

**PARLIAMENT OF UGANDA**

**MINORITY REPORT OF THE OPPOSITION ON THE PROTECTION OF  
SOVEREIGNTY BILL, 2026 (AS AMENDED)**

**PRESENTED BY: HON. BAKIREKE NAMBOOZE BETTY (MP),  
MUKONO MUNICIPALITY  
SHADOW MINISTER FOR INTERNAL AFFAIRS**

**4<sup>th</sup> May 2026**

1 | Page

*Bakireke Nambooze Betty*

## **1.0 BRIEF**

Rt. Hon. Speaker and Hon. Colleagues, this is the statement of my dissent from the decision of the majority the Joint Committee on Legal and Parliamentary Affairs and Defense and Internal Affairs regarding the Protection of Sovereignty Bill, 2026 members of the Committee of Legal and Parliamentary Affairs. This statement is made pursuant to Rules 214 and 215 of the Rules of Procedure of Parliament of Uganda

## **2.0 INTRODUCTION AND PROCEDURAL OBJECTION**

Madam Speaker, I submit this Minority Report under Rules 214 and 215 to dissent from the Joint Committee Report on the Protection of Sovereignty Bill, 2026.

I was denied access to the Main Report throughout the Committee process. I rely solely on the motion to adopt the Attorney General's amendments. To deny Members the Main Report before tabling defeats the purpose of Rule 214 and renders minority expression nugatory. This procedural ambush alone is ground to reject the Bill.

## **CONTEXT: 11TH PARLIAMENT DISSOLUTION**

Under Article 77(3), the 11th Parliament dissolves in May 2026. With 2 sitting days left, Rule 235 provides that all pending business lapses. Your ruling of 18th May 2021 lapsed 23 Bills on this basis. Proceeding now is legally futile and wasteful.

## **3.0 POINTS OF DISSENT**

The minority has considered the decision of the majority and in accordance with Rule 214 and 215 of the Rules of Procedures of Parliament dissent from that decision for the reasons stated below.

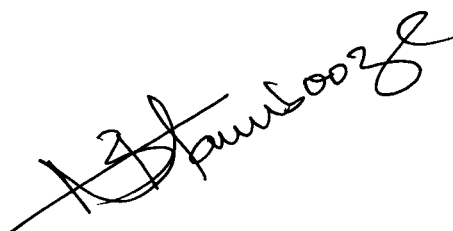
### **3.1. No Public Participation on Amended Bill**

Public hearings were held on the original Bill. The Attorney General then introduced 24 new clauses. No fresh consultation occurred. This violates Article 38(1) and Rule 209. Centre for Constitutional Governance v AG and Mbirizi v AG struck down laws for this defect.

### **3.2. Lame Duck Convention Breached**

Erskine May Para 38.1: Dying Parliaments handle only non-controversial, urgent bills. This Bill is substantive and constitutional. Reference re Manitoba Language Rights: "It would be improper to proceed unilaterally."

### **3.3. Constitutional Inversion: Sovereignty**



Article 1(1): “All power belongs to the people.” The Bill creates a second sovereign — “the sovereignty of Uganda” — distinct from the people, and vests supreme authority in “Government policy.”

“Sovereignty” undefined. Members cannot know what they vote for. Void for vagueness.

Redefinition without amendment. Article 260 requires a referendum to amend Article 1. An ordinary Bill cannot redefine the sovereign from “people” to “State” or “policy.” This usurps constituent power.

### **3.4. Vagueness and Overbreadth**

“Interest of Uganda”, “Government policy”, “foreign interest”: Undefined. No objective test. Delegates legislative power to the Minister. Violates Article 28.

“Any assistance”: No threshold, no mens rea. Criminalizes remittances, scholarships, asking directions. Onyango Obbo held overbroad laws void.

Treaty conflict: Criminalizes conduct under EAC, AU, IGAD, COMESA, OIC, UN treaties. Breaches Article 123.

### **3.5. Henry VIII Clauses**

Clause 24: Minister may “upgrade offences and penalties” by statutory instrument.

Clause 25: Minister may amend Schedule.

Clause 30: Act prevails over other laws.

These let the Executive amend primary law without Parliament. Violates Article 79. *Mabirizi v AG* struck down such clauses. Parliament cannot abdicate law-making.

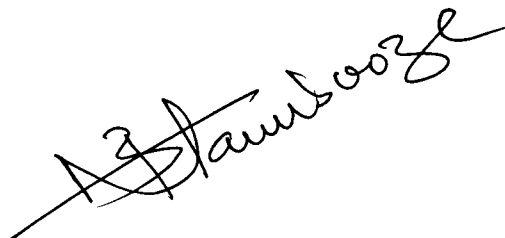
### **3.6. Suppression of Stakeholders, Including Buganda Kingdom**

Of 700+ memoranda, only 54 were accounted for. Buganda Kingdom’s memorandum was missing. I hope this was not deliberate.

Cultural institutions were restored under Article 246 and Cap. 247. Buganda has proved a real partner in development fundraising locally and internationally for health, education, and agriculture, supplementing Government efforts.

By requiring such institutions to seek permission for every activity and register as “Agents of foreigners” for receiving “any assistance,” the Bill totally departs from the spirit of their restoration. It punishes patriotism.

Why would the administrators of this country resent citizen efforts to supplement Government? Objective XIV of the Constitution commands the State to promote



social justice and economic development. When citizens mobilize resources, they fulfill that objective.

This same logic applies to religious institutions, NGOs, and other entities with similar projects. Subjecting them to registration as “agents” and criminalizing “any assistance” violates Articles 29 and 38.

Proceeding with suppressed memoranda treats public participation as a sham and offends Rule 209.

#### **CONSEQUENCES OF PROCEEDING**

Proceeding with the Bill will result in:

Immediate constitutional litigation, with a high likelihood of invalidation;

Institutional embarrassment for Parliament;

Erosion of public trust in the legislative process;

Potential conflict with regional obligations under the East African Community framework, Articles 5, 6, and 8 of the EAC Treaty; the AU Constitutive Act; the IGAD Agreement; the COMESA Treaty; and Article 123 of the Constitution;

Creation of a dangerous precedent for future “end-of-term legislative ambushes.”

I beg to move that this House rejects the Bill and the Committee Report.

#### **RECOMMENDATIONS**

Madam Speaker, I move that this House,

Finds the Bill violates the Constitution, Rules of Procedure, and parliamentary convention;

Declares that denial of the Main Report offends Rules 214 and 215;

Declares that Clauses 2, 3, 5, 8, 11, 12, 24, 25, 30 are void for vagueness and unlawful delegation;

Rejects the Joint Committee Report;

Recommends withdrawal of the Bill under Rule 140(1);

Defers the subject to the 12th Parliament with proper consultation;

Directs that any future Bill must: affirm sovereignty in the people under Article 1; define all key terms; undergo Article 38 participation; and contain no Henry VIII clauses.

#### **CONCLUSION**

Madam Speaker, the Protection of Sovereignty Bill, 2026 fails the tests of constitutionality, legality, and procedure.

The 11th Parliament’s final act should be fidelity to the Constitution, not legislative excess.

  
BAKIREKE NAMBOZE BETTY (MP)

**Mukono Municipality**

**Shadow Minister for Defence and Internal Affairs**

**Member, Defence and Internal Affairs Committee**

**Proposed Amendments Clause by Clause**

**CLAUSE 1: INTERPRETATION**

Clause 1 is amended by substituting the definitions as follows—

“agent of a foreign principal” means a person who—

- (a) acts pursuant to a written or formal arrangement with a foreign principal; and
- (b) receives financial or material benefit from the foreign principal; and
- (c) knowingly and intentionally engages in activities for the purpose of influencing public policy, electoral processes, or national security decisions in Uganda;

“foreign principal” means—

- (a) a government of a foreign country;
- (b) a foreign political party; or
- (c) a person or entity domiciled outside Uganda that is not a citizen of Uganda;

“political influence activity” means an activity carried out with the primary purpose of influencing

- (a) the formulation, adoption or amendment of legislation;
- (b) public policy; or
- (c) electoral outcomes;

“harmful foreign interference” means conduct that

- (a) is covert, deceptive, or coercive; and
- (b) is intended to undermine the sovereignty, security, or democratic processes of Uganda.

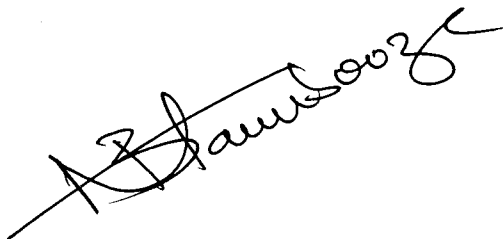
**Insertion of Saving Provision**

Insert immediately after Clause 1 the following

**1A. Protection of lawful activities**

Nothing in this Act shall be construed as restricting—

- (a) lawful academic, research, or educational activities;
- (b) legitimate business, trade, or investment activities;
- (c) humanitarian or development assistance;
- (d) religious or charitable activities; or



(e) the exercise of rights guaranteed under the Constitution.

**Justification**

Prevents elastic interpretation, ensures predictability, and removes indirect criminalization of ordinary interactions.

**CLAUSE 2: APPLICATION**

Clause 2 is substituted with the following

2. Application of Act

(1) This Act applies only to an agent of a foreign principal who engages in harmful foreign interference.

(2) A person shall not be subject to this Act solely by reason of

(a) receiving foreign funding;

(b) engaging in international collaboration; or

(c) maintaining familial, commercial, or professional relationships with foreign persons.

(3) For the purposes of this Act, liability shall arise only where there is proof of

(a) intentional conduct; and

(b) a demonstrable risk or harm to national security or democratic governance.

**Justification**

Restores the original policy objective and prevents criminalization of citizens.

**CLAUSE 3: ADMINISTRATION OF THE ACT**

Clause 3 is amended by inserting immediately after subclause (1)—

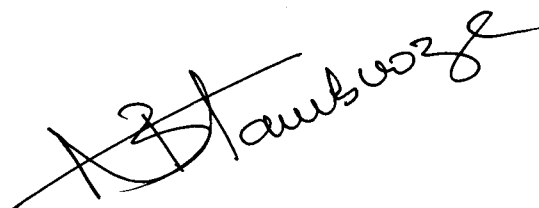
(2) The administration of this Act shall be undertaken in coordination with relevant regulatory authorities established under any other written law.

(3) Where a person or entity is regulated under another Act of Parliament, this Act shall not apply except where there is clear evidence of harmful foreign interference.

**CLAUSE 5: SOVEREIGNTY OF THE PEOPLE**

Clause 5 is amended by inserting immediately after subclause (1)—

(2) The protection of sovereignty under this Act shall be exercised in a manner consistent with



- (a) the Constitution;
- (b) democratic principles; and
- (c) fundamental rights and freedoms.

**Justification**

Eliminates ambiguity and aligns with legal certainty requirements and introduces objective and measurable criteria.

**CLAUSES 6, 7 AND 8: GOVERNMENT FUNCTIONS AND POLICY**

Clauses 6, 7 and 8 are amended by substituting criminal provisions with the following

A person shall not be liable under this Act for

- (a) participation in public policy processes;
- (b) advocacy, lobbying, or civic engagement; or
- (c) provision of services,

unless such conduct constitutes harmful foreign interference as defined under this Act.

**Justification**

Prevents suppression of democratic engagement and explicitly safeguard participatory rights.

**CLAUSE 10: FOREIGN POLICY**

Clause 10 is substituted with the following—

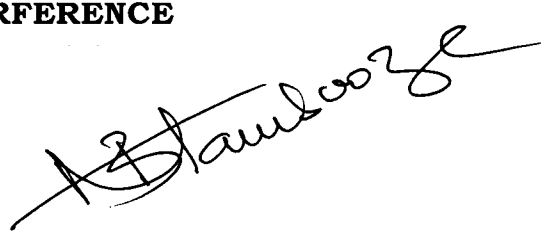
10. Unauthorized representation of foreign governments

- (1) A person who, without lawful authority, purports to represent a foreign government in official diplomatic engagements commits an offence.
- (2) Subsection (1) shall not apply to
  - (a) academic, cultural, or professional exchanges;
  - (b) civil society engagement; or
  - (c) lawful international cooperation.

**Justification**

Protects academic freedom and legitimate discourse and Narrow scope significantly

**CLAUSE 11: ELECTORAL INTERFERENCE**

 7 | Page

Clause 11 is substituted with the following

11. Prohibition of foreign electoral interference

(1) An agent of a foreign principal who knowingly engages in covert or deceptive conduct intended to manipulate electoral outcomes commits an offence.

(2) For the avoidance of doubt, lawful political expression and advocacy shall not constitute an offence under this section.

**Justification**

Avoids duplication and protects electoral integrity and harmonize with existing laws.

**CLAUSE 12: INTERFERENCE WITH GOVERNMENT OPERATIONS**

Clause 12 is amended by inserting a definition

For purposes of this section, “interference” means unlawful obstruction or disruption of government functions through coercive, deceptive, or illegal means.

**Justification**

Protects lawful dissent and clarify and narrow scope.

**CLAUSE 13: ECONOMIC SABOTAGE**

Clause 13 is substituted with the following

13. Economic harm through false information

An agent of a foreign principal who knowingly publishes false information with the intention of causing substantial economic harm commits an offence.

**Justification**

Prevents abuse against journalists and critics and remove vague expressions.

**CLAUSES 16–20: REGISTRATION**

Substitute licensing provisions with the following—

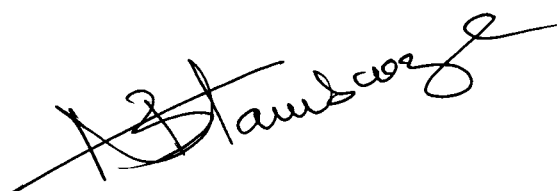
Registration of agents of foreign principals

(1) An agent of a foreign principal engaged in political influence activity shall register with the designated authority.

(2) Registration shall be by notification and shall not require prior approval.

(3) A person aggrieved by a decision under this section may appeal to an independent tribunal.

**Justification**



Ensures fairness and accountability and introduce institutional safeguards.

### **CLAUSES 21–25: FOREIGN FUNDING**

Substitute approval regime with disclosure regime

Declaration of foreign funding

(1) An agent of a foreign principal shall disclose foreign funding exceeding a prescribed threshold.

(2) Disclosure shall be made to the relevant regulator in accordance with existing financial laws.

(3) This section shall not apply to

- (a) personal remittances;
- (b) foreign direct investment;
- (c) lawful business transactions; or
- (d) humanitarian assistance.

#### **Justification**

Balances transparency and privacy rights and restricts disclosure.

### **CLAUSE 28: INSPECTION**

Clause 28 is amended by inserting

(1A) An authorized officer shall not enter or inspect any premises without a warrant issued by a competent court.

#### **Justification**

Protects due process rights and strengthen safeguards.

### **CLAUSES 29–30 – REGULATIONS**

#### **CLAUSE 30: REGULATIONS**

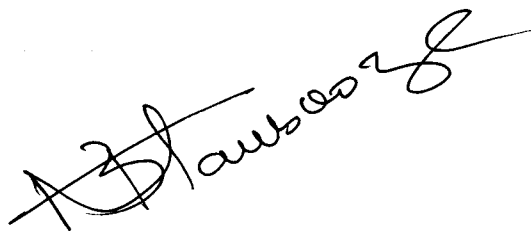
Clause 30 is amended by inserting

- (2) Regulations made under this Act shall
- (a) be subject to prior approval by Parliament; and
  - (b) be consistent with existing financial, communications, and regulatory laws.

#### **Justification**

Upholds separation of powers and enhance legislative oversight.

### **GENERAL PENAL PROVISION**



Insert new clause

Proportionality of penalties

A penalty imposed under this Act shall be proportionate to

- (a) the gravity of the offence;
- (b) the level of harm caused; and
- (c) the intent of the offender.

**CONCLUSION**

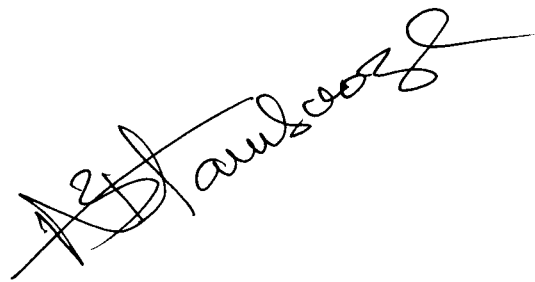
These alternative clauses:

limit the scope of the Bill to genuine threats,

align with constitutional safeguards,

avoid duplication of existing laws, and

protect economic and civic space while still addressing foreign interference risks

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