

Battle over closure of NGOs goes to East African Court



Stephen Okello, secretary NGO Bureau



Michael Aboneka, petitioner



Anthony Asimwe, ULS vice president and petitioner

The affected organisations accuse the NGO Bureau of acting without affording them the right to a fair hearing.

BY FRANKLIN DRAKU

A three-month-long standoff between Uganda's NGO Bureau and several civil society organisations (CSOs) has now escalated to the East African Court of Justice, with the Uganda Law Society (ULS) challenging what it describes as the arbitrary and unlawful suspension of NGO operations across the country.

The saga began just three days before the January 2026 presidential and parliamentary elections, when the National Bureau for NGOs suspended the operations of 10 organisations indefinitely, citing activities "prejudicial to national security" without providing specific details.

"The NGO Bureau is in receipt of intelligence information that... is engaged in activities which are prejudicial to the security and the laws of Uganda, contrary to Section 42(d) of the NGO Act Cap 109 (as amended)," the order stated.

The January 9 directive, signed by the secretary of the Bureau, instructed the affected non-governmental organisations (NGOs) to cease all operations immediately, leaving them scrambling to protect staff, assets, and ongoing programmes.

Suspended NGOs

The NGOs affected include African Centre for Media Excellence, Agora Centre for Research, National Coalition of Human Rights Defenders, Alliance for Finance Monitoring, Centre for Constitutional Governance, Human Rights Network for Journalists, Uganda National NGO Forum, Network of Public Interest Lawyers, Chapter Four Uganda, and African Centre for Treatment and Rehabilitation of Torture Victims.

Three months on, all remain suspended, with the organisations accusing

the Bureau of acting without affording them the right to a fair hearing. They argue the freeze has severely disrupted their work, including the provision of legal services, advocacy, and other funded programmes.

ULS takes action

In defence of the NGOs, the ULS has now filed a Reference at the East African Court of Justice, seeking to compel the Attorney General to reinstate their operations.

"You are hereby notified that the above-named applicant has instituted a Reference against you, a copy of which is annexed hereto. You are hereby required to file a response within 45 days from the day of service hereof. In default whereof, the Reference will be heard and determined in your absence," a notice from the court reads.

The ULS is requesting a declaration that the Bureau acted irrationally and unlawfully, and that the indefinite suspension is void. The society further argues that the decision violates Articles 6(1) and 7(2) of the Treaty for the Establishment of the East African Community (EAC), as well as the Constitution of Uganda and international human rights standards guaranteeing freedom of assembly and association, including the right to form and operate NGOs.

The society is also seeking an injunction restraining the government, its agents, and officials from enforcing the impugned January 9 orders, and an order compelling the Bureau to lift the suspension of all affected NGOs.

Procedural impropriety

In an affidavit, Mr Anthony Asimwe, the ULS vice president, stated that the NGOs were never given an opportunity to defend themselves or respond to any allegations prior to the suspension.

"He was reliably informed that they were never summoned by the respondent to make a defence or accorded a fair hearing before this arbitrary decision was taken. No specific charges have been raised against the affected NGOs in terms of prejudice to national security and laws," the affidavit reads in part. He added that despite writing to the

Bureau on February 19, formally requesting that the suspension be lifted, no response was ever received.

"The respondent's decision was high-handed, arbitrary, and illegal for being ultra vires the NGO Act Cap 109. It is in the interest of justice that the prerogative powers and judicial reliefs sought in this application are granted to the Applicant," the affidavit states.

Earlier warnings ignored

Before escalating to court, both the ULS and law firm, Thomas and Michael Advocates, had written to the NGO Bureau demanding the immediate lifting of the suspension. In a February 18 letter to Mr Stephen Okello, the secretary of the Bureau, ULS noted that the suspension had remained in force more than a month after being imposed, affecting legitimate NGO operations and

KEY FACTS

January 9, 2026 - NGO Bureau suspends 10 NGOs indefinitely, citing national security concerns.

February 18, 2026 - Uganda Law Society demands lifting of the suspension, citing violation of fair hearing rights.

February 19, 2026 - Formal request to lift suspensions; no response from the Bureau.

March 2026 - Lawyers warn the Bureau of contempt of court over prior rulings on NGO suspensions. Failure to poor workmanship.

National Bureau for NGOs: A semi-autonomous body under the Ministry of Internal Affairs, established by the NGO Act 2016, tasked with registering, regulating, coordinating, inspecting, monitoring, and overseeing all NGO operations in Uganda.

violating the principle of natural justice.

"The affected organisations were not accorded prior notice of any investigation, were not informed of any specific offence, and were not granted an opportunity to be heard before the drastic decision to suspend their operations and freeze their financial accounts was taken," the letter read in part.

"Relying on broad and undefined allegations of national security without clear reasons and evidence cannot justify shutting down organisations that are lawfully registered and operating within the law," it added.

Thomas and Michael Advocates, representing Mr Michael Aboneka, also wrote demanding immediate reinstatement. They cited a 2022 Court ruling that invalidated a prior indefinite suspension of Chapter Four Uganda, asserting that the Bureau's actions amounted to contempt of court.

"By indefinitely suspending NGOs, you are acting in contempt of court and undermining the rule of law," the letter warned.

The law firm further noted that the NGOs' right to a fair hearing, protected under Article 44(c) of the Constitution and Section 7(2) of the NGO Act, had been violated.

Mr Stephen Okello, the secretary of the NGO Bureau, told this publication that investigations are ongoing and that findings would be communicated once complete. "Right now investigations are still ongoing but when we complete, we shall communicate. As of now, I cannot tell you our findings because the process is still on."

He also said he was unaware of a case being lodged at the East African Court of Justice.

The Attorney General, Mr Kiryowa Kiwanuka, said his office would respond to the petition within the 45-day period given by the court. "Once we are served, we shall respond as demanded. We still have time to do that and yes, definitely we shall respond."

Impact on NGO operations

Mr Anthony Masake, the executive director of Chapter Four Uganda, said the indefinite suspension has severely affected operations, leaving many clients without legal support.

"We have not heard any hearing because we are not aware of any particular charges. We had a meeting with the secretary of the Bureau and during that meeting, we expressed our concerns over the impact of this action and asked him to work for an expeditious lifting of that suspension. But up to now we have not had any formal hearing," he said.

He explained that ongoing legal cases, including petitions in the Constitutional Court and the Supreme Court, have been disrupted.

"That is a major concern because we had a number of cases that we were handling in courts where we were providing legal services. And now all those legal services have been suspended, cases against human rights defenders and some of the constitutional petitions that we were handling in both the Constitutional Courts and the Supreme Court—all these cases have been affected by this decision," he said.