pillar-2 of the DAC recommendation on enabling OECD legal instruments civil society in development co-operation and humanitarian assistance (2022). Provide financial support to diverse civil society actors as independent development and humanitarian actors in their own right as well as to civil society actors as implementing partners, particularly those representing persons in the most vulnerable or marginalised positions, by, where appropriate and feasible, increasing the availability of flexible and predictable support, core support, and/or programme-based support. (OECD 2022).

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- Article 19 of the UN Declaration of Human Rights stipulates that everyone has the right to freedom of opinion and expression. The right to freedom of expression for all is affirmed in numerous other international charters and treaties, including the International Covenant on Civil and Political Rights. International law mandates that freedom of expression can only be restricted under very limited circumstances (e.g. where it is necessary to protect the rights of others, or to safeguard national security or public order
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