



PARLIAMENT OF UGANDA

**DISSENT FROM THE MAJORITY REPORT OF THE JOINT COMMITTEE
OF THE COMMITTEE ON DEFENCE AND INTERNAL AFFAIRS AND THE
COMMITTEE ON LEGAL AND PARLIAMENTARY AFFAIRS ON THE
PROTECTION OF SOVERIEGNTY BILL, 2026**

DATED at Kampala this ^{5th} day of *May*, 2026

SIGNED:.....

OLANYA GILBERT (MP)

CONSTITUENCY: KILAK SOUTH

1 INTRODUCTION

The joint Committee made up of the Committee on Defence and Internal Affairs and the Committee on Legal and Parliamentary Affairs considered the Protection of Sovereignty Bill, 2026, in accordance with Rule 135 whose object is to provide for the protection of the sovereignty of the people of Uganda, including the regulation of agents of foreigners and foreign funding.

While the Minority recognises the legitimacy of safeguarding national sovereignty, it is our considered view that the Bill, in its current form, raises serious constitutional, legal, economic, and administrative concerns.

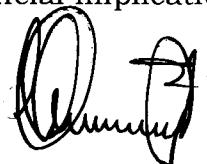
Accordingly, this Minority Report sets out the grounds upon which the Bill should not proceed as presently drafted, and proposes an alternative course of action.

2 POINTS OF DISSENT

The minority, following Rule 215 of Parliament's Rules of Procedure, dissents from the majority's decision for the reasons stated below.

The Bill establishes an extensive regulatory and criminal framework governing individuals and entities classified as "agents of foreigners," imposing controls on funding, policy engagement, and civic participation. The Minority observes that several provisions raise serious concerns, including;

- i. vague and inconsistent definitions,
- ii. an extreme and disproportionate penalty regime,
- iii. infringements on freedom of expression and civic space,
- iv. duplication of existing legal frameworks.
- v. the absence of commencement and transitional provisions, and duplication of existing legal frameworks.
- vi. a defective Certificate of Financial Implication,



Taken together, these defects render the Bill incompatible with Constitutional standards, established legislative drafting practice, and Uganda's international obligations.

3 STATEMENT OF REASONS FOR DISSENT.

This part of the Report sets out the reasons for dissent. The Minority has examined the Bill and the effect of the proposed amendments, assessing their legality, coherence, and effectiveness in light of other applicable laws, existing public policy, relevant court decisions, and the mischief the Bill purports to address.

3.1 Vague and inconsistent definitions

The Bill contains ambiguous and inconsistent definitions, particularly in relation to:

- "Foreign policy" (Clauses 9 and 10);
- "Foreigner";
- "Promoting the interests of a foreigner."

The Minority notes that:

- The definition of "foreigner" extends to Ugandan citizens residing abroad and broadly defined entities;
- The concept of "foreign policy" is used inconsistently within the Bill;

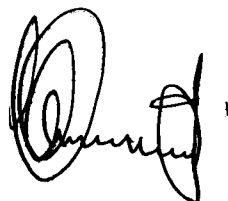
These deficiencies violate the principle of legal certainty under Article 28 of the Constitution.

3.2 Extreme and disproportionate penalty regime

The Bill establishes a uniform and severe penalty structure, imposing custodial sentences of up to twenty (20) years across a wide range of offences.

Notably, the same maximum penalty applies to:

- Promotion of the interests of a foreigner (Clause 5);



- Participation in activities deemed to promote foreign policy (Clause 10);
- Publication of information characterised as economic sabotage (Clause 13); and
- Failure to submit statutory returns (Clause 26).

The Minority finds that:

- The failure to differentiate between offences of varying gravity violates the principle of proportionality in criminal law;
- The penalty framework is inconsistent with comparative jurisprudence; and
- The combination of severe penalties and vague offences creates a real risk of arbitrary and selective enforcement.

The inclusion of forfeiture provisions (Clauses 22 and 23) further entrenches a punitive and confiscatory regime.

The Minority therefore concludes that the penalty structure is excessive, unjustifiable, and unconstitutional.

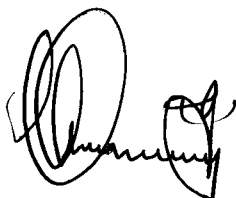
3.3 Infringement of freedom of expression and civic space

The Bill adopts expansive and undefined concepts, including “political activities” and conduct that “promotes the interests of a foreigner.” Clauses 10 to 13 criminalise a wide range of activities, including:

- Advocacy or promotion of policies;
- Organisation of meetings;
- Dissemination of information deemed harmful to the economy.

The Minority observes that these provisions:

- Are insufficiently precise,
- Capture legitimate democratic engagement, and
- Risk criminalising ordinary civic participation and policy discourse.



This constitutes an unjustifiable limitation on freedom of expression under Article 29 of the Constitution, Right to Participate in Governance (Article 38)

3.4 Duplication of existing legal frameworks

The Bill substantially duplicates existing legislation, including:

- The NGO Act;
- The Political Parties and Organisations Act;
- The Anti-Money Laundering Act;
- Existing tax and financial reporting laws.

The provisions on funding, reporting, and regulation (Part IV) of the Bill overlap with existing statutory obligations. This duplication will result in:

- Regulatory conflict;
- Compliance burdens; and
- Institutional inefficiency.

3.5 Absence of commencement and transitional provisions

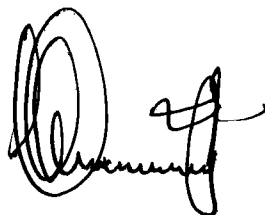
The Bill does not provide for:

- A commencement framework; or
- Transitional arrangements for affected persons and entities.

This omission creates a risk that individuals and organisations will be rendered instantly non-compliant upon enactment, without reasonable opportunity to adjust.

The Minority finds that this:

- Offends Article 28 (right to a fair hearing); and
- Violates Article 42 (right to just and fair treatment in administrative decisions).

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3.6 Defective certificate of financial implications

The Certificate of Financial Implications (CFI) accompanying the Bill is materially defective. The CFI asserts that the Bill has no direct revenue implications, yet the Bill introduces:

- Fees and administrative charges;
- Substantial fines; and
- Asset forfeiture mechanisms.

This inconsistency contravenes Section 76 of the Public Finance Management Act, which requires a credible and comprehensive fiscal assessment. Furthermore, the CFI fails to account for:

- The cost of establishing and administering the regulatory regime;
- The macroeconomic impact of the Bill, including potential effects on foreign investment and capital flows.

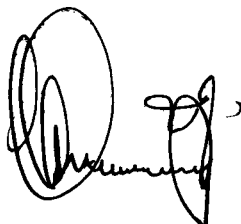
Evidence presented by Bank of Uganda to the Committee indicates that the Bill may have adverse consequences for Uganda's economic stability, including risks to the balance of payments and currency stability.

The Minority therefore finds that the CFI is legally insufficient and renders the legislative process procedurally flawed.

4 INSTITUTIONAL AND POLICY CONSIDERATIONS

The Minority notes the prevailing policy position indicating the need for further consultation and reconsideration of the legislative approach to sovereignty protection. In light of the limited time remaining in the legislative calendar, proceeding with the Bill in its current form risks:

- Inadequate scrutiny;
- Poor legislative quality; and
- Reputational harm to Parliament.

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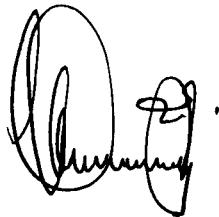
5 CONCLUSION AND RECOMMENDATIONS

The Minority acknowledges the importance of protecting Uganda's sovereignty. However, the Bill as currently drafted:

- Imposes disproportionate criminal sanctions;
- Contains vague and overbroad provisions;
- Is supported by a defective Certificate of Financial Implications;
- Creates significant economic and regulatory risks; and
- Is procedurally and constitutionally deficient.

Accordingly, the Minority recommends that:

- i. The House does not pass the Bill in its present form;
- ii. The Bill be withdrawn and remitted for comprehensive redrafting;
- iii. A revised Bill should:
 - Provide clear and precise definitions;
 - Establish a proportionate penalty regime;
 - Align with existing legal frameworks;
 - Be supported by a credible economic and fiscal analysis; and
 - Be subjected to broad stakeholder consultation.

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