

QUARTERLY DIALOGUE BETWEEN THE NGO SECTOR AND THE MINISTER OF INTERNAL AFFAIRS

Key Issues for Discussion with Key Security Agencies

March 2023

1. INTRODUCTION

As the NGO sector, we continue to express our sincere appreciation to the Minister of Internal Affairs for the opportunity for continued regular engagement with the Ministry of Internal Affairs, the National Bureau for NGOs and other Government Agencies and Departments. Our commitment to meeting with the Government of Uganda is premised on our firm recognition that dialogue provides a mechanism to address issues that affect the citizens of Uganda and find feasible solutions to challenges affecting the NGO sector in Uganda.

This meeting is unique in many ways. It is the first time in the history of these dialogue series, that NGOs are interacting directly with all security agencies and their leadership in one sitting. We will therefore use the opportunity to discuss broadly not only the issues that affect our work as NGOs but also issues that we work on where security agencies are key stakeholders. Some NGOs in Uganda work on human rights and governance issues and complement the government's effort to achieve democratic objectives. Security agencies in Uganda also continue to play a central role in public life. We would like to use this opportunity to raise some of the issues that we believe are critical both to our work but also affect the exercise of fundamental freedoms of association and expression.

2. ISSUES RELATED TO THE OPERATIONS AND INTERACTIONS BETWEEN NGOs AND SECURITY AGENCIES.

2.1. Continuous Unsolved NGO Break-ins and Raids on NGO Offices by Security

The NGO sector has witnessed several break-ins that have occurred at offices of different Non-Governmental Organizations in Uganda since 2012 to date. These left the sector with many unanswered questions. One of the key questions remains as to whether the break-ins are a result of the work NGOs do or an issue of ordinary crime targeting NGO properties. It is evident that many organizations have been affected in times when they were handling politically sensitive issues such as land reform, human rights and accountability and or election-related matters. Additionally, most of the items targeted during these break-ins have been computers and or documents which contain information rather than cash or property.

In almost all instances, the Uganda Police Force has been alerted and has been very essential in carrying out investigations. There are also some cases where the victims have been identified, brought on board for interrogations and properties recovered. However, NGOs have never received a conclusive report on the incidents despite several promises. When this issue was first raised during this dialogue space, the Uganda Police pledged to investigate and provide a conclusive report on all the incidents. Unfortunately, this has not yet been done. We request that

Security Agencies provide an update on this and the outcomes of investigations on all the incidents.

Related to NGO Office Break-ins, are raids on NGO offices by security agencies under the guise of conducting investigations into illegal activities. Some of the case involves about four NGOs and other entities including ActionAid Uganda – which is a duly registered NGO and the Great Lakes Institute for Strategic Studies (GLISS) – a Policy Think Tank. The Security Agents took away property that belonged to the organization. To date some of these entities have never received a conclusive investigation report and their properties remain in the custody of security agencies. While it is possible that the response to this might be that investigations are still ongoing, we firmly believe that this has taken too long and continues to affect the work of these organisations. The incomplete investigations have severely impacted the capacity of these organizations to attract funding, making it difficult for the organizations to meet their regulatory compliance requirements such as payment of statutory deductions particularly payee and NSSF contributions, and negatively affected staff.

2.2. Continued Harassment of NGOs and NGO Staff by Resident District Commissioners (RDCs) and Security Agents

Some organizations engaged in governance work continue to face several threats and intimidation by RDCs/DISOs and other security operatives. It is very difficult to acquire any recommendations from them. In some districts, they even demand a letter from Interpol in spite of the fact that this is not a requirement in law.

Reports of extortion have also been received in cases where individuals identifying themselves as ISO or CMI Operatives visit NGO offices and NGO Leaders, threatening to write “damning” reports against them to the President if they do not take certain actions. These actions not only reduce the confidence of NGOs in security agencies but also adversely affect the work of NGOs and create an environment of fear and tension.

It is also imperative to note that following the repeal of S.8 of the Public Order and Management Act (POMA) by the Constitutional Court in February 2022, in effect the police have no power to approve or cancel NGO meetings in hotels or outdoor venues. Their involvement should be limited to keeping law and order. In spite of this, we have had multiple instances where some NGO activities are stopped by Resident District Commissioners and or the Police under unclear circumstances. This is most common during periods of intense civic activity, such as closer to an election or when there is a political issue under contestation. In these cases, “approvals” for outdoor activities of some NGOs are not granted by the police under unclear circumstances. This has greatly hampered the activities of NGOs and caused tensions between NGOs and Government, especially at the sub-national level. We, therefore, request that the Security Agencies give a response to this concern.

2.3. Concerns Over the Human Rights Situation in Uganda

The Uganda Human Rights Commission’s 24th Annual Report on the state of human rights and freedoms in Uganda in 2021 highlighted several cases of enforced disappearances, arbitrary arrests and detentions, torture and ill-treatment of suspects, among others. Since 2020, the media has also been awash with reports of missing persons in Uganda and torture of Ugandans – mostly opposition political activists. There were allegations of missing persons who were

allegedly picked from their respective homes, workplaces and off-streets by persons purporting to be security agents and allegedly put in vans commonly known as 'drones' which had no number plates and taken to unknown places. These incidents not only strip Ugandans of their dignity but also affect the image of security agencies and reduce citizens' confidence. Additionally, in December 2022, the Constitutional Court in its judgment indicated that it was illegal to try civilians in military courts. However, to date, we witness a continued trail of civilians in the military court. This takes away citizens' rights as envisioned in our laws. We, therefore, request that the Security Agencies give a response to this concern.

2.4 Negative narratives and verbal attacks from Security Agencies

NGOs in Uganda play a very critical role in the country's development trajectory. As underscored in the NGO Policy, 2010, NGOs play a critical role in filling the service delivery gaps and ensuring accountability. Over the past period, the sector has witnessed several attacks in the form of negative narratives and verbal attacks from security agencies on radio and other media platforms. This takes away from the spirit of collaboration and complementarity that is envisioned in our Government policies and creates unnecessary tensions between the Government and the NGO sector. We, therefore, request that the security agencies give a response to this concern.

3. CONCLUSION

This space provides a unique opportunity to address any misgivings that might exist between the Government and the sector. We hope that the Government, the political leadership and Security Agencies can lead the way in acknowledging the incredible role played by NGOs in Uganda. In addition, we pray that the capacity of the Security Agencies is built at all levels on the roles and operations of NGOs and hence putting a stop to the concerns raised by the sector.