

UGANDA: END REPRESSION OF CIVIL SOCIETY

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Joint statement on Uganda's NGO Bureau suspension of 54 NGOs in the country.

27 August 2021

Uganda's NGO Bureau, the country's regulatory authority for non-governmental organizations (NGOs), should immediately rescind the decision to suspend 54 organizations that they have classified as NGOs, which comes in the context of intensifying intimidation and harassment of civil society organizations. The suspension is intended to restrict the rights to freedom of expression and association and stop the activities of independent civil society organizations that are perceived as critical of the authorities.

On 20 August 2021, the National Bureau for NGOs (NGO Bureau) ordered the immediate suspension of these organizations claiming that they had failed to comply with NGO legislation, including by operating with expired permits, failing to file accounts, or failing to register with the Bureau.

According to the Uganda National NGO Forum, most of the organizations were not informed of the Uganda NGO Bureau's decision or given an opportunity to respond in advance.

Uganda's 2016 NGO Act imposes burdensome requirements for application for permits for NGOs with multiple layers of registration with periodic renewal applications, and organisations are required to have memorandums of understanding with the district they operate in. There is also lack of clarity over which organizations fall under this regulatory regime.

The suspension of the organizations is arbitrary, as it goes against Section 33 (2) of the NGO Act, which requires the Bureau to give 30 days' notice in writing to permit holders to enable them to show cause why the permit should not be revoked. Suspension of independent civil society organizations simply for carrying out their work is an attack on human rights, including the rights to freedom of expression and association. Suspending civil society organizations also exposes those organizations to additional legal risks if they are unable to pay staff or suppliers.

Many of the organizations affected work in critical areas such as legal practices to help poor or marginalized people. Others work on accountability and transparency in the oil sector, and some monitored human rights in the context of the elections. To shut down organizations working so closely with Ugandans abruptly will hurt people who rely on their services or advocacy.

The rights to freedom of expression and association are guaranteed under Articles 9 and 10 of the African Charter on Human and Peoples' Rights to which Uganda is a state party. Accordingly, the African Commission on Human and Peoples' Rights issued guidelines on freedom of association and assembly as provided for in the African Charter, that among other things prohibits states from compelling associations to register to be allowed to exist and to operate freely. Further, informal organisations shall not be punished or criminalized under the law or in practice based on their lack of formal status. This decision by the NGO Bureau is a clear demonstration of the repressive nature in which Ugandan authorities have continued to clamp down on civic space and human rights.

The NGO Bureau is mandated to play a regulatory and facilitative role in creating an enabling environment for non-profit organizations in Uganda, but this has not been the case in the recent past.

We acknowledge the positive discussions held between the Minister of Internal Affairs and Civil Society Leaders on 24 August and implore the minister to expeditiously follow through the commitments made to redress the anomalies in the suspension of some of the affected NGOs and establish an Adjudication Committee as required by the law. We further call on authorities in Uganda to ensure that civil society actors involved in promoting fundamental rights can freely exercise their rights consistent with Ugandan Constitution and the country's international human rights obligations including the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights.

Signed off by the following civil society organizations:

1. ActionAid International Africa
2. Advocacy Network for Africa (AdNA)
3. AfricanDefenders (the Pan-African Human Rights Defenders Network)
4. Amnesty International
5. Asylum Seeker, Refugee & Migrant Coalition (ASRM Coalition)
6. Campaign for Good Governance (CGG – Sierra Leone)
7. Campaign for Human Rights and Development International (CHRDI)
8. Center for Advancement of Rights and Democracy (CARD – Ethiopia)
9. Center for Constitutional Governance
10. Center for International Governance, Peace and Justice (CIGPJ – South Sudan)
11. Center for Youth Advocacy and Development (CEYAD)
12. Centre for Democracy and Development (CCD)
13. Change Tanzania
14. Chapter One Foundation Zambia
15. CIVICUS
16. Civil Society Human Rights Advocacy Platform of Liberia
17. Civil Society Reference Group - Kenya
18. Consortium of Ethiopian Human Rights Organizations (CEHRO)
19. Crown The Woman – South Sudan
20. Digital Society of Africa
21. DITSHWANELO - The Botswana Centre for Human Rights
22. Echoes of Women in Africa Initiative (ECOWA – Nigeria)
23. Ethiopian Human Rights Defenders Center (EHRDC)
24. FIDH (International Federation for Human Rights)
25. Foundation for Democratic and Accountable Governance (FODAG – South Sudan)
26. Haki Africa
27. Haki Kenya Organisation
28. Human Rights Defenders Network (HRDN – Sierra Leone)
29. Human Rights Institute of South Africa (HURISA)
30. Independent Human Rights Investigators (IHRI – Liberia)
31. Initiative for Equality and Non-discrimination (INEND)
32. Inuka Kenya Ni Sisi!
33. Institute for Democracy and Leadership – Swaziland
34. Kenya Human Rights Commission (KHRC)
35. Khulumani Support Group
36. Kongamano La Mapinduzi Movement
37. Mozambique Human Rights Defenders Network
38. Network of the Independent Commission for Human Rights in North Africa
39. Nigerian Human Rights Defenders Network

40. Open Society Initiative for Southern Africa (OSISA)
41. Pan African Lawyers Union (PALU)
42. Panos Institute Southern Africa (PSAf)
43. Partnership for Justice (PJ)
44. Protection International Kenya
45. Resource Rights Africa (RRA)
46. South Sudan Human Rights Defenders Network (SSHRDN)
47. Southern African Human Rights Defenders Network (SAHRDN)
48. Tanzania Human Rights Defenders Coalition (THRDC)
49. World March of Women - Kenya
50. Yiaga Africa
51. Youth and Society (YAS - Malawi)
52. Youth Forum for Social Justice
53. Zimbabwe Human Rights NGO Forum
54. Zimbabwe Lawyers for Human Rights (ZLHR)