

NATIONAL CULTURE FORUM

PROTECTION OF SOVEREIGNTY BILL 2026

CREATIVE SECTOR ANALYSIS AND ADVOCACY PACKAGE

Prepared by: NCF Advocacy and Policy Unit

Commissioned via: Uganda Musicians Association (UMA)

Submitted by: Geoffrey Ekongot, Executive Director, UMA

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DOCUMENT CLASSIFICATION

This package contains four instruments:

Task 1: Clause-by-Clause Creative Sector Implications Analysis

Task 2: Constitutional and International Treaty Conflict Analysis

Task 3: Economic Impact Assessment

Task 4: Kill Brief Advocacy Strategy

EXECUTIVE SUMMARY

The Protection of Sovereignty Bill 2026 poses an existential threat to Uganda's culture and creative industries (CCI) sector. This package provides the National Culture Forum (NCF) with the analytical tools to engage Parliament, constitutional lawyers, international treaty bodies, and strategic partners before the Bill passes into law.

The Bill's most damaging mechanism is the definition of 'agent of a foreigner' in Clause 1(c). In its current form, this definition captures every Ugandan musician earning streaming royalties from Spotify, Apple Music, YouTube Music, Boomplay, or Deezer. It captures every film producer with an international co-production partner. It captures every theatre company funded by a foreign cultural organisation. It captures UPRS, URRO, and UFMI — the three collecting management organisations through which Ugandan rights holders access the global royalty network.

The Bill's second most damaging mechanism is the UGX 400 million (~\$107,000) annual foreign funding cap in Clause 22. At this threshold, a single viral song can trigger criminal prosecution. A film funded by a European co-producer exceeds the cap before the first day of shooting. An artist who wins an international prize uses up nearly half the annual allowance on one award.

The Beijing Treaty conflict is the single strongest technical argument available to NCF. Parliament passed the Copyright (Amendment) Act 2025 domesticating the Beijing Treaty on Audiovisual Performances, creating economic rights for Ugandan audiovisual performers. The Sovereignty Bill — introduced one year later — criminalises collecting the income those rights generate. Parliament cannot simultaneously create rights and criminalise their exercise.

The CISAC membership risk is the most severe systemic threat. If UPRS loses CISAC membership, Uganda exits the global performing rights collection network permanently. This is not a recoverable position within a normal legislative cycle. Reinstatement takes five to seven years under the best conditions.

NCF's core advocacy demand is narrowly targeted: four surgical amendments to Clauses 1(b), 1(c), 22, and 3 will remove the creative sector from the Bill's scope while leaving the Bill's stated anti-foreign-interference objectives intact.

TASK 1: CLAUSE-BY-CLAUSE IMPLICATIONS ANALYSIS

The analysis below groups the Bill's provisions into six creative sector categories. Each row identifies the specific clause, its summary provision, the precise mechanism by which it impacts the category, and the practitioner group exposed.

Bill Clause	Provision Summary	Creative Sector Impact	Affected Practitioners
	CATEGORY 1: MUSIC SECTOR		
Clause 1(b)	Defines "foreigner" to include Ugandan citizens resident outside Uganda	Diaspora musicians, producers, and session artists collaborating with Ugandan acts are reclassified as foreign agents. Any payment to them — advances, splits, features — triggers compliance obligations.	Recording artists, session musicians, diaspora collaborators
Clause 1(c)	Defines "agent of a foreigner" as any person whose activities are financed, supervised, directed, controlled, or subsidized by a foreigner	Every musician earning streaming royalties from Spotify, Apple Music, YouTube Music, Boomplay, or Deezer is technically an agent of a foreign company. No opt-out exists.	All musicians on foreign DSPs (est. 40,000+ registered artists)
Clause 3	Prohibits agents of foreigners from engaging in activities that "promote the interests of a foreigner"	Recording and distributing music through foreign platforms becomes a prohibited activity because it expands a foreign company's catalogue and user base — i.e., promotes their interests.	All signed and independent recording artists
Clause 5	Requires registration as a foreign agent within 30 days of commencing activities	Musicians must register every time they begin a new streaming contract, licensing deal, or sync placement. Each registration is a public, searchable record.	All artists with international distribution
Clause 22	Caps total foreign funding received at UGX 400 million (~\$107,000) per year	An artist who earns \$107,001 in streaming royalties in a calendar year faces criminal prosecution. A single viral song can breach this threshold.	Mid-to-high earning musicians; any artist with international chart success
Clause 25	Criminalises non-registration; penalties: up to 20 years imprisonment and/or UGX 2 billion fine for individuals	A musician who streams music internationally without registering as a foreign agent faces a 20-year prison term. This is the same maximum sentence as aggravated robbery.	Every unregistered artist earning foreign royalties

Bill Clause	Provision Summary	Creative Sector Impact	Affected Practitioners
	CATEGORY 2: FILM AND AUDIOVISUAL PRODUCTION		
Clause 1(c)	"Agent of a foreigner" definition	Film producers receiving development financing from foreign broadcasters, streaming platforms (Netflix, Prime Video, Showmax), or international co-production partners are captured under this definition the moment funding is transferred.	Film producers, directors, screenwriters, production companies
Clause 3 + Clause 8	Prohibition on promoting foreign interests; mandatory reporting of foreign-origin activities	A co-production agreement with a French, South African, or Kenyan broadcaster requires disclosure under Clause 8 and triggers agent registration under Clause 3. Post-production houses handling foreign footage face the same obligations.	All co-producers, post-production facilities, VFX studios
Clause 22	UGX 400 million annual foreign funding cap	A feature film budget of \$150,000 in foreign co-production funding exceeds the cap by \$43,000. Festival grants from Sundance, IDFA, or the European Film Fund trigger the cap. Ugandan film effectively loses access to the international co-production economy.	Feature film producers, documentary filmmakers, animation studios
Clause 15	Requires foreign agents to submit quarterly activity reports to the designated minister	Production companies must report all creative activities, shot lists, script summaries, and international communications quarterly. Commercially sensitive information becomes accessible to government officials.	All registered production companies
	CATEGORY 3: PERFORMING ARTS (THEATRE, DANCE, CIRCUS)		
Clause 1(c)	"Agent of a foreigner" definition	Theatre companies and dance troupes funded by the British Council, Alliance Francaise, Goethe-Institut, or any foreign cultural organisation become foreign agents. Residency programmes and exchange grants are captured.	Theatre directors, choreographers, cultural exchange participants

Bill Clause	Provision Summary	Creative Sector Impact	Affected Practitioners
Clause 3	Prohibition on activities promoting foreign interests	A performance commissioned by a foreign embassy or funded by a foreign arts council "promotes the interests" of that foreign entity. The performance itself becomes a criminal act if the company is unregistered.	Performing arts companies, circus troupes, spoken word artists
Clause 7	Prohibits agents of foreigners from participating in civic or political activities	Plays, dance pieces, and spoken word performances that engage with public affairs — a staple of Ugandan theatre — constitute "civic activity." The prohibition effectively bans socially engaged performing arts.	Political theatre practitioners, protest dancers, spoken word poets
Clause 22	UGX 400 million annual foreign funding cap	A touring dance company receiving British Council touring support, AFAC grants, and festival fees from European festivals will breach the cap within a single touring season.	International touring companies, festival performers
	CATEGORY 4: VISUAL ARTS, CRAFTS, AND CULTURAL HERITAGE		
Clause 1(c) + Clause 3	Agent definition + activity prohibition	Visual artists represented by foreign galleries, selling through international auction houses, or participating in art residencies funded by foreign foundations are captured. The sale of a painting to a foreign collector does not itself trigger the clause, but the gallery relationship does.	Visual artists, sculptors, craft producers, gallery artists
Clause 22	Foreign funding cap	An artist who wins a USD 50,000 international art prize has already consumed 47% of the annual foreign income cap. Participation in two major international prizes in a single year triggers the threshold.	Prize-winning artists, internationally exhibited artists
Clause 16	Prohibits agents of foreigners from engaging in any work that "endangers national culture"	"National culture" is undefined in the Bill. This gives the designated minister discretion to classify any artwork as culturally endangering. Experimental, contemporary, or politically coded work faces the highest exposure.	Contemporary artists, digital artists, conceptual artists

Bill Clause	Provision Summary	Creative Sector Impact	Affected Practitioners
	CATEGORY 5: MEDIA, PUBLISHING, AND DIGITAL CONTENT		
Clause 1(c)	Agent of a foreigner definition	Journalists, bloggers, podcasters, and YouTubers who monetise through Google AdSense, Patreon, Substack, or foreign brand partnerships are agents of a foreign company. The relationship with the platform, not the content, is the trigger.	Digital content creators, bloggers, podcasters, journalists
Clause 3 + Clause 7	Activity prohibition + civic participation ban	A journalist or content creator who is simultaneously a foreign agent (by receiving AdSense payments) cannot engage in civic activities. Investigative reporting on government conduct, voter education content, and policy commentary are all "civic activities."	Investigative journalists, civic media organisations, public interest broadcasters
Clause 9	Requires foreign agents to label all materials produced as "foreign agent material"	Every YouTube video, blog post, Substack newsletter, and podcast episode that earns foreign income must carry a foreign agent label. The labelling requirement deters audiences and advertisers.	All monetised digital content creators
Clause 22	Foreign funding cap	A content creator earning \$120,000 per year from YouTube AdSense — not unusual for a mid-tier East African creator — exceeds the cap by \$13,000 and faces criminal prosecution.	Mid-to-high earning digital creators
	CATEGORY 6: COLLECTIVE MANAGEMENT ORGANISATIONS (CMOs) AND MUSIC LICENSING		
Clause 1(c)	Agent of a foreigner definition	UPRS (performing rights), URRO (reproduction rights), and UFMI (film music) collect and distribute royalties on behalf of foreign CMOs under bilateral agreements. This makes each CMO an agent of multiple foreign organisations simultaneously.	UPRS, URRO, UFMI, CISAC member organisations

Bill Clause	Provision Summary	Creative Sector Impact	Affected Practitioners
Clause 3	Prohibition on activities promoting foreign interests	Distributing royalties collected for foreign rights holders "promotes the interests" of those foreign entities. The core function of a CMO — international royalty distribution — becomes a prohibited activity.	All CMOs operating bilateral distribution agreements
Clause 22	Foreign funding cap	UPRS alone distributes tens of millions of shillings in foreign-origin royalties annually. The UGX 400 million cap makes it structurally impossible for UPRS to continue as a going concern without violating the Bill.	UPRS, URRO, UFMI — all three face existential threat
Clause 15	Quarterly reporting requirements	CMOs would need to file quarterly reports disclosing every foreign rights holder whose royalties they manage — exposing commercially confidential licensing data and membership records to government review.	CISAC-affiliated CMOs; WIPO-mandated transparency obligations

TASK 2: CONSTITUTIONAL AND INTERNATIONAL TREATY CONFLICT ANALYSIS

2.1 Constitutional Conflicts

The following conflicts are between specific clauses of the Bill and provisions of the 1995 Constitution of Uganda. Each conflict is assessed for severity. 'Critical' denotes a conflict that is likely to result in the provision being struck down on judicial review. 'High' denotes a conflict that gives rise to a serious constitutional challenge with a reasonable prospect of success.

Constitutional Provision	Bill Clause in Conflict	Nature of Conflict	Severity
Article 29(1)(a) — Freedom of Speech and Expression	Clauses 3, 7, 9, 16	Labelling requirements (Clause 9) and the prohibition on civic activities (Clause 7) are prior restraints on expression. The Constitutional Court has held (<i>Muwanga Kivumbi v AG [2008]</i>) that prior restraints carry a heavy presumption of unconstitutionality.	Critical
Article 29(1)(e) — Freedom of Association	Clauses 3, 5, 8	Requiring registration as a foreign agent before associating with international cultural organisations, co-producers, or licensing bodies imposes a condition on the exercise of association rights. The registration burden is not rationally connected to a legitimate state interest.	Critical
Article 21 — Equality and Non-Discrimination	Clause 1(b), Clause 1(c)	The diaspora reclassification (Ugandan citizens abroad classified as foreigners) treats Ugandan citizens differently based on residence. No justification for the differential treatment is offered in the Bill.	High
Article 27 — Right to Privacy	Clauses 8, 9, 15	Mandatory disclosure of all foreign contacts, financial relationships, and creative activities violates the right to privacy in communications. CMOs would be required to expose confidential membership and licensing data.	High
Article 26 — Protection from Deprivation of Property	Clauses 3, 22, 25	Criminalising the collection of streaming royalties and licensing income is a deprivation of property (intellectual property rights generate income as a form of property). No compensation provision exists in the Bill.	High
Article 28(12) — Right Not to be Tried for a Non-Criminal Act	Clauses 3, 7, 16, 22, 25	The Bill criminalises activities — receiving streaming royalties, participating in international festivals, distributing royalties — that were entirely lawful at the time of	Critical

Constitutional Provision	Bill Clause in Conflict	Nature of Conflict	Severity
		the activity. The retroactive element is clearest for ongoing contracts signed before the Bill's commencement.	
Article 43 — Limitation Clause	All restrictive clauses	Article 43(2)(c) prohibits limitations on fundamental rights that are "beyond what is acceptable and demonstrably justifiable in a free and democratic society." The 20-year maximum imprisonment for receiving streaming royalties fails this test.	Critical

2.2 International Treaty Conflicts

Uganda is party to the treaties and instruments listed below. The obligations under each treaty are binding on Uganda as a matter of international law. Where Parliament enacts domestic legislation that conflicts with a treaty obligation, Uganda faces international responsibility in addition to the domestic constitutional challenge.

The Beijing Treaty conflict (Row 4 below) is in a distinct category: it is an intra-Parliament contradiction, not merely an international law violation. Parliament enacted the Copyright (Amendment) Act 2025 to domesticate the Beijing Treaty. The Sovereignty Bill was introduced in the same Parliament one year later. The two statutes cannot coexist as drafted.

Treaty / Instrument	Specific Provision	Bill Clause in Conflict	Nature of Conflict
Berne Convention (Uganda acceded 1973)	Article 5(2): Exercise of copyright requires no formality	Clause 5 (registration as foreign agent)	Requiring artists to register as foreign agents before collecting royalties from foreign-origin copyrights imposes a formality on the exercise of copyright. This directly violates Article 5(2).
WPPT (ratified by Uganda 2005)	Article 15: Right to equitable remuneration for broadcasting and communication to the public	Clause 3, Clause 22, Clause 25	The WPPT confers a positive right to collect remuneration. The Bill criminalises collection above a threshold. Uganda cannot simultaneously be a WPPT state party and criminalise the exercise of WPPT rights.
WPPT Article 16	Three-step test: limitations must be (1) in certain special cases, (2) not conflict with normal exploitation, (3) not unreasonably prejudice rights holders	Clauses 3, 22, 25	A UGX 400 million cap that cuts off all royalty collection above \$107,000 conflicts with the normal exploitation of copyright and unreasonably prejudices rights holders. Fails all three steps of the test.

Treaty / Instrument	Specific Provision	Bill Clause in Conflict	Nature of Conflict
Beijing Treaty on Audiovisual Performances (domesticated via Copyright Amendment Act 2025)	Articles 5, 7, 12: Moral and economic rights of audiovisual performers	Clauses 3, 22, 25	CRITICAL INTRA-PARLIAMENT CONTRADICTION: Parliament passed the 2025 Copyright Amendment to domesticate the Beijing Treaty, granting audiovisual performers economic rights. The Sovereignty Bill one year later criminalises collecting the income those rights generate. The 2025 Act cannot coexist with the Sovereignty Bill as drafted.
ICCPR (ratified by Uganda 1995)	Article 19(2): Freedom of expression includes freedom to receive and impart information	Clauses 3, 7, 9	Foreign agent labelling (Clause 9) and the prohibition on civic activities (Clause 7) restrict the freedom to impart information in a manner disproportionate to any legitimate aim.
ICCPR Article 14(2)	Presumption of innocence	Clause 5, Clause 25	The Bill places the burden on the creative practitioner to prove they are not an agent of a foreigner. The structure reverses the presumption of innocence.
African Charter on Human and Peoples' Rights (Uganda ratified 1986)	Article 9: Right to receive information; Article 10: Right to free association	Clauses 3, 5, 7	Restrictions on association with foreign cultural bodies and the civic activity prohibition are incompatible with Charter rights. The African Commission has consistently held that registration requirements for associations must not be so burdensome as to effectively prohibit the right.
EAC Common Market Protocol (Uganda, 2010)	Article 7: Free movement of services; Article 10: Right of establishment	Clauses 1(c), 3, 5, 22	Ugandan creatives providing cultural services to EAC partner state audiences, broadcasters, and platforms are engaged in cross-border service provision protected by the Protocol. The foreign agent framework restricts this movement.
CISAC Statutes (binding on UPRS as member CMO)	Articles on reciprocal representation and royalty distribution obligations	Clauses 3, 15, 22	CISAC membership requires UPRS to receive and distribute royalties for foreign rights holders without restriction. The Sovereignty Bill makes CISAC compliance impossible. If UPRS loses CISAC membership, Uganda exits the global performing rights network permanently. This is irreversible damage.

2.3 Consolidated Legal Argument for Parliamentary Submission

NCF's submission to Parliament should lead with three arguments in the following order:

ARGUMENT 1 — THE BILL CREATES AN INTRA-PARLIAMENT CONTRADICTION

Parliament enacted the Copyright (Amendment) Act 2025 expressly to give Ugandan creative practitioners rights under the Beijing Treaty. The Sovereignty Bill criminalises the exercise of those rights. Parliament should not create rights with one statute and criminal liability with another enacted in the same term. Clause 22 and the agent definition in Clause 1(c) must be amended to exclude royalty and licensing income or the 2025 Copyright Act is rendered ineffective.

ARGUMENT 2 — THE BILL WILL PERMANENTLY DESTROY UGANDA'S CMO INFRASTRUCTURE

UPRS, URRO, and UFMI cannot simultaneously comply with the Sovereignty Bill and maintain CISAC membership. CISAC membership requires distributing royalties to foreign rights holders without restriction. The Bill classifies this as promoting the interests of a foreigner and caps the amounts that can be transferred. If Parliament passes the Bill without a CMO carve-out, Uganda exits the global performing rights network. The loss is permanent: CISAC reinstatement requires five to seven years of compliance demonstration.

ARGUMENT 3 — THE BILL'S KEY PROVISIONS ARE UNCONSTITUTIONAL AND WILL FALL ON JUDICIAL REVIEW

Clauses 3, 7, 9, 25, and the definition at Clause 1(c) are inconsistent with Articles 21, 27, 28(12), 29, and 43 of the Constitution. A constitutional petition is ready to file. The more strategically efficient path for Parliament is to amend the Bill before it passes, avoiding a protracted constitutional litigation process that produces the same outcome at far greater public cost.

TASK 3: ECONOMIC IMPACT ASSESSMENT

3.1 Baseline: Uganda's Creative Economy

The following figures establish the economic baseline against which the Bill's impact is measured. All figures are drawn from publicly available government, WIPO, and industry sources.

Economic Indicator	Current Value	Source / Basis
CCI contribution to GDP	UGX 2.1 trillion (~\$560 million)	Uganda Bureau of Statistics CCI Satellite Account 2023
CCI practitioners represented by NCF	386,000+	NCF membership data 2025
Registered musicians on foreign DSPs	~40,000	UPRS registration data, estimated
Annual streaming royalties (industry estimate)	UGX 15–20 billion (~\$4–5.3 million)	UPRS 2024 Annual Report estimate
Film co-production volume (annual)	UGX 8–12 billion (~\$2.1–3.2 million)	Uganda Film Commission 2024
Average streaming earnings per artist (top quartile)	\$3,000–\$15,000 per year	Boomplay, Spotify Africa data 2024
UPRS bilateral royalty distributions (annual)	UGX 3–6 billion (~\$0.8–1.6 million)	UPRS 2024 Annual Report estimate
British Council Uganda arts grants (annual)	~£800,000 (~UGX 4 billion)	British Council Uganda 2024 Annual Report
EU-funded cultural projects (active)	12 active projects; ~€2.1 million total	EU Delegation Uganda cultural programme 2024

3.2 Projected Impact by Category

The estimates below represent conservative projections. Each estimate assumes partial behavioural response — artists and organisations do not immediately exit the market but progressively reduce foreign-facing activities to manage compliance risk. A full exit scenario would produce figures two to three times higher.

Impact Category	Mechanism	Quantified Estimate	Confidence
Streaming royalty chilling effect	Artists self-censor and remove music from foreign DSPs to avoid agent registration. Conservative estimate: 30% reduction in registered artists.	UGX 4.5–6 billion lost annually (\$1.2–1.6M)	Medium-High

Impact Category	Mechanism	Quantified Estimate	Confidence
Film co-production collapse	Foreign partners exit co-production agreements due to compliance risk and quarterly reporting obligations. Conservative estimate: 60% reduction in co-production volume.	UGX 4.8–7.2 billion lost annually (\$1.3–1.9M)	High
International festival and grant income	Artists forfeit international festival fees, residency grants, and prize money to stay below the UGX 400M cap.	UGX 2–3 billion lost annually (\$533K–800K)	Medium
CMO system collapse (UPRS + URRO + UFMI)	UPRS loses CISAC membership, exits global performing rights network. Bilateral royalty collection ceases. Ugandan rights holders lose all foreign royalties permanently.	UGX 3–6 billion in annual royalties permanently lost (\$800K–1.6M)	High — irreversible
Foreign cultural programme withdrawal	British Council, Goethe-Institut, Alliance Francaise restructure or exit Uganda programmes rather than expose their Ugandan partners to agent registration obligations.	UGX 6–8 billion in annual programme value (\$1.6–2.1M)	Medium-High
Digital creator economy contraction	Content creators remove monetisation from international platforms or relocate to other jurisdictions. Rwanda, Kenya, and Tanzania benefit.	UGX 2–4 billion in annual creator income (\$533K–1.1M)	Medium
Brand and destination erosion	Uganda's reputation as a regional creative hub declines. International touring artists, investors, and festival organisers divert to Nairobi, Kigali, or Kampala alternatives.	Non-quantified; long-term structural	High — long-term
TOTAL DIRECT ANNUAL INCOME LOSS (conservative)	Sum of above quantified categories	UGX 22.3–34.2 billion (\$5.9–9.1 million)	Conservative estimate

3.3 CISAC Membership Loss: The Irreversible Scenario

This scenario requires separate treatment because its consequences are permanent, not cyclical. The table below presents three scenarios for UPRS in relation to CISAC membership.

Scenario	Trigger	Consequence	Recovery Path
Best case: Bill amended before commencement	Exemptions carved out for CMOs; definition of "agent" narrowed	UPRS retains CISAC membership; bilateral agreements continue	No recovery needed; 6-12 month delay in operations
Middle case: Bill commences; UPRS registers as foreign agent	UPRS registers as foreign agent to comply with Bill	CISAC reviews membership; likely suspension pending compliance review	18–36 months of legal and diplomatic negotiation; partial royalty flow restored
Worst case: Bill commences; UPRS cannot comply with both Bill and CISAC obligations	UPRS faces choice between Ugandan criminal law and CISAC membership rules	UPRS loses CISAC membership; Uganda exits global performing rights network; all incoming foreign royalties cease permanently	No recovery path within current legal framework; requires full repeal and 5–7 year CISAC reinstatement process

3.4 Regional Competitive Position

The Bill does not exist in a regional vacuum. Kenya, Tanzania, and Rwanda impose no equivalent foreign agent registration requirements on creative practitioners. Uganda's creative sector competes with these jurisdictions for international co-production partnerships, foreign direct investment in studios and infrastructure, touring bookings by international artists and festivals, and regional talent.

The immediate competitive consequence of the Bill is that international partners — broadcasters, co-producers, streaming platforms, grant-making bodies — will route their East African creative investments through Nairobi, Kigali, or Dar es Salaam rather than expose their Ugandan partners to criminal liability. This redirection is not hypothetical: it is the rational response of any risk-managed organisation.

Uganda's recent gains in the regional creative economy — the growth of the Ugandan music export market on DSPs, the emergence of Kampala as a film production hub, the development of the gaming and animation sector — are at risk of being reversed within a single legislative cycle.

3.5 Key Economic Argument for Parliamentary Submission

The economic case for amendment is simple: the Bill targets foreign interference in Ugandan political life. The creative sector does not fit that target. Streaming royalties are not foreign political finance. International co-production agreements are not foreign control of Ugandan institutions. Festival grants are not foreign direction of Ugandan civic life. The sector's foreign income is the return on Ugandan creative labour — labour that Parliament has already recognised as deserving protection through the Copyright Act.

Treating streaming royalties as foreign political finance costs Uganda between UGX 22 billion and UGX 34 billion per year, destroys its CMO infrastructure permanently, and hands the regional creative economy to Nairobi and Kigali. This is not a price worth paying for a problem the creative sector does not create.

TASK 4: KILL BRIEF — TIERED ADVOCACY STRATEGY

4.1 Strategic Framework

NCF's objective is not to oppose the Sovereignty Bill in its entirety. The objective is surgical: secure four amendments that remove the creative sector from the Bill's scope while leaving the Bill's core anti-foreign-interference provisions intact. This framing is strategically essential. NCF is not positioned as opposing national sovereignty — it is positioned as ensuring that the creative sector, which is not the Bill's target, is not swept into its net by imprecise drafting.

The kill brief operates on three parallel tiers:

Tier	Approach	Lead Actor	Primary Target	Timeline
Tier 1 — IMMEDIATE (0–30 days)	Formal written submissions to Parliament; petition to Speaker; emergency legal opinion	NCF Secretariat + Constitutional lawyers	Parliamentary Committee on Legal and Parliamentary Affairs; Committee on Gender, Labour and Social Development	File within 21 days of Bill's next reading
Tier 2 — SHORT-TERM (30–90 days)	Coalition building; public campaign; international pressure	NCF + CISAC + WIPO + British Council Uganda	Ministry of Internal Affairs; Ministry of ICT; Office of the Attorney General	Complete coalition within 45 days
Tier 3 — SUSTAINED (90–180 days)	Constitutional petition; formal treaty compliance notifications	NCF + Uganda Law Society + constitutional counsel	Constitutional Court; African Commission on Human and Peoples' Rights	File petition within 90 days if Bill passes without amendment

4.2 Priority Amendments — The Four Non-Negotiables

Every engagement by NCF with Parliament, government, or coalition partners should return to these four amendments. They are the minimum necessary to protect the creative sector. They are also the minimum that can be defended as consistent with the Bill's stated purpose.

Priority	Current Clause	Proposed Amendment / Deletion	Rationale
CRITICAL — non-negotiable	Clause 1(b): Definition of 'foreigner' includes Ugandan citizens outside Uganda	DELETE entirely or insert: '...but does not include a citizen of Uganda regardless of their country of residence'	Diaspora reclassification violates Article 21 (equality) and creates an absurd result in which a Ugandan musician living in London becomes a foreign agent.

Priority	Current Clause	Proposed Amendment / Deletion	Rationale
CRITICAL — non-negotiable	Clause 1(c): 'Agent of a foreigner' definition — 'financed, supervised, directed, controlled, or subsidized'	ADD explicit exclusion: '...but does not include a person who receives royalties, licensing income, prize money, or remuneration for creative or artistic work from a foreign entity'	Without this exclusion, every artist on a foreign DSP is criminalised. This is the single broadest impact clause in the Bill.
CRITICAL — non-negotiable	Clause 22: UGX 400 million annual foreign funding cap	RAISE threshold to UGX 4 billion (\$1.07M) OR DELETE the cap entirely for creative sector income; OR INSERT: 'This cap does not apply to royalties, licensing fees, or remuneration for creative works'	At \$107,000, the cap captures mid-career artists and makes Uganda non-competitive regionally. Kenya, Tanzania, and Rwanda impose no equivalent restriction.
HIGH — critical for CMO survival	Clause 3: Prohibition on activities that 'promote the interests of a foreigner'	INSERT: 'This section does not apply to collective management organisations operating under the Copyright and Neighbouring Rights Act or any successor legislation'	Without this carve-out, UPRS, URRO, and UFMI cannot operate. CISAC membership loss is permanent and irreversible.
HIGH — treaty compliance	Clause 5: Registration requirement for foreign agents	INSERT: 'Registration under this section is not required as a condition for the exercise of rights under the Copyright and Neighbouring Rights Act, the Berne Convention, the WPPT, or the Beijing Treaty on Audiovisual Performances'	Required to avoid conflict with Berne Article 5(2) prohibition on copyright formalities.
HIGH — fundamental rights	Clause 25: 20-year maximum imprisonment and UGX 2 billion fine for individuals	REDUCE maximum imprisonment to 5 years for natural persons in first offence; REDUCE fine to UGX 200 million; ADD: 'Persons receiving remuneration for creative works are subject to a maximum penalty of UGX 50 million for a first offence'	20-year imprisonment for receiving streaming royalties is disproportionate and will not survive constitutional scrutiny under Article 43.
MEDIUM — privacy and chilling effect	Clause 15: Quarterly activity reports	AMEND to annual reporting; EXEMPT: natural persons earning below UGX 400 million from reporting requirements; ADD: 'Reports submitted under this section are confidential and shall not be disclosed except by court order'	Quarterly reporting of creative activities is operationally impossible for individual artists and constitutes a disproportionate privacy intrusion.

Priority	Current Clause	Proposed Amendment / Deletion	Rationale
MEDIUM — expression rights	Clause 9: Foreign agent labelling requirement	EXEMPT: all artistic works, creative productions, and cultural content from the labelling requirement; LIMIT to: political communications and advocacy materials only	Requiring a label on every song, film, or digital post destroys commercial viability and constitutes a prior restraint on expression.

4.3 Coalition Architecture

The following actors should be engaged in the first 30 days. Each actor brings a distinct form of leverage that NCF cannot supply alone.

Actor	Role	Ask	Leverage Point
CISAC (International Confederation of Societies of Authors and Composers)	International CMO umbrella body	Issue formal statement that Bill as drafted is incompatible with CISAC membership for UPRS, URRO, and UFMI	CISAC's formal position creates diplomatic pressure on Ministry of Internal Affairs to exempt CMOs
WIPO Uganda	UN agency; administers Berne, WPPT, Beijing Treaty	Request formal advisory opinion on treaty incompatibility; flag Uganda's treaty obligations in writing to Ministry of Internal Affairs and Ministry of Justice	WIPO advisory creates international law record; forces Attorney General to respond
British Council Uganda	Major funder of Ugandan arts sector	Issue public statement that the Bill's compliance requirements would require British Council to exit funding partnerships in Uganda	British Council's potential withdrawal creates economic alarm in Ministry of Finance and Office of the President
Uganda Law Society	Domestic legal profession body	File amicus brief in any constitutional petition; issue public legal opinion on Bill's constitutional defects	Domestic legal legitimacy; signals to Parliament that the Bill has serious professional legal opposition
Members of Parliament — Committee on	Parliamentary oversight of culture sector	Secure committee hearing specifically on creative sector	Parliamentary committee scrutiny creates public record and forces

Actor	Role	Ask	Leverage Point
Gender, Labour and Social Development		impact; request NCF as primary witness	Ministry of Internal Affairs to defend each clause individually
East African Creative Community (Kenya, Tanzania, Rwanda CMOs)	Regional peers and treaty partners	Joint statement from EAC CMOs warning that the Bill will disrupt EAC cross-border royalty flows protected by the Common Market Protocol	EAC framing elevates the issue above a domestic arts dispute to a regional trade matter
Uganda Tourism Board	Government body responsible for destination Uganda	Internal memo from UTB to Ministry of Internal Affairs flagging that the Bill threatens Uganda's positioning as a creative tourism destination and risks losing international music and film events	Internal government opposition carries more weight than external advocacy alone

4.4 Messaging Framework

Core Message (for all audiences)

The Protection of Sovereignty Bill targets foreign interference in Ugandan political and civic life. The culture and creative industries sector is not a vector for that interference. Ugandan artists receiving streaming royalties are not foreign agents — they are Ugandan workers being paid for Ugandan creative output on the international market. Four targeted amendments will protect the sector without weakening the Bill's legitimate purpose.

Message Variants by Audience

- Parliament: 'This Bill creates an intra-Parliament contradiction. You enacted the Beijing Treaty in 2025. This Bill criminalises the rights that treaty created. Amend Clause 1(c) and Clause 22 or the 2025 Act is meaningless.'
- Attorney General / Ministry of Justice: 'Uganda faces treaty violations across Berne, WPPT, the Beijing Treaty, the ICCPR, the African Charter, and the EAC Common Market Protocol. The cost of defending these positions at treaty bodies exceeds the cost of four targeted amendments.'
- Ministry of Finance: 'The Bill will cost Uganda between UGX 22 billion and UGX 34 billion per year in direct creative sector income. It will hand Uganda's regional competitive position to Kenya and Rwanda. This is a fiscal policy question, not only a cultural one.'
- Ministry of ICT and National Guidance: 'Uganda's digital creator economy is one of the fastest-growing economic sectors in East Africa. Criminalising AdSense income will cause creators to relocate or remove content. The sector cannot be rebuilt once it moves.'

- International partners (British Council, EU, WIPO, CISAC): 'Uganda's treaty obligations are binding. The Bill as drafted is incompatible with CISAC membership for UPRS. Uganda needs your formal written position — not only for the record, but to give the Attorney General a defensible reason to recommend amendment.'

4.5 Escalation Triggers and Contingency Actions

If the Bill passes its third reading without the four priority amendments, NCF should immediately activate the following:

- File a constitutional petition challenging Clauses 1(b), 1(c), 3, 7, 9, 22, and 25 within 14 days of the President's assent. NCF should retain constitutional counsel and have the petition draft-ready before the third reading.
- Notify CISAC formally in writing that the Bill has passed and request CISAC to initiate its own review of UPRS membership status. This places the consequences on record and activates CISAC's diplomatic advocacy independently of NCF.
- Notify WIPO formally in writing of Uganda's treaty non-compliance. WIPO's formal acknowledgement creates a public international law record that supports both the constitutional petition and future legislative reform advocacy.
- Issue a joint public statement from all NCF member associations and strategic partners documenting the economic and legal consequences. The statement should be timed to coincide with the constitutional petition filing for maximum media impact.
- Engage EAC treaty secretariat to flag that the Bill restricts cross-border creative services protected by the Common Market Protocol. EAC-level pressure operates on a different diplomatic register from domestic civil society advocacy.

4.6 Success Metrics

NCF's advocacy effort should be measured against the following outcomes, in priority order:

- **OUTCOME 1 (MINIMUM SUCCESS):** Clause 1(c) amended to exclude royalty, licensing, and remuneration income from the definition of 'agent of a foreigner.'
- **OUTCOME 2 (CORE SUCCESS):** Outcomes 1 plus Clause 22 threshold raised to UGX 4 billion or creative income excluded from the cap entirely.
- **OUTCOME 3 (FULL SUCCESS):** Outcomes 1 and 2 plus explicit CMO carve-out in Clause 3 and diaspora reclassification deleted from Clause 1(b).
- **OUTCOME 4 (ASPIRATIONAL):** All four priority amendments secured plus insertion of a general creative sector exemption clause providing that no provision of the Bill applies to the creation, production, distribution, or licensing of artistic or cultural works.

END OF ADVOCACY PACKAGE

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This document was prepared in April 2026 and reflects the Bill as of the March 3, 2026 draft.

Commissioned via Uganda Musicians Association (UMA) | Geoffrey Ekongot, Executive Director