Enoch Barata

NATIONAL SOVEREIGNTY: LEGISLATING FOR A RAPIDLY CHANGING GLOBAL ORDER.

The Government of Uganda has taken a significant legislative step with the introduction of the National Sovereignty Bill, 2025. Presented to the NRM Parliamentary Caucus in March 2026, the Bill seeks to address one of the most sensitive and increasingly urgent issues of our time: foreign influence and interference in the internal affairs of sovereign states.

Predictably, its introduction has ignited debate. From familiar quarters—particularly segments of civil society and media commentary—the conversation has quickly been framed around concerns of "repression," "censorship," and "autocracy." These themes, often recurrent in public discourse, have shaped early reactions, with some critics portraying the Bill as an unprecedented and troubling departure from democratic norms. Television and radio panels have not been short of "all-round experts" eager to dismiss the effort, sometimes reducing the discussion to critiques of the drafters rather than an engagement with the substance of the proposal itself.

Yet, beneath the noise lies a more fundamental question—one that transcends political rhetoric: what does it mean for a nation to truly safeguard its sovereignty in an era of complex and evolving global power dynamics?

National sovereignty is not an abstract concept. It is the foundation upon which the very existence of Uganda—and any nation—rests. It encompasses the right of a people to exist as a distinct entity, to determine their own political destiny, and to govern without undue external interference. Uganda's Constitution is unequivocal on this point. Article 1 firmly establishes that sovereignty resides in the people, anchoring the nation's legal and political identity in this principle.

When the Constitution was promulgated in 1995, the notion of sovereignty may have been largely understood within the confines of domestic governance—elections, institutions, and the separation of powers. But the world of 2026

presents a dramatically altered landscape. Today, challenges to sovereignty are not only internal; they are increasingly external, sophisticated, and often overt.

We are witnessing, in real time, a global environment where traditional norms are being tested, if not outright disregarded. There is open discussion of the detention of foreign leaders, external involvement in determining political leadership in sovereign states, and even suggestions of territorial acquisition—whether in reference to places like Greenland or Karg Island. Beyond rhetoric, there are documented instances of foreign funding and arms support being used to influence or destabilize governments, often in favor of regimes aligned with external interests rather than the will of the people.

Historically, such actions were shrouded in diplomatic language—framed as development assistance, democracy promotion, or humanitarian intervention. Trade sanctions and economic restrictions were the more visible tools of influence. Today, however, the veil has thinned. Influence is more direct, more technologically enabled, and more difficult to regulate through traditional means.

It is within this shifting global context that the National Sovereignty Bill, 2025, must be understood. Far from being an anomaly, Uganda's move reflects a broader international trend. Indeed, if anything, Uganda is a late entrant into a legislative space that many nations have occupied for decades.

The United States, for instance, enacted the Foreign Agents Registration Act (FARA) as far back as 1939. The law requires individuals acting on behalf of foreign entities to register with the Department of Justice and mandates transparency in their activities, particularly in relation to political influence. Over time, FARA has been amended to adapt to new realities, reflecting the enduring concern over foreign interference.

Across the Atlantic, the European Union has developed an increasingly robust framework to counter what it terms Foreign Information Manipulation and Interference (FIMI). Through integrated legal instruments and policy initiatives, the EU has sought to protect democratic processes and establish transparency mechanisms, including registers for foreign-linked activities.

Canada's Countering Foreign Interference Act of 2024 follows a similar trajectory, introducing measures to enhance transparency and accountability. Australia, through its National Security Legislation Amendment (Espionage and Foreign Interference) Act of 2018, established the Foreign Influence Transparency Scheme (FITS) and strengthened its legal response to covert foreign activities.

Singapore, often noted for its proactive governance approach, enacted the Foreign Interference (Countermeasures) Act (FICA) in 2021, with a particular

focus on the digital domain. The law addresses the role of global platforms in disseminating hostile information and imposes stringent reporting requirements on foreign-linked funding.

As noted by Jacob R. Straus in his April 8, 2022 presentation before the U.S. House of Representatives:

> *"The idea of regulating foreign influence dates to at least the early 1900s, when the first pieces of legislation aimed at directly addressing the real or perceived possibility of foreign influence in American politics were introduced. These measures generally would have required the registration of individuals or groups seeking to influence public policy or promote propaganda. Some measures would have banned certain classes of individuals from acting as foreign agents. Laws that address foreign influence have generally favoured transparency…"*

Similarly, Singapore's Minister of Home Affairs, K. Shanmugam, while presenting FICA to Parliament, underscored the evolving nature of the threat:

> *"Global platforms are often 'vectors for hostile information campaigns'… Singapore's racial and religious mix is 'easily exploitable' by different countries, and the government sees 'a steady build-up of different narratives which is being cleverly done.' It is not obvious propaganda but conditions people to think in certain ways, particularly on foreign policies…, often appealing to a layer of racial identity beyond the Singaporean identity. This is one of the most serious threats we face, and our population and most Members of Parliament aren't aware of this."* (Marketing-Interactive, 05 October 2021).

Australia's parliamentary debates echo the same concern. Senator Seselja, speaking in 2018, highlighted the stakes:

> *"Covert interference and espionage by nation-states are global realities which have the potential to cause immense harm to our national sovereignty, the safety of our people, our economic prosperity, and the very integrity of our democracy…"*

These perspectives, drawn from diverse jurisdictions, converge on a single point: the protection of national sovereignty is no longer optional—it is imperative. They also reveal a sobering reality: Uganda is not pioneering this path, but rather catching up.

The National Sovereignty Bill, 2025, identifies three principal areas of vulnerability. First is the realm of digital influence—where unregulated online

spaces and cyber vulnerabilities create fertile ground for external manipulation. Second is the structure of foreign aid, particularly where it is tied to conditions or implemented through parallel systems that bypass national priorities. Third is the regulatory gap surrounding non-governmental organizations and the flow of foreign funding within civil society.

While Uganda already has general regulatory frameworks in these areas, they do not adequately address the specific risks posed by foreign influence. The Bill seeks to close these gaps through a comprehensive approach anchored in six key objectives: promoting mutual respect and reciprocity in international relations; safeguarding digital sovereignty and cybersecurity; ensuring sovereign control over foreign aid and development finance; strengthening oversight of NGOs and foreign-funded CSOs; protecting cultural and social identity; and enhancing transparency and accountability in all external engagements.

These objectives are not only pragmatic but also firmly grounded in international and constitutional law. Article 2(7) of the United Nations Charter affirms the principle of non-interference in domestic jurisdiction, while Articles 1 and 2 of Uganda's Constitution enshrine the sovereignty of the people.

Uganda's relative stability over the past four decades has not been accidental. It has been the result of deliberate policies aimed at securing territorial integrity, maintaining internal security, and preserving cultural and social cohesion. Yet, the nature of threats has evolved. Today's "battlefield" is less visible, but no less consequential. It lies in information ecosystems, financial flows, cultural narratives, and institutional influence.

This is the new frontier of sovereignty.

To ignore these developments—or to delay in responding to them—would be to underestimate the scale and subtlety of the challenge. In an interconnected world, the erosion of sovereignty rarely occurs through dramatic events; more often, it unfolds gradually, through influence that is difficult to detect and even harder to reverse.

The National Sovereignty Bill, 2025, therefore represents more than a legislative proposal. It is a statement of intent—a recognition that safeguarding sovereignty in the 21st century requires not only vigilance, but adaptation.

The question, ultimately, is not whether such legislation is necessary. The question is whether Uganda can afford to wait any longer.

The writer is a practicing lawyer and Director of Legal Services of the National Resistance Movement.