

**MEMORANDUM
TO
PARLIAMENT OF UGANDA**

SUBJECT:	SUBMISSION OF MEMORANDUM ON THE PROTECTION OF SOVEREIGNTY BILL, 2026
ADDRESSED TO:	Joint Committee on Defence and Internal Affairs, and The Committee on Legal and Parliamentary Affairs. Parliament of Uganda
FROM:	Ankole Stakeholders' Coalition C/O WACSOFF Secretariat P.O Box 209, Bushenyi Bushenyi Township, Bushenyi, Uganda.
DATE:	24.04.2025

Ankole Stakeholders' Coalition
C/O WACSO Secretariat
P.O Box 209, Bushenyi
Bushenyi Township, Bushenyi, Uganda.

Date: 24th April 2026

TO:

The Chairperson,
Joint Committee on Legal and Parliamentary Affairs
And Defence and Internal Affairs
Parliament of Uganda.

THROUGH:

The Clerk to Parliament,
Parliament of the Republic of Uganda,
Parliament Building, Plot 16-18, Parliament Avenue,
P.O. Box 7178, Kampala.

**RE: SUBMISSION OF MEMORANDUM ON THE PROTECTION OF SOVEREIGNTY BILL,
2026**

Honourable Chairperson,

On behalf of the Ankole Sub-region Stakeholders, including legal experts, civil society organizations, and local community representatives, we formally submit this memorandum regarding the Protection of Sovereignty Bill, 2026.

Following a regional stakeholder dialogue, we have identified grave concerns regarding the Bill's current drafting. While we support the principle of national sovereignty, we observe that the Bill, in its present form, risks paralyzing local economies, disrupting essential service delivery, and undermining the constitutional rights of the very citizens it intends to protect.

Of particular concern to the Ankole region is the potential criminalization of diaspora remittances and the severe impact on community-based organizations (CBOs) and SACCOs. Our assessment indicates that the Bill's broad definitions and excessive penalty regime fail the test of constitutional proportionality.

We respectfully request that the Joint Committee considers our detailed recommendations, which emphasize the need for comprehensive redrafting or withdrawal of the Bill in favor of a more targeted, constitutional approach.

For God and My Country,

KAKONGE APOLLO LEE

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MEMORANDUM ON THE PROTECTION OF SOVEREIGNTY BILL, 2026 (BILL NO. 13 OF 2026).

EXECUTIVE SUMMARY

1. Context and Procedural Concerns

The Protection of Sovereignty Bill, 2026, was read for the first time on 15th April 2026 and referred for scrutiny. Stakeholders in Ankole are deeply concerned by the perceived "fast-tracking" of this legislation, which limits meaningful public participation on a law with far-reaching socio-economic consequences.

2. Key Threats to Livelihoods and Services

- i. **Economic Disruption:** The UGX 400M (~\$106,000) annual funding cap (Clause 22) and the 20-year imprisonment for "economic sabotage" (Clause 13) create a "chilling effect" on the private sector and tourism—vital industries for Western Uganda.
- ii. **The Diaspora and Remittances:** By reclassifying Ugandan citizens abroad as "foreigners," the Bill threatens the \$2.5 billion in annual remittances that local households depend on for school fees, health, and farm capital.
- iii. **Service Delivery:** Many NGOs, churches, and CBOs in Ankole provide essential water, health, and legal aid services. The Bill's prior-approval regime (Clauses 6–8) risks the total collapse of these non-state support systems.

3. Legal and Democratic Challenges

- **Constitutional Violation:** The Bill's broad and vague language contradicts Articles 1, 28, 29, and 38 of the Constitution, particularly regarding freedom of expression, association, and the right to participate in governance.
- **Multiparty Democracy:** The restrictions on "foreign-linked" funding for policy advocacy threaten the operational viability of political parties and create an uneven playing field in our multiparty system.
- **Legislative Redundancy:** Most security concerns the Bill seeks to address are already covered by the Anti-Money Laundering Act and the NGO Act, making this new Bill largely redundant and over-regulatory.

4. Primary Recommendations

- **Withdrawal or Redrafting:** Parliament should withdraw the Bill to allow for a comprehensive Regulatory Impact Assessment and a Constitutional Compliance Audit.
- **Exemptions:** Explicitly exempt remittances, humanitarian aid, medical services, and tourism operations from the definition of "foreign-linked funding".
- **Penalty Review:** Replace the disproportionate 20-year jail terms for administrative lapses with reasonable, graduated fines.

The Joint Committee for Defence and Internal Affairs is scheduled to hold further stakeholder hearings on 24th April 2026. We urge our Members of Parliament from Ankole to prioritize the economic and constitutional interests of their constituents during this critical scrutiny phase.

1. INTRODUCTION

We, the undersigned representatives of the Ankole Sub-region Stakeholders—comprising legal practitioners, civil society actors, and community leaders—submit this memorandum following a regional dialogue convened by the Western African Civil Society Forum (WACSOFF). Our dialogue specifically analyzed the Bill's potential impact on local governance, civic space, and the livelihoods of the people in the districts of Mbarara, Bushenyi, Ntungamo, Sheema, Isingiro, and surrounding areas.

While we acknowledge the sovereign right of Uganda to protect its national interests from undue interference, our position is that the Protection of Sovereignty Bill, 2026, as currently drafted, is fundamentally flawed. We are deeply concerned by the rushed nature of the legislative process. Fast-tracking a law of such magnitude with limited time for public input denies citizens their constitutional right to participate in their own governance as enshrined in Article 38 of the Constitution.

The urgency behind pushing this Bill before the end of the current Parliamentary term raises significant fears that due process and adequate scrutiny are being compromised in favor of political expediency. A law that redefines citizenship, restricts economic activity, and introduces some of the harshest penalties in our history requires a broad and inclusive national consensus—one that is currently missing.

Consequently, our primary stance is that Parliament should withdraw the Bill to allow for comprehensive consultation and a thorough constitutional audit.

2. KEY ISSUES AND RECOMMENDATIONS

Building on the stakeholder dialogue in the Ankole Sub-region, we highlight the following specific legal and policy concerns regarding the clauses of the Bill:

3.1 Contradiction Between Title and Content

- **Problem Identification:** While the Bill is titled "Protection of Sovereignty," the substance of Clauses 4, 6, and 13 focuses on restricting domestic civic participation rather than addressing external state-level interference.
- **Analysis:** In constitutional law, sovereignty belongs to the people (Article 1). By limiting the citizens' ability to engage in governance, the Bill protects the "State apparatus" while weakening the "Sovereign people."
- **Proposed Solution:** Amend the Bill to focus strictly on **espionage and illicit foreign state interference**, rather than the routine activities of Ugandan citizens and NGOs.

3.2 Expansion of "Foreign Agent" Status to Private Citizens

- **Problem Identification (Clause 1 & 16):** The Bill defines an "agent of a foreigner" so broadly that it captures any Ugandan receiving foreign support. In Ankole, where families rely on **remittances** from relatives in the diaspora for school fees and farm inputs, this creates a risk where ordinary citizens may be forced to register as foreign agents.
- **Comparative Analysis:** Unlike the U.S. Foreign Agents Registration Act (FARA), which requires "direction and control" by a foreign principal, this Bill triggers registration based solely on the receipt of funds.
- **Proposed Solution:** Explicitly exempt private remittances, humanitarian aid, and academic scholarships from the definition of foreign-linked funding.

3.3 Excessive Funding Caps and Penalties

- **Problem Identification (Clause 22 & 31):** The UGX 400M annual cap on foreign funding and the 20-year jail term for "economic sabotage" are excessive. For a medium-sized SACCO or a regional hospital in Mbarara, 400M is insufficient for annual operations.
- **Analysis:** These provisions are disproportionate and violate the principle of "legality" and "fairness" under Article 43 of the Constitution.
- **Proposed Solution:** Delete Clause 22 (the funding cap) and replace criminal sanctions with reasonable administrative fines that do not threaten the existence of vital institutions.

3.4 Legislative Redundancy and Overregulation

- **Problem Identification:** Stakeholders noted that the Bill duplicates the Anti-Money Laundering Act and the NGO Act.
- **Analysis:** Redundant laws create "regulatory paralysis," where the same transaction must be cleared by multiple government agencies, stifling the economy.
- **Proposed Solution:** Parliament should require the Government to provide a Regulatory Impact Assessment to prove why existing laws are insufficient before introducing a new regime.

3.5 Threat to Multiparty Democracy

- **Problem Identification (Clauses 7, 8 & 15):** These clauses restrict "foreign-linked" entities from participating in policy and political processes. Since political parties often engage in international ideological partnerships, these restrictions could be used to stifle opposition and emerging actors.
- **Analysis:** This creates an uneven playing field and signals a regression toward a Movement-style political system, undermining the Multiparty Dispensation guaranteed by Article 71 of the Constitution. Limiting support for political mobilization weakens electoral competitiveness and erodes public trust.

- **Proposed Solution:** Protect the independence of political parties by ensuring that legitimate international political cooperation—common in all global democracies—is not criminalized.

3.6 Impact on Essential Services and Local Communities

- **Problem Identification (Clauses 6, 22 & 23):** The Bill requires prior Cabinet approval for non-state actors to provide services in sectors "for which Government is responsible"—specifically naming health, education, and social services.
- **Impact on NGOs and Churches:** In the Ankole sub-region, many CBOs, churches, and NGOs are the primary providers of clean water, vocational training, and maternal health. By capping their funding at UGX 400M and requiring political clearance for their operations, the Bill threatens to shut down these critical lifelines.
- **Access to Justice:** Legal aid clinics in Mbarara and Bushenyi, which help widows and the poor with land disputes, are almost entirely supported by external grants. Restricting this funding effectively denies the poor access to justice, as the State currently lacks the capacity to provide universal legal aid.
- **Socio-Economic Vulnerability:** Participants warned that the disruption of these services will lead to an immediate spike in poverty and unemployment, reducing the overall resilience of our communities against economic shocks.

3.7 Economic Consequences and Development Risks

- **Problem Identification (Clause 13 & 22):** The Bill introduces barriers to the flow of Foreign Direct Investment (FDI) and remittances.
- **Analysis:** Uganda's economy is deeply integrated into the global market. Restricting capital inflows under the guise of "sovereignty" will weaken our development partnerships. If NGOs and private sector players are unable to receive and spend international funds efficiently, ongoing projects in agriculture and infrastructure will stall.
- **Risk to Households:** Families in our sub-region depend on the "sweat" of their relatives in the diaspora. Any law that makes it difficult or "criminal" to receive these funds directly harms the household economy, making it harder for parents to pay school fees or invest in their local businesses.

4. STAKEHOLDER SENTIMENTS AND THE "WAY FORWARD"

The consensus among stakeholders in the Ankole dialogue is that this Bill, if passed in its current form, will shrink Uganda's civic space and harm the most vulnerable citizens. The perceived urgency to pass the Bill before the end of the current Parliament suggests a desire to bypass deep scrutiny.

We, therefore, propose the following "Way Forward" for Parliament:

1. **Extend Consultation Timelines:** We advocate for an extended period of at least six months to allow for proper public sensitization and participation in rural sub-regions like Ankole.

2. **Parliamentary Sensitization:** We urge the Joint Committee to ensure that all MPs fully grasp the **economic implications** (loss of FDI and remittances) before voting on this Bill.
3. **Prioritize Citizen Interests:** Parliament must prioritize the livelihoods of Ugandans over the expansion of administrative control.
4. **Mobilize Public Awareness:** We will continue to mobilize citizens in Western Uganda to understand the Bill and actively engage their representatives.

5. CONCLUSION

Sovereignty belongs to the people of Uganda, not just the state apparatus. A sovereign nation is characterized by healthy citizens, a vibrant economy, and a robust multiparty democracy. By restricting the freedoms of the very people it claims to protect, the Protection of Sovereignty Bill, 2026 risks achieving the opposite of its intended goal.

We respectfully call upon the Joint Committee to recommend the withdrawal of the Bill or, at the very least, to introduce sweeping exemptions for the health, education, and private economic sectors.

Signed for and on behalf of the Ankole Sub-region Stakeholders:

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