**Report on the Context Analysis and Scenario Building Meeting**

**13 March 2024**

**Protea Skyz Hotel, Kampala**

**Background**

The current socio-economic and political trends in Uganda are so dynamic to the detriment of CSOs, journalists, and Human Rights Defenders. Precedence has also shown that in Uganda, two years before the next general election, politicking, witch-hunting, unfavorable laws, and threats to activists are usually on the increase. In recent years, the dwindling passion, cohesion, and vibrancy of CSOs, journalists, and Human Rights Defenders on matters of good governance, accountability, and human rights are very much evident, yet the perpetrators and powers that be are relentless and continue to violate rights with high levels of impunity and aloofness.

Being the voice of the voiceless, the citizenry still looks up to CSOs, Human Rights Defenders, and journalists to amplify pertinent national issues and hold the state and its actors accountable for good practices of governance and human rights.

To that end, the Defenders Protection Initiative (DPI) conducted a series of meetings to analyse the current human rights trends in Uganda. These meetings aimed to propose the best course of action to improve the existing human rights situation in Uganda. This report documents the proceedings of the meeting held on 13th March 2023, with CSO leaders, journalists, lawyers and researchers, and activists.

**Objective**

* To identify and prioritize the pertinent, common, and recurring human rights issues mostly affecting CSOs, Journalists, and Activists in the current context.
* Analysis of Political, Socio-Economic Trends: Challenges, Causes, and Affected Groups.
* Scenario Building: Looking ahead at 2024-2026 through the lens of CSOs, Journalists, and Activists and what stance should civil society take in this period?
* To discuss the likely tactics that may be used against CSOs, Journalists and Activists.
* Suggest mitigation measures and recommendations for CSOs, Journalists and Activists.

Moderator Isabella Akiteng initiated the session with an exercise that divided participants into four groups with different assignments to reflect, brainstorm, and make presentations for further deliberations

**Activity 1: Identifying current emerging trends specific to 2024-2026.**

1. The passing of the Anti-homosexuality Bill 2023 culminated in funding partners like the IMF and some foreign missions withdrawing funds from the government and social/economic sectors that they supported. This was in part also an advocacy strategy encouraged by the LGBTI community in Uganda, to have the law annulled. Consequently, this has led to targeted attacks on gender and sexual minorities, particularly from the citizenry and civil servants whose remunerations have been delayed due to shortfalls of budget support to the government from foreign aid.
2. Non-renewal of CSO licenses based on names and objectives specific to keywords set by the URSB. This situation renders CSOs to be operating illegally and curtails registration with the NGO Bureau. The recent court petition [by SMUG against the URSB](https://youtu.be/CASFUMEFQ6s?si=IYmhDvuoBSHXQGhV) and the consequent [judgment](https://acrobat.adobe.com/id/urn%3Aaaid%3Asc%3AEU%3A351b4874-0477-483e-8798-9bbf49f2cfbf) is an indication of futuristic hard times for CSOs and LGBTIQ+ organizations in Uganda.
3. Threats to life targeting activists continue on prominent HRDs the latest being in March 2024 of Mariam Mwiza an anti-human trafficking activist who had to flee the country after calling out the [RDC of Namisindwa](https://nilepost.co.ug/news/47749) and the Police Professional Standards Unit for abetting the trafficking of a woman which led to the death of the victim in Oman.
4. Increased mistrust in mainstream media arising from some outlets showing partiality to the government in their reporting of news. Additionally, there is the existence of gag orders on mainstream media houses, either through sanctions or threats of revoking licenses. After the creation of the People Power movement with a huge youth and young journalists following, editorial teams of some media houses were restructured and constituted of the ruling party nominees and thus stories covered and reported are government leaning. Journalists who do not adhere to the new editorial guidelines have lost their jobs.
5. The rise of citizen journalism ultimately has led to increased disinformation, and misinformation, because of the increased use of social media as a platform for activism and seeking accountability from the government by the citizens. Fact-checking is rarely done on information shared on social media which allows the spreading of wrong information to bigger masses and can cause false alarms of non-existent matters.
6. There is evident self-censorship, and withdrawal of activists, HRDs, journalists, and NGOs due to fear for their lives, security concerns for their families, intimidation, and post-traumatic stress of situations they have been through about their work.
7. Merging of government Ministries, Departments, and Agencies (MDAs), specifically the impending merger of the National Bureau for Non-Governmental Organisations (NGO Bureau) with the Ministry of Internal Affairs. This may save taxpayers money but have negative consequences for CSOs, Journalists, and activists. The existing avenues of open dialogue with the NGO Bureau are likely to cease plus delays and bureaucracies in issuing permits and licenses for CSOs.
8. Donor flight due to national legislation not aligned with their values or mandates.

The rush by the Ugandan Parliament to pass restrictive laws has led to the disruption of some CSOs’ work and funding especially under the FATF (Financial Action Task Force) and Anti Money laundering laws that have led to the freezing of bank accounts and banks requesting for grant contracts to ascertain the source of funds. The Anti-Homosexuality Act 2023 has had a detrimental impact on country funding and donor funding of CSOs.

1. Civic education around elections is minimal after the closure of CEEDU and the declaration by the NGO Bureau that the loose network [National Election Watch Uganda (NEW-U) was illegal](https://www.independent.co.ug/ngo-bureau-suspends-operations-of-national-election-watch-uganda/) and not permitted to operate in Uganda. This led to the clampdown of NGOs without updated and renewed permits. This currently affects CSOs engaged in electoral processes, and many are likely to shy away from any involvement in the 2026 elections.
2. The VAT tax on social media platforms and Facebook remains blocked in Uganda disfranchising a section of citizens to engage and be informed of current affairs. For example, the verification of Ugandan accounts on the X platform is facing glitches, which could be construed as X’s passive aggression against it being taxed in Uganda.
3. Increasingly there is a lack of mutual support from peers such as lawyers and fellow journalists or activists, for fear for their lives. Being vocal leads to isolation as partners regard it as an indirect threat to them and also fear being tagged to activists who are under the radar of state agencies.
4. Flight of activists, HRDs, and CSO leaders abroad for security and safety reasons. This is mainly faced by the LGBTIQ+ community after the passing of the Anti-Homosexuality Act 2023.
5. There is a civil society's evolution onto online movements and activism away from physical protests and demonstrations which have over time cost lives. This requires CSOs, journalists, and activists to keep abreast of ways to remain online as the state’s best option is to switch off/block various online platforms or the internet.
6. It is now a common practice for CSOs to "adjust" or tweak their mandates and objectives to align with what donors or development partners want, to cope and thrive in the shrinking space. CSOs are adjusting to less contentious areas of work like clean energy, SGDs, etc that are not overly confrontational with the State.

*"The legislation passed significantly affects the type and amount of funding in the country, and due to certain laws currently enacted in Uganda, the funding base has diminished."*  – Charity Kalebbo, Electoral Laws Institute

*“Just like Dr. Stella Nyanzi and Kakwenza Rukabashija who fled for safety, also Mariam Mwiza that worked to rescue women migrants and confronted labour export companies on TV talk shows and Facebook left the country for fear of her life.”*

-Toko Godwin, Agora CFR

*“Fact-checking trainings are needed for CSOs and the citizenry as it is important to ascertain the objective of the information shared by influencers and social media activists. “Social media Bot accounts are increasingly established to counter activists and governance discussions”*

-Barbra Nazziwa, AIIJ

“The merging of government agencies will actually increase and not cut costs, and for CSOs, this is undoubtedly going to change the civilian outlook of the helm at NGO Bureau to a militaristic one, as the Ministry of Internal Affairs is mainly run by army generals.”

-Hannigton Wako, United Religious Initiative

***“****Additional social media platforms are likely to be blocked in the upcoming elections, an act that continually reduces the number of citizens that engage, transact and get informed via social media. A large number of Ugandans de-activated their Facebook accounts after the last elections.”*

-Muhindo Morgan, Kiiza and Mugisha Advocates

**Activity 2: Analysis of Socio-Economic Trends: Challenges, Causes, and Affected Groups.**

Grouping the identified trends into four thematic areas — Media Censorship, Shrinking Civic Space, Civil Society Evolution, and State Evolution — the participants proceeded to pinpoint specific challenges within these themes, their underlying causes, and the primary groups of people affected.

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|  **TRENDS OF THE EVOLVING UGANDAN STATE.** |
| **Challenges**  | **Causes**  | **Affected Groups** |
| * Anticipated merger of NGO Bureau with Ministry of Internal Affairs will affect NGO service delivery, potentially influenced by government regulation, and leading to an increased compliance burden.
* Restrictive legislation like the NGO Act and Anti-Homosexuality Act limits NGO operations, while beneficial laws such as the Anti-Money Laundering Act and Anti-Terrorism Act, when misapplied, impose unintended consequences of administrative compliance burdens on NGOs.
 | * Poor governance and leadership by the political leaders.
* High levels of corruption and misappropriation of funds
* Absence of transparency and accountability by the state
* A weakened opposition
 | Entire main stream civil society |
| * The intentional exclusion of NGOs from legislative reforms, notably the on-going NGO Act review.
* Anticipated increase in national budget expenditure due to the merging of government agencies will increase costs of compliance onto CSOs.
* Proliferation of the military nature of the state, which has become normalised.
* Anxiety and uncertainty on the looming political transition in Uganda.
* State capture: Parliament serving the interests of specific individuals and not the people they represent.
 | * Democracy deficits and militarisation of government that does not believe in open dialogue and consensus.
* Fear, fatigue and burn out of Activists and CSOs to engage and push for fairness and transparency with government.
* Lack of an in-depth dialogue on the impact to CSOs, journalists and activists of a national political transition plan regarding the impending power transition after elections,
 | CSOs, media, NGOs and citizens. |
| **TRENDS OF THE SHRINKING CIVIC SPACE** |
| **Challenges** | **Causes** | **Affected Groups** |
| * Donor flight due to restrictive legislations, thus resulting in decreased funding and less reach and impact of CSO work.
* Donor censorship: Donors dictating causes and programs for CSOs to pursue that align with the changing interests of the funders.
* Threats to life and compliance cost burdens. (URA, KCCA, URSB, PDPO, NGO Bureau, LST tax, FIA, line ministries etc).
* Self-censorship to keep within the restrictive legislation.
* Intrusive Know Your Clients requirements that have led to CSO Regulators paying physical visits to offices to check compliance, banks requiring grant contracts sources and purpose of funding before approving credits on bank accounts.
* Authority accorded to the URSB Director General on specific key terms, objectives, and names of CSOs that are not permitted to be registered as Companies.
 | * Securitization/militarisation of government programs.
* Corruption.
* Weak government institutions.
* Restrictive legislation such as the Public Order Management Act, NGO Act, and Anti-Money Laundering Act, Anti-homosexuality Act.
* Influence and change of donor interests.
 | * Media.
* Lower cadres and workers in government MDAs.
* Youth population (23%).
* Women.
* LGBTIQ organisations
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| **TRENDS OF THE EVOLVING CIVIL SOCIETY** |
| **Challenges** | **Causes** | **Affected Groups** |
| * Increasing digital activism leading to decreasing formal activism, ultimately contributing to misinformation and disinformation.
* Increase in individual activists that don’t belong to CSOs and thus can’t be reigned upon or held to specific standards of operation.
* Questioning the relevance and diverting from the usual forms of civil activism, such as press statements and loose coalitions.
* Reactionary and unsustainable responses from CSOs.
 | * Emerging and affordable technologies.
* State censorship through repressive laws.
* Non accountability of the State for murders, shootings and disappearances of protestors and demonstrators.
* Lack of ethics and trust in formal civic spaces/structures such as CBOs and NGOs.
* Absence of an open minded CSO oversight body.
 | * Mainstream civil society
* Citizens.
* CSOs, Activists and Journalists
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| **TRENDS OF MEDIA CENSORSHIP** |
| * Misinformation and disinformation propagated by media houses owned by politicians and faith-based organisations.
* Unregulated citizen journalism, exemplified by influencers like [Fred Lumbuye](https://www.youtube.com/c/LumbuyeFred), TVO and numerous YouTube channels that often sensationalize news and disseminate unverified information.
* Deliberate smear campaigns targeting women in the political space.
* Government Infiltration and compromise of editorial teams on what stories can’t be published.
 | * Absence of a free media and the unbiased journalists are operating within an environment of intimidation, leading to self-censorship due to intimidation and violence.
* Sensationalizing of news as result of state impunity, non-accountability, arrogance, and a resentful, fatigued and apathetic citizenry.
* Militarisation and impunity with threats of revoking media houses permits and licenses.
 | * Media
* HRDs
* General public
* Journalists
* Activists
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*“Preparation by CSOs, Journalists, and Activists is essential, about the looming national political transition plan, we need to avoid repeating past mistakes as seen in Zimbabwe’s transition from Mugabe, currently civil society is almost non-existent.”*

James Nkuubi- Kitua cha Katiba

**Activity 3: Scenario Building: Looking at the period 2024-2026;**

Following the guiding questions, the activity intended to prop participants to envision what is likely to happen in the coming election cycle based on their previous experience and define ways of mitigating the negative possibilities while finding ways of amplifying the positive ones.

1. What is likely to happen to HRDs?
2. What tactics are likely to be used?
3. Suggest mitigation measures to be employed by CSOs Activists and Journalists.
4. Ideal case scenario
5. Worst case scenario

**What is Likely to Happen: A Glance Into the 20240-2026 Election Period**

**Emergence of Multiple Political Parties and Alliances**

The prevailing sentiment suggests that the upcoming election period is likely to mirror past occurrences, with little effort made to address past mistakes. It is expected to witness the emergence of numerous political parties and alliances, aiming to collectively challenge the ruling party. However, historical data indicates that opposition parties often struggle with the mobilization of resources and supporters, thus operating reactively without sustainable plans and ingenuine reasons to ally against the ruling party.

**Heightened Advocacy, Activism and Civic Education**

Digital advocacy and activism aimed at civic education, particularly for the national elections are expected to surge in tandem with these endeavors. CSOs, Government and opposition politicians shall leverage social media influencers to target their message to majorly the youth.

On the civil society front, it is hoped that a new electoral process outfit is birthed in time for heightened advocacy and activism, particularly focusing on good governance and safeguarding fundamental freedoms in the context of free and fair elections and intensifying advocacy efforts for electoral reforms, striving to influence a more transparent electoral process.

**Competition for Funding Opportunities and Activists, journalists and CSOs Withdrawal**

With the increase in activism and advocacy efforts, competition for funding opportunities among CSOs, Journalists, and activists is anticipated to intensify. As the number of funders diminishes due to donor flight in recent years, this competition may lead to divisions among CSOs, despite shared goals.

Conversely, there is a high likelihood of CSOs, Journalists, and Activists withdrawing from active participation in the electoral process. Years of taxing activism work with minimal rewards, coupled with harassment, persecution, office break-ins, mass imprisonment, torture, and even loss of lives, have led to burnout. These challenges are also expected to persist during the 2024-2026 election period.

**What tactics are likely to be used against CSOs, Journalists, and Activists?**

* Massive arrests.
* Internet shutdown and blocking of popular social media platforms.
* Refusal to register, recognize, and accredit organizations critical of elections plus denial of accreditation for national and foreign election observers.
* Further crackdown on private media and utilization of state media to push government narratives.
* Increased threats, loss of life, and injuries inflicted on activists in the period leading up to and after election results.
* Constitutional amendments/passing of additional laws or reform of existing ones stifling civic space. This is highly anticipated since the NGO sector has not been consulted in the ongoing review of the NGO Act, 2016.
* Intimidation and bribery of CSOs, activists and Journalists by the state.
* Digital attacks on CSOs/Activists/Journalists/Opposition leaders.
* Freezing or closure of CSO accounts and those of their leaders as they are believed to be conduits of opposition party election financing.
* Refusal and dilly-dallying to renew permits for CSOs or permitting shorter time licenses than those applied for.
* Digital surveillance and profiling of CSOs, Journalists, and Activists and their followers on social media.
* Escalation in the enforcement of legislation, such as the Computer Misuse Act, to suppress activists, CSOs and Journalists.
* Increase in the establishment of state funded CSOs and leaders aimed at undermining and demotivating the genuine ones.

**Proposed mitigation measures to be employed by CSOs, Activists and Journalists.**

* Equip affected groups with physical (self-defence, alertness) and digital security training and tools.
* Map out, inform, and offer free and efficient legal services for CSOs Activists, and Journalists.
* Establish an election period-specific, time-bound efficient rapid response mechanism for CSOs, activists and journalists.
* Utilize this period as an opportunity for advocacy and engagement in discussions on legal reforms.
* Forge collaborative efforts and partnerships among various stakeholders, including HRDs, journalists, individual activists, and CSOs, and leverage on each other's strengths in anticipation of troubled times ahead.
* Initiate conversations with development partners to renegotiate and support provisions for expenditure on compliance obligations in grants (restructure grants).
* NGOs must ensure compliance with pertinent laws and obligations.
* Develop a risk matrix to determine groups most at risk and focus appropriate intervention efforts.
* Exploring and cultivating enterprise financing options for sustainability of CSOs to reduce reliance on the shrinking donor funding.

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| **Ideal Case Scenario** |

* Peaceful national elections
* No internet shutdowns
* Enhanced donor funding
* Strengthened collaboration between CSOs, activists, journalists and the government

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| **Worst Case Scenario** |

* An election petition is filed following the announcement of results.
* A military coup
* Gross electoral malpractice
* Civilians are continuously being tried in the military court.

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| **Recommendations** |

1. Despite the failure of the ruling party and opposition parties, CSOs, journalists and Activists should relentlessly endeavour to initiate a national dialogue well in advance to address emerging issues that typically surface during the election cycle.
2. Deeply define and classify the civic space - is it shrinking or shifting? What is the primary cause of its shrinkage?
3. Recognize the significant role geopolitics plays in the civic space and its influence on CSOs, Journalists, and Activists.
4. Acknowledge that some laws are inherently bad. For example, NGO Act 2016 forces people to register unions, loose networks, and coalitions, compromising civil society, which comprises both registered and non-registered entities.
5. Recognize the consequences of unregulated speech. While upholding freedom of speech and expression is essential, it's also vital to address the potential repercussions of unregulated freedom of speech by the citizenry, CSOs, and Journalists.

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| **Short Messaging and Recommendations:** |

**To Partner CSOs:**

**Message:** "Collaboration is key to amplifying our impact. Let's unite for a stronger voice and greater influence."

**Recommendation:** "Continue fostering partnerships and alliances to maximize effectiveness and achieve common goals."

**To Citizenry:**

**Message:** "Being law-abiding and speaking up are essential for a thriving society. Your voice matters, so speak up for justice and accountability."

**Recommendation:** "Stay informed, engage in civic duties, and advocate for a just and fair society."

**To HRDs:**

**Message:** "Your safety is paramount. Strengthen your security measures, both physically and digitally, to continue your vital work."

**Recommendation:** "Invest in rapid response mechanisms and prioritize the safety and security of media practitioners and bloggers."

**To State:**

**Message:** "A peaceful and democratic election is the cornerstone of a healthy democracy. Create an environment conducive to free and fair elections."

**Recommendation:** "Respect, fulfill, and promote the rights and freedoms of all citizens to ensure a democratic process."

**To Journalists:**

**Message:** "You are the guardians of truth and accountability. Your role in society is invaluable, so continue to shine a light on injustice and corruption."

**Recommendation:** "Stay vigilant in providing accurate information and safeguarding press freedom, as the public relies on your integrity and diligence."

**To CSOs:**

**Message:** "Your dedication to social causes is commendable. Work with initiatives like the Defender’s Protection Initiative to advocate for regulatory support and promote CSOs issues."

**Recommendation:** "Engage with regulators and collaborate with organizations like DPI to strengthen advocacy efforts and protect the rights of CSOs."

**Conclusion:** The meeting was very lively with an engaging facilitator and attendees who illustrated knowledge of the current social, economic, and political trends but also with a passion for making a difference to better the working environment of CSOs, Journalists, and Activists in Uganda.