



THE POWER OF LEARNING



**Learning for Strengthening Civil Society (L-SCS) Programme
(Research and Learning – REAL)**

WP#01: Shrinking Civic Space in Uganda

Research Report

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Table of Contents

1.0 Introduction.....	4
1.1 Background	5
1.2 Outline of this participatory research project.....	8
1.2.1 Grappling with wicked problems.....	8
1.2.2 Engaging the concepts relating to this wicked problem: civic space and civil society ..	9
1.2.3 Framing the wicked problem for this project: Shrinking civic space	10
2.2 Shrinking civic space: Global trends and perspectives	11
3.0 Research methodology.....	11
3.1 Research approach.....	11
3.2 Research questions	11
3.3 Selection of research participants	12
3.4 Research ethics, values and safeguarding	12
3.5 Data collection.....	13
3.6 Data analysis	14
3.7 Challenges faced in data collection.....	14
4.0 Research findings: The dynamics underpinning shrinking civic space in Uganda	16
4.1 Relationship between civil society and the state.....	16
4.2 Key factors behind shrinking civic space.....	18
4.3 CSOs most and least affected by shrinking civic space	22
4.3.1 Promoters of democracy, human rights and governance.....	22
4.3.2 Youth-led CSOs.....	23
4.3.3 Islamic faith-based CSOs	24
4.3.4 CSOs promoting LGBTQI+ rights	24
4.3.5 Humanitarian and development/service delivery CSOs	24
4.4 Endurance by civil society in the context of shrinking civic space	25
4.4.1 Technology adoption (i.e. virtual spaces such as social media).....	25
4.4.2 Collaborative working and strategic engagement with state agencies	26
5.0 Discussion of findings.....	27
6.0 Conclusion	29
Appendices	31

ABBREVIATIONS/ACRONYMS

ACCU – Anti-Corruption Coalition in Uganda

ACFIM – Alliance for Finance Monitoring

CBO – Community Based Organisation

CCEDU - Citizens’ Coalition for Electoral Democracy in Uganda

CSO – Civil Society Organisation

DGF – Democratic Governance Facility

HRD – Human Rights Defenders

HRW – Human Rights Watch

LGBTQI+ - Lesbian Gay Bisexual Transgender Queer Intersex

MoEMD – Ministry of Energy and Mineral Development

MoGLSD – Ministry of Gender, Labour and Social Development

MoIA – Ministry of Internal Affairs

MoICT&NG – Ministry of Information, Communication, Technology and National Guidance

NCHRDU – National Coalition of Human Rights Defenders Uganda

NGO – Non Governmental Organisation

NUP – National Unity Platform

POMA – Public Order Management Act

RDC – Resident District Commissioner

UPF – Uganda Police Force

URSB – Uganda Registration Services Bureau

USAID – United States Agency for International Development

1.0 Introduction

Civil society is arguably a permanent feature of Africa's political landscape (Mutua, 2009). While its depth, effectiveness and independence are debatable, the role it plays in filling critical service gaps, advocating for human rights and democratic development, particularly where the postcolonial African state has largely remained weak and dogged by institutional dysfunctionality, corrosive identity politics, despotism, institutionalized corruption and equally important, democratic deficiencies (Mutua, 2009), cannot be underestimated. This point is reinforced by Mutua (2009) who underscores the importance of civil society in "reversing social decay, rolling back the dictatorial state and advancing individual liberties" especially in East Africa. While civil society has made significant progress in its role as "a socially transformative agent", it faces numerous challenges. Key among these are the increasing attacks from governments seeking to muzzle and suffocate the actors operating in this space (Aboy et al., 2023; Hayes et al., 2017; Sharp et al., 2023; Mutua, 2009). This trend appears to coincide with a general shift towards authoritarianism or democratic regression in many countries across the world (Keutgen & Dodsworth, 2020).

The recent COVID-19 global pandemic appears to have exacerbated this challenge as governments became more authoritarian by exploiting this emergency to close down civic space further in both established and newer democracies (Owolabi, 2021). Uganda, like many other countries in Africa, is no exception (ACFIM, 2022; CIVICUS, 2017; Mbazira & Namatovu, 2018; Tarvainen, 2020; USAID, 2022). The government of Uganda (GoU) had, until recently, sought to closely regulate civil society. Over the last decade, however, it became hostile, repressive and coercive, particularly targeting human rights NGOs which were the most visible actors in this space. Subsequently, civic space had significantly narrowed, exemplified by the curtailing of fundamental rights including the freedom of expression, freedom to associate and freedom to assemble. This report provides some useful insights into some of the above dynamics which emerged from a participatory research study involving seven (07) CSOs supported by CHASE-i in collaboration with Mannion Daniels under the Dutch Government-funded Power of Learning program.

The study reviews shrinking civic space focusing on how relationships between CSOs and state regulatory agencies has changed, drawing particular attention to some of the drivers behind these changes, the way in which CSOs are affected by these changes and the CSOs that are most negatively affected by these changes. The study also explores the strategies that such CSOs have adopted to cope with these changes.

The report is set out in five parts which include: the introduction, literature review, research methodology, findings and a concluding section with several preliminary recommendations presented to inform feasible partial solutions to the wicked the problem of shrinking policy on civic space in Uganda.

1.1 Background

Like many countries in Africa, the trends in Uganda suggest that civic space has gradually contracted as a consequence of the deteriorating relationship between the state and civil society. (Uganda National NGO Forum, 2021). Article 38 of the 1995 Constitution of the Republic of Uganda provides for the core elements of civic space rights. It guarantees participation in civic rights and activities for every Uganda citizen through exercising “the right to participate in the affairs of government, individually or through his or her representatives in accordance with the law” (African Centre for Media Excellence, 2021). However despite this constitutional right, CIVICUS categorises Uganda’s civic space as repressed¹. This rating is consistent with another recent assessment undertaken by the National Coalition of Human Rights Defenders Uganda (NCHRDU) against six indicators (National Coalition of Human Rights Defenders Uganda, 2021). These six indicators represent the core components of civic space including the right of access to information, freedom of expression, media and digital freedoms, freedom of peaceful assembly and to petition, freedom of association, non-discrimination and inclusion, and equally important, the rule of law and respect for/observance of human rights.

According to the NCHRDU assessment (National Coalition of Human Rights Defenders Uganda, 2021), CSOs, especially Human Rights Defenders (HRDs), faced significant difficulties

¹ CIVICUS has developed a measure of civic space whereby a country’s civic space can be rated in one of five categories – open, narrowed, obstructed, repressed or closed (CIVICUS, 2021).

in accessing public information from the state, even with: the Access to Information Act (2005); the existence of relevant institutions including the Ministry of ICT and National Guidance (MoICT&NG) and the Government Citizens Interaction Centre (CIPESA, 2017); the creation of a Government Communication Strategy and the facilitation of Public Education Airtime for public sensitization on radio.

Information remains largely inaccessible because of various barriers ranging from non-compliance by public officials, bureaucracy, a culture of confidentiality such as with the oil Production Sharing Agreements (PSAs) and a lack of transparency and accountability. For example, there is little information about the billions that were offered to the government in the fight against the COVID-19 pandemic. There is also a high level of ignorance about citizen's rights to access public information about high costs coupled with convoluted formal complaints systems (Africa Freedom of Information Centre, 2021; CIPESA, 2017; Nantume, 2021; National Coalition of Human Rights Defenders Uganda, 2021).

The assault on civic space – and access to information - by the state also extended to non-traditional media such as the internet and social media. Internet, social media and mobile money transactions have been shut down several times thereby curtailing digital rights and internet freedoms (Access Now & Africa Freedom of Information Centre, 2021; National Coalition of Human Rights Defenders Uganda, 2021; Stremlau & Dobson, 2022).

The assessment also showed that the state has increasingly criminalized dissent and has responded to criticism from those deemed to be a threat and/or nuisance to the state with different forms of state-backed brutality including arbitrary arrests, imprisonment, persecution or prosecution (National Coalition of Human Rights Defenders Uganda, 2021) and abductions and torture² (Titeca, 2022; Taylor, 2022a). There are increased restrictions to the freedoms of association, assembly and expression of its citizens (NCHRDU, 2022; CIVICUS, 2017) and peaceful assemblies and demonstrations which do not align with the interests of the NRM-led government are regularly blocked or violently disrupted through the state exploiting the POMA

² Which until recently were mostly used on **political** opposition groups (HRW, 2022; Taylor & Wandera (2021)).

(2012) Act. This has further undermined civic space and limited its contribution to social development (National Coalition of Human Rights Defenders Uganda, 2021).

Alongside their armed counterparts, state civil agencies used disguised administrative and bureaucratic requirements in attempts to counter perceived threats and opposition to the current government's legitimacy (HRW, 2021).

Furthermore, the deployment of irrational and arbitrarily enforced laws including the NGO Act (2016) and the Anti-Money Laundering Act (2013), amended in 2017, the Public Order Management Act, 2013 (POMA) and the Computer Misuse (Amendment) Bill (2022) also contributed to the closure of civic space. Registration/access to permits, reporting of funding sources for civic space actors like NGOs are increasingly onerous (National Coalition of Human Rights Defenders Uganda, 2021). 54 NGOs were suspended in 2017 under questionable circumstances which raised concerns about compliance with the law by the state although it is the main custodian.

There is also discrimination, homophobia and prejudice against vulnerable groups including women, persons with disabilities and the LGBTIQ+ community. These groups have their rights "harassed, shot and trampled upon" particularly during the COVID-19 pandemic. LGBTIQ+ shelters are systematically targeted and raided. The country also experienced a deterioration in the rule of law with an upsurge in unjustified and unexplained criminalization of journalists, serial killings of women, rampant abductions and disappearances, extrajudicial killings/ assassinations, incommunicado detention, torture and other practices perpetrated by state security organs especially the UPF and the military (Kasule, 2015; Monitor, 2016; Taylor, 2022a). The UPF, judiciary, and other agencies were singled out as being the most prominent violators of the very law they are meant to uphold (National Coalition of Human Rights Defenders Uganda, 2021).

These different factors highlight that the work of NGOs and other civil society actors became difficult because of the actions of authorities, which has undermined the capacity of civic space actors in Uganda to thrive, protect and promote human rights (ACFIM, 2022). These varied dimensions of state repression contributing to the issue of contracting civic space in the context

of a landscape characterized by increasing political uncertainty, warrants further thinking about the causes of the “wicked problem” of a shrinking civic space.

1.2 Outline of this participatory research project

Under the Power of Learning program, seven (07) CSOs were engaged and supported by CHASE-i in a 3-month research process to generate in-depth insights into what, after multiple brainstorming sessions, was framed as the “wicked problem of shrinking civic space in Uganda”. The CSOs were trained and supported to prepare a research design, generate data collection tools, planning for data collection, analyze and prepare a report on the findings. The CSOs selected Kampala City (Central Uganda), Iganga & Tororo districts (Eastern Uganda), Mbarara district (Western Uganda) and Gulu district (West Nile/Northern Uganda) for undertaking the research. The research focused on gathering insights to build a nuanced understanding of the complex relations between CSOs and the government, the impact of the increasingly restrictive and repressive environment on particular groups and the coping/endurance strategies adopted by these groups to survive in such an environment.

1.2.1 [Grappling with wicked problems](#)

The increasing popularity of framing contemporary societal problems as “wicked problems” has generated substantial intellectual debate particularly about its definition and use (Termeer et al., 2019). A wicked problem, whose initial definition was attributed to Horst Rittel, was considered as “a class of social system problems which are ill- formulated, where the information is confusing, where there are many clients and decision makers with conflicting values, and where the ramifications in the whole system are thoroughly confusing” (Churchman, 1967, p. B-141, cited in Termeer et al., 2019). Rittel and Webber argued that social problems could not be assumed to be solvable through the conventional scientific rational systems perspective. Another framing is offered by Termeer et al. (2019) who propose the consideration of conflict, complexity and uncertainty as critical dimensions for generating a more analytically precise way of adequately framing a societal problem as a wicked problem and therefore enabling a better understanding of the possible solutions. Through such a lens, solutions to social problems can be approached from multiple perspectives to effectively navigate an environment increasingly characterized by ambiguity and crisis.

1.2.2 Engaging the concepts relating to this wicked problem: civic space and civil society

A brief exploration of the concepts of civic space and civil society is provided to ground the analysis of the study findings. Civic space is defined as a multi-dimensional space or environment, comprising political, legislative, social and economic environment for freedoms of information and expression, rights of assembly and association, citizen participation, non-discrimination and inclusion, human rights and rule of law (European Civic Forum & Civic Space Watch, 2023; UNRHC, 2013). Governments shape the legal and policy systems that can either enable or constrain free expression, assembly, association and dialogue engagement in this space (United Nations, 2020). Such influence emanates from their performance as duty-bearers in relation to the provision of services, management of institutions and approach to civic freedoms. Safe civic space is not merely the absence of intimidation, harassment and oppression. Various actors should be accorded access to relevant information and the freedom to express themselves whether in criticism or dissent, in a secure and peaceful civic space, be it physically or virtually (United Nations, 2020). Only under such conditions can these actors contribute meaningfully to decision-making processes.

Shrinking civic space can take multiple dimensions. It can be direct, where spaces or media through which defenders of economic, social, political, environmental, or cultural rights work are closed off. Repressive acts such as violence, harassment and threats, targeting civil society actors by governments in breach of their duty-bearer role are also another dimension of shrinking civic space. By neglecting its duty to protect rights defenders, the state also directly violates the contract on economic, social and cultural rights it has with its citizens (Bustos, 2017).

The term civil society is also a widely used term in development discussions, encompassing social relations over time and space (Chandhoke, 2010). It invokes diverse perspectives derived from the accumulation of knowledge on the subject and reflecting the evolution of our understanding since its surge in popularity around the 1980s. Before then, it was on the periphery of intellectual discourse (Bernhard et al., 2017). The concept of civil society remains highly contested (Yabanci, 2019). Jensen (2006) asserts that the concept is “vague” and “ambiguous”, offering more confusion in the way it is deployed by theorists. There are also academic debates

regarding the transferability of this concept to the complex socio-political terrain in the global South given its global North-rooted logics. It is widely understood as that domain of social organising “outside the family, market and state” bound by shared ideals and constituting a diverse actor palette including social movements, nongovernmental organisations (NGOs), trade unions, grassroots organisations (e.g. CBOs), online networks, sports, cultural and faith groups of varying histories, ideology, size, structure and roles (Van Dyck, 2017; Bodowes, 2013; WEF, 2013; Mutua, 2009). It embodies collective action by citizens to achieve mutual goals, including holding the state accountable in the execution of its primary role as duty-bearer in the context of governance and democracy.

The two concepts, of civic space and civil society are linked: the mobilisation, engagement and operations of civil society to realise its objectives are contingent on the existence of that space with the necessary political, legislative, social and economic frameworks. Larok (2013) sums it up thus, “the latter (civic space) is an outcome of the efforts of the former (civil society) and the former in turn strengthens and aids the work of the latter.” In brief, civic space and civil society are mutually constitutive and it is from this perspective that the two concepts were deployed in the study.

1.2.3 Framing the wicked problem for this project: Shrinking civic space

The challenge of shrinking civic space in Uganda is an evidently complex socio – political issue given that it transcends traditional policy domains of philanthropy, humanitarianism, governance and human rights. It has increasingly taken on political, security and sovereignty dimensions, making it even more challenging to devise effective solutions. Further, it involves a multiplicity of actors with diverse resources, motivations, levels of influence/power and interests, operating and interacting across the local, regional, national and international/transnational scales. For instance, evidence suggests that within this space, multiple state regulatory bodies abound, with different mandates, minimal coherence, cooperation and coordination were implementing vague legislation actualized through at times arbitrary actions, the excesses notwithstanding. Improving the understanding of such a complex problem could unlock the inter-related strategies that may be required to try and shift towards a freer and unrestricted civic space.

2.2 Shrinking civic space: Global trends and perspectives

2.0 Research methodology

2.1 Research approach

A qualitative approach was adopted for the participatory research, which was implemented with seven (07) CSOs as part of the Power of Learning program. This approach sought to explore the experiences of actor/organizations and generate a more nuanced perspectives about the wicked problem of shrinking civic space. The literature (published and grey) that we have reflected was utilized to inform the research and this field work focused on collecting information from key informant interviews and drew on the critical observation of participants alongside an analysis of documented evidence. The strength of qualitative research lies in its ability to provide rich, detailed insights and to capture the contextual and subjective elements of the problem being interrogated.

Nonetheless, it has its weaknesses which include potential bias by both researchers and participants, difficulty in generalizing findings and the challenge of maintaining objectivity. To address this potential risk we sought to triangulate the data during the analysis: by cross-checking claims made by the participants and referencing available literature we sought to strengthen the validity, credibility and reliability of the findings.

Prior to the data collection, a pilot was conducted to help further refine the research questions, ensure feasibility and address unforeseen challenges that might negatively impact the study.

2.2 Research questions

The research sought to understand the key dynamics that underpinned the wicked problem of shrinking civic space and the impact on civil society in Uganda. Within this broader problem, the following specific questions guided the research:

- a) How were state – civil society relations configured within the context of changing civic space in Uganda?

- b) What are the drivers (underlying causes) behind the key changes that have occurred within Uganda's civic space over the last few years?
- c) Which CSOs have been most negatively impacted by these changes and the nature of this impact?
- d) What endurance strategies have been adopted by these CSOs to cope with the evolving operational environment?

2.3 Selection of research participants

The research engaged 30 participants (i.e. state and non-state) out of a total of 40 who had been identified to be engaged in the research to ensure a diverse and representative sample from which to derive varied and in-depth perspectives into the wicked problem of shrinking civic space. The participants were drawn from key stakeholders including officials working with various CSOs, state actors of Eastern region (Tororo and Iganga districts), Northern region (Gulu district) and Western region (Mbarara district), as well as central region (Kampala). The selection of these sites was based on three criteria including diversity of social-cultural backgrounds of potential research participants, diversity of geographical representation of potential research participants and existing research team networks to access to potential research participants with relevant knowledge and information about the research topic and these included advocacy CSOs and other civil society actors (service-based CSOs, religious and cultural leaders, media), local government officials by the CSOs and the CHASE-I research team. The research utilized purposive sampling by selecting participants based on specific characteristics and relevance to the research objectives (Foley, 2018). This method targeted participants including local and international CSOs (NGOs, activists and social movements), state actors/regulatory agencies (central and local government levels), media, opinion leaders (cultural and faith-based), youth leaders and community members. By selecting participants from such different domains and engaging with their varied perspectives, the research sought to capture the full spectrum of experiences and practices regarding the wicked problem of shrinking civic space.

2.4 Research ethics, values and safeguarding

A relatively rigorous approach was adopted to ensure the integrity and trustworthiness of the research following the PoL ethics, values and safeguarding matrix. Approval and permissions

were sought from the different district administrations and local leaders where the research was conducted to ensure the research was approved and both the researchers and participants were safe. The researchers also briefed all the participants about the purpose of the study and sought their consent before engaging them in the interviews. The research teams also worked closely with the local leaders (LCI³) who guided the research teams around the sites where data was collected and assisted in identifying informants to engage in the research. ~~provide any support when needed.~~ The research process enabled the participating CSOs to enhance their appreciation for the need to seek informed consent when engaging research participants, the value of respecting diverse perspectives from different stakeholders and being objective when capturing the same. A knowledge partner working group of senior research specialists on human and civil rights law, NGOs and civil society more broadly was engaged to guide, provide general ethical review and oversight of the research process.

2.5 Data collection

CSOs were convened to identify and generate a list of potential participants. These potential participants were contacted 14 days before the data collection via email and phone calls to ascertain their level of interest, willingness to participate and availability to engage in key informant interviews. The data collection was extended by 14 days from an initial one week to enable the participants adjust their schedules accordingly and also give the CSOs adequate time to balance between their work and participation in the research.

A research brief including key research themes, and a consent form were shared with those who expressed a high-level of interest, willingness and were and available to participate in the research. Once confirmation was received from the participants, introductory letters were sent out and appointments made for interviews as the primary data collection method. Participants were met on agreed dates and place of their preference and convenience. When the researchers met the participants as per the agreed plan and before commencing the interviews, the latter were provided an overview of the research, assured of confidentiality, given ample time to clarify any questions they raised before their consent to engage in interviews was sought. Once the

³ LC – Local Council

participants understood the purpose of the research and their consent was secured, the researchers then engaged them in in-depth interviews using an interview guide, a recorder and observation checklist. In cases where a translator was required, they were engaged to support the interview process. The semi-structured format allowed for flexibility, enabling interviewers to explore specific topics in depth while also adapting to the flow of conversation. This approach facilitated the collection of rich, qualitative data, providing detailed insights into the various dynamics that underpin the wicked problem of shrinking civic space in Uganda.

2.6 Data analysis

Data was transcribed and transcripts including the audios were shared with the participant to cross check for authenticity. The interview data was analyzed on the basis of a systematic coding, following the approach suggested by Saldaña (2012). This type of analysis consists of a systematic coding of data according to a code list in such a way as to identify relevant patterns. The coded segments were then grouped and synthesized into categories which were in turn linked to more general themes and concepts. Thematic analysis was used to deduce the meaning behind recurring words derived from interview transcripts. The analysis was carried out using a combination of deductive and inductive coding (also called "hybrid" coding, cf. Fereday & Muir-Cochrane 2006). The code system was developed collaboratively with the seven (07) CSOs through both physical and virtual meetings. The concepts upon which the codes, categories and themes were based were derived from the guiding research questions.

2.7 Challenges faced in data collection

The research team encountered some challenges during the execution of the study. Nonetheless, measures were taken to mitigate their potential negative impact. The following are some of the key challenges faced;

- a) Coordinating data collection by the CSOs in the diverse regions (i.e. eastern, northern, central and western) was quite challenging initially. This challenge was negotiated by the CHASE-i team making physical field visits and ensuring continuous feedback when possible through phone calls and messaging via the CSOs' WhatsApp portal.
- b) Some participants, especially those working with CSOs based in Kampala, were not particularly comfortable having the interviews recorded given the sensitivity of the study.

It was agreed between such participants and the researchers to record these interviews using hand-written notes which took up more time than originally planned.

- c) Key participants from prominent public regulatory institutions such as the NGO Bureau and the Ministry of Gender, Labor and Social Development (MoGLSD) which are mandated to supervise and monitor the work of CSOs in the country were difficult to access during the 21 days set aside for data collection between June and July 2024. Other alternative participants with similar experiences and backgrounds were sought to provide their input to the research to address this gap.

3.0 Research findings: The dynamics underpinning shrinking civic space in Uganda

Understanding the dynamics underpinning the nature of Uganda's civic space and the way that this is changing (shrinking) the space that civil society has to operate is vital in informing interventions for building and sustaining platforms where citizens can freely express themselves and be heard, voice their concerns, peacefully assemble and associate with other like-minded groups. Such platforms are key components in the wider process of promoting human rights, good governance and ensuring inclusive development, maintaining peace and empowering citizens. The findings presented in this section were categorized into the following themes that were considered by the CSOs, that were engaged in the PoL program, to be important in providing a deeper comprehension of how Uganda's increasingly complex civic space is configured and what underlies the shrinking space for civil society to operate. These themes cover: the relationship between civil society and the state, triggers and drivers contributing to the shrinking of Uganda's civic space, a typology of CSOs that have been most negatively impacted by the increasingly restrictive and repressive civic space, why and how have they been impacted and lastly, the coping/endurance strategies adopted by these CSOs.

4.1 Relationship between civil society and the state

An analysis of the data suggests there are contrasting perspectives amongst respondents about the current relationship between civil society and the state.

Interviewees, especially those working with advocacy CSOs operating in the central region or Kampala strongly suggested the relationship between civil society and the central government has become constrained over time given the intensification of the government's attempts to closely monitor and control the work of the sector. They indicated that it is characterized by a deep suspicion and mistrust on both sides. Such mistrust was demonstrated in the concerns raised by advocacy CSO interviewees when reflecting on the country's regulatory frameworks. For instance, one of the interviewees raised concerns about the caliber of institutions delegated to regulate the sector.

So, you find that the parent ministry, for example, [of] the NGO Bureau, which is the regulator, is in the Ministry of Internal Affairs. But when you look at [this Ministry], you see it is composed of police and prisons (institutions). And so, it is [about] internal security really. That means government sees CSOs as a threat to internal security. So, they need to put them under Minister of Internal Affairs. So, if you look at that alone, it shows that... the government [sees the] need to really handle CSOs with a tighter hand... (KII, Official, CSO).

However, according to interviewees working with advocacy CSOs operating outside the central region, the relationship between civil society and sub-national governments was relatively better and less confrontational.

The majority of interviewees working with service-based CSOs outside the central region also suggested that the relationship with the state was characterized by mutual dependence, given that civil society played vital roles in supporting the state to fill critical resource and social service deficits especially at the sub-national government level (district/local level). Here, interactions were defined largely by continuous dialogue, compromise, trade-offs, partnerships and collaborative working for mutual benefit.

This view, that there is a mutuality between service based CSOs and the state, was affirmed by the majority of interviewees from the state – including district political and technical officials. This is illustrated by the following observation made by a local government official.

[Where there] are some activities that we don't have resources to implement as a district and [it can be] implemented by the CSOs, we make a referral so that they can get the numbers and meet their targets...we recommend them (CSOs) for funding. Whenever there is need for funding and they need our recommendation, we do it at [no] cost... (KII, Technical official, local government).

Nonetheless, although the relationship between civil society and the sub-national governments was considered to be better, interviewees from both advocacy and service-based CSOs operating

outside the central region indicated that they experience some challenges of increasing surveillance of their work.

The above findings suggest a nuanced picture about current state-civil society relations in Uganda. It appears that at a national level they are very constrained, while in the case of sub-national level, the relations are more collaborative and negotiated. This is partly driven by the need for the sub-national level state actors to partner with CSOs to support the service delivery to local communities due to resource constraints (i.e. funding, skills and expertise). However, even advocacy CSOs operating at the sub-national level – outside of the central region - reported less pressure from local governments to comply with strict regulations. This stands in contrast to CSOs based in the central region-based CSOs which interfaced more frequently with largely inflexible central level regulatory agencies.

3.2 Key factors behind shrinking civic space

According to interviewees engaged in the study, the shrinking of civic space in Uganda was attributed to several factors.

Firstly, a key factor underpinning the state's response to CSOs pertains to the intensification of political opposition to state autocracy alongside political advocacy/activism by civil society. This included a rising trend of CSOs using technology and social media as an alternative means of social mobilization and organization. This has especially been the case for young people undertaking advocacy calling for greater accountability and transparency by the state.

In this context, advocacy CSOs have been increasingly depicted as supporting the political opposition and labeled as an “enemy of progress/development” representing “external interests” seeking regime change. This has resulted in the state countering these actions by cracking down on CSOs through prioritizing the controlling and curtailing of the actions of CSOs including taking punitive measures against civil society to mitigate the perceived threats it represented.

Interviewees suggest that the institutionalization of the repression of CSOs of civic has in part been realized by the state through instituting increasingly onerous administration and bureaucratic procedures that are characterized by corruption and bribery, which has contributed

to the contraction of civic space. For instance, in line the NGO Regulation of 2017 (Statutory Instrument No. 22), CSOs are required to secure permits, file accounts and register various documentation with multiple agencies including the NGO Bureau, MoIA, URA, URSB and FIA. To expand their operations, NGOs, for example, have to seek formal approval from the MoIA.

Key informants from CSOs highlighted how corruption and bribery are closely entwined with bureaucracy indicating that this is stifling the work of civil society. These views are revealed in the narratives below;

For example, instead of going online [to register] and pay UGX 30,000, someone will pay UGX 200,000 to [an official] working in URSB... (KII, Community member)

If the Community Development Officer (CDO) asks, “Can you go and improve on your constitution?” If the CSO does not have the time because of other commitments, they will pay maybe UGX 100,000 and the CDO will work on improving the CSO’s constitution before registering it... (KII, Community member)

These views though were also shared by a few interviewees from government who acknowledged that the institutional and procedural frameworks are characterized by inefficiencies and unnecessary delays which, for instance, frustrate CSO registration, permit renewal and make it difficult for CSOs to secure the necessary approvals and clearances to access external funding. This became apparent through the narrations below;

Then [you have] the [many] requirements to get that permit. You must have audited accounts...annual returns...your work plans have to approved by all the districts where you are going to work. It is a long list of requirements that actually many, many NGOs find it very difficult the first time. When it comes to renewal [of] the permit after it has expired, then you really, really face it rough... (KII, Official, CSO, national level)

Other interviewees from government confirm that additional demands on CSOs, such as those requiring CSOs to comply with new financial legislation in terms of the Anti-Money Laundering Act (2013), have further contributed to straining this relationship. This is illustrated by a comment made by one government official:

...[the new financial requirements of CSOs] by [the] Financial Intelligence Authority...they are tedious and increasingly demanding in terms of policy implementation... (KII, Official, local government).

These views were not however universally shared by government, and one state official contested the claim that the process of renewing CSO permits was onerous. Rather, he faulted the CSOs for not securing permanent permits instead of the time-bound permits, which he suggested would assist them to avoid the bureaucratic system. This view typified the combative response to criticism of the state's inefficiencies and shortcomings and is captured in the following comment.

This [issue] of having to renew permits...it is affecting them. [But] why can't these people (CSOs) just get permanent permit[s]? They keep on renewing, renewing, renewing... and at times they forget that their permit [has] expired. There are some CSOs that have failed to [secure] some funding because of that... (KII, Technical official, local government)

The second factor that appears to underlie the shrinking civic space, and specifically the deployment of multiple repressive and regressive laws in the last ten years, has at its roots the country's colonial legacy of conquest, subjugation, domination and erasure of opposition to the imperative of economic exploitation. The key laws that have been revised by GoU in this period to further restrict civil society include the Penal Code Act (1950), the Anti-Terrorism Act (2002), the Police Act (Cap 303) and the Press and Media Act (2000). These have been supplemented by new laws such as the POMA (2013), the NGO Act (2016) and more recently, the Computer Misuse (Amendment) Bill (2022) and the AHA (2022). All these have legitimized the ruling political elite's attempts to close off civic engagement (HRW, 2021). According to key informants engaged in the study, these historic laws underpin the current legal and institutional regimen that is being utilized to stifle and suffocate civic space in Uganda.

These shifts have also been linked to the third factor underpinning this shrinking civic space, that of the influence of the elites and their role in passing this new legislation. One key informant stated that the NRM and associated elites had effectively exploited their influence, power and

majority in key institutions such as the legislature to force through these laws. as suggested in the excerpts below;

There are, I think, laws that have been enacted in Parliament that have actually denied CSOs to express themselves. For example, we have the POMA... When it was enacted, of course, [it implied that to organize public assemblies] you need[ed] police permission... not to inform the police, but to seek permission. The discretion [was] left with the police [whether to approve the gathering or not]... (KII, Radio presenter, local media)

Since last year with the law that has been passed, the AHA law, things have not been so [good]. Firstly, the beneficiaries are now in hiding and you can't really trace and give [them] proper services that we are required to give them. So yeah, that's one big challenge that we're facing and I think it's really affecting the kind of work that we do... (KII, Official, CSO, subnational level)

These points are very inter-related with the fourth factor relating to this shrinking space, that of the highly conservative socio-cultural environment, reinforced by the rallying of faith-based groups against issues such as the promotion of LGBTQI+ rights. This conservative environment was also identified as another driver that has contributed to the closure of civic space. Key informants argued that entrenched socio-cultural values and norms about sexuality had contributed to drawing public hostility against civil society thereby diminishing the value of advocacy for certain human rights, as indicated below;

I went to Nambale subcounty. Nambale is among the sub-counties in [Iganga district]. And the community [there informed us that], “We are chasing away NGOs and CSOs work in Nambaale because [we] got information that they receive money from homosexuals...” (KII, Radio presenter, local media)

When you go out in the community, say to do fundraisings in marathons or something, of course you'll have to explain the background of your organization and [when] we say that we work with [vulnerable] populations, that's already a red flag for people. So we cannot locally raise funds to help [marginalized] communities [like LGBTQI+]... (KII, Official, CSO, subnational level)

The research findings also point to a fifth factor contributing to these challenges, which is internal to civil society. The majority of community interviewees suggested that the absence of strong partnerships and collaboration within civil society has limited the potential impact of civil society as a social advocate, thus contributing to closing down space for promoting critical freedoms (i.e. association, peaceful assembly and expression), human rights protection and civic engagement in decision-making. This view is illustrated in the interview extract below;

CSOs have not worked as a team...the CSOs are doing their own thing. So, when you're in a challenge, (CSO X)⁴ will not be there to support you. So, you find they cannot fight when they have a problem. So [that is why] the space is shrinking ... (KII, Community member)

3.3 CSOs most and least affected by shrinking civic space

Whereas many CSOs had been impacted in some way or another by the gradual shrinking civic space in the country in the last few years, research findings showed some groups were disproportionately more impacted than others as analyzed in the ensuing section.

3.3.1 Promoters of democracy, human rights and governance

According to key informants, prominent CSOs and individuals conducting advocacy on human rights and freedom of expression, governance, accountability, transparency and challenging the government on corruption where public resources are concerned were among the most negatively impacted, as recounted below;

The most affected are those which are working mainly on governance. And as I said, when you are working in governance, you end up stepping on people's toes. The power is that big. So, it is a fragile environment. It is a delicate environment to work in...'' (KII, Official, CSO, national level).

⁴ Real name of CSO deliberately omitted.

Some CSOs had been specifically singled out and criticized by the president directly for “promoting foreign agendas.” Subsequently, they faced higher risks of being systematically targeted and closed down because of their advocacy work, as indicated below;

And the president categorically spoke about ACCORD. That they are being funded by the western powers to bring down [the NRM] government... We have Chapter 4 of Nicholas Opio... Remember what happened [to it]? [Its offices] were raided by security forces. He had even to run out of the country and he has just returned... (KII, Radio presenter, local media)

ACCORD and Chapter 4, as well as other prominent CSOs and individuals in this category of human rights defenders, have been most negatively impacted by shrinking civic space in Uganda. Others include Citizens’ Coalition for Electoral Democracy in Uganda (CCEDU), which was suspended for a year by the Uganda Electoral Commission and blocked from undertaking electoral-related work (HRW, 2021). ActionAid experienced office raids in 2017 (Action Aid, 2018; National Coalition of Human Rights Defenders Uganda, 2021), while the Anti-Corruption Coalition in Uganda (ACCU) has also been victimized for fighting corruption. Among the individuals, well-known activists, Kakwenza Rukirabashaija was arrested and tortured before he later fled the country (Titeca, 2022). Nicholas Opio⁵ from Chapter 4 suffered a similar fate when he was arrested by the state, held incommunicado before later being charged for money laundering, remanded in prison and released.

3.3.2 Youth-led CSOs

Likewise, youth-led CSOs were among the groups most negatively affected by the dwindling civic space in the country. The increased vulnerability of such groups was attributed to perceptions of them by the ruling elite as critical constituencies (since they constitute a sizeable proportion of the country’s total population⁶) that could be exploited for political capital and gain by a resurgent opposition led by Bobi Wine’s National Union Party (NUP) to destabilize and threaten the survival of the NRM-led government. To substantiate, one key informant stated that;

⁵ <https://www.newvision.co.ug/news/1536124/human-rights-lawyer-opiyo-charged-remanded>

⁶ Youth, categorized as those between the ages of 18 and 30 years, constituted 22.6% of Uganda’s total population as per the 2024 preliminary census results. This group tallied 10,418,337 out of the total population of 45,935,046 (<https://www.ubos.org/wp-content/uploads/2024/07/Censu-2024-PRELIMINARY-report.pdf>).

But also youth organizations [are vulnerable], because you know the youth are not supporting the government as compared to other people. So, most of the time they (the youth groups) are [branded] as People Power (NUP) supporters, that you are anti-government, you cannot assemble, you cannot come together... (KII, Community member)

3.3.3 Islamic faith-based CSOs

Furthermore, Islamic faith-based CSOs, especially those that are not registered and recognized by the Uganda Muslim Supreme Council, the main state-recognized body which unites all Islamic-faith groups in the country, were considered to be among the most negatively affected by the increasingly restrictive civic space. A similar predicament was faced by Christian-based churches which are not registered Uganda Registration Services Bureau (URSB). Fears of rising faith-based extremism and insurgency played a major role in drawing increased attention to unregistered faith-based CSOs.

3.3.4 CSOs promoting LGBTQI+ rights

CSOs promoting LGBTQI+ rights were among those that were also considered to be particularly affected by an increasingly restrictive environment, according to interviewees. These faced penalties of being de-registered, having their operations and sources of funding blocked. The vulnerability of such CSOs was linked to the highly conservative socio-cultural environment on sexual and reproductive health issues, as highlighted earlier.

3.3.5 Humanitarian and development/service delivery CSOs

While advocacy CSOs appeared to be most negatively impacted by the restrictive civic space, evidence suggests that humanitarian or development-focused CSOs were generally able to carry out their work with fewer encumbrances. Consensus among informants suggested that since these groups were viewed by the state to be largely apolitical or neutral because they engage in service delivery that is aligned with the central government's priorities in terms of social economic development and well-being of communities (e.g., education, health etc.). These organisations are therefore less affected by the increasing restrictions faced by their counterparts engaged in governance, democracy and human rights advocacy.

3.4 Endurance by civil society in the context of shrinking civic space

Evidence suggests that the increased restrictions placed on civil society by the state has compelled CSOs to be proactive and find innovative ways for sustaining their advocacy work. The findings and literature show that, to endure in an increasingly difficult working environment, CSOs have sought to engage in continuous learning to enhance their agility and ability to adapt, have adopted technology/social media to compensate for the closure of contemporary civic spaces and have sought to strategically cultivate partnerships with key state actors through collaboration, formulation of alliances within the sector, diligently complying with legislation and negotiating with state actors where possible to try and find a middle ground. They have also sought to promote localisation of civic space and seeking legal recourse/litigation in some cases.

The way in which they have adapted with a focus on technological adoption and through collaboration are explore in more depth below:

3.4.1 Technology adoption (i.e. virtual spaces such as social media)

According to some key informants, CSOs have adopted, leveraged and normalized the use of technology alongside the traditional media (e.g. radio). Technology and the use of virtual spaces such as X had enabled them to widen their reach especially given the scarcity of funding to support advocacy work, according to one interviewee.

CSOs have tried to become adaptable, for example, [by] learning how to do their work online using technology...(KII, Community member)

Indeed, this finding resonates with the perspectives offered in the literature about how social media is transforming the ways in which society is mobilized to engage and deliberate on contentious issues (i.e. political, social, economic and environmental) and participate in addressing social injustice in Africa (Kamp, 2016; Wangmar, 2019). Although social media have been around for more than 2 decades, in Uganda, it had only emerged recently in the last few years as a tool for civil society to engage the state and demand for good governance, transparency and accountability over public resources and tackling corruption (African Centre for Media Excellence, 2016; Muhindo, 2023). The value of social media as a potent tool for

spurring change was emphasised by ActionAid Uganda which maintained its social media presence even when its offices were raided to counter “state propaganda and accusations” against it (Larok, 2018)⁷.

More recently, between April and June 2023, exhibitions on the state of roads in Kampala (*#potholexhibition*), the public health (*#UgandaHealthExhibition*) and NGO (*#UgandaNGOsExhibition*) sectors were undertaken to generate debate on respective issues and challenges.

However, Kalinaki warns of social media’s potential effect on “watering down” civic actor agency. Social media should be harnessed to augment engagement of the state through traditional physical spaces to realize the kind of impact that is necessary to drive positive change and transformation that enables a freer civic space for civil society to effectively operate. Therefore, while technology in the form of social media had emerged as alternative for advocacy, activism and resistance in a context of shrinking civic space, its efficacy is not without its challenges.

3.4.2 Collaborative working and strategic engagement with state agencies

According to the key informants, CSOs had adopted a collaborative approach to working with state agencies as a way to survive. Rather than being confrontational and incendiary in their engagements with the government, they have refocused their energies on striking a balance between supporting government to meet its mandate of delivering services and offering constructive criticism where improvements could be made. This approach is clearly demonstrated in the narrative below.

But we don't only talk about how things aren't moving on well in the hospitals. Because when you attack government about things not moving on well, [the government reacts in a negative way]. If you go there, try to see how best you can strike a balance between [supporting the government] and taking action to improve things... (KII, CSO, subnational level)

⁷ <https://www.devex.com/news/opinion-our-civic-space-is-shrinking-here-s-how-we-ve-responded-and-you-can-too-92013>

CSOs have also engaged in dialogues with both state and non-state actors through meetings, radio programs as well as using other approaches in order to share information, create lines of open communication and provide feedback about their work. These acts are with the intention of promoting greater transparency, trust and collegiality.

There must be co-existence. There is no way we can do without the other. And that is why we have embraced dialogue. Government has sat with [us]... NGO Forum has said, "Let's come on board. Where is it that we have crossed the line? Tell us. But if the government has also crossed the line, we should tell them" (KII, Radio station manager, local media)

Such approaches sought to enhance trust with the state and by being as compliant and transparent as possible, CSOs anticipated that this would reduce state apprehension of them as threats.

4.0 Discussion of findings

The findings from the research provide some useful insights for reflection about the wicked problem of shrinking civic space and highlights that the nature of the relationship between civil society and the state appears to be multifaceted.

On the one hand these relationships are characterized by tension, mistrust and confrontation between national level state agencies and national level advocacy CSOs. On the other hand, relations between local government actors and advocacy CSOs operating outside of Kampala (i.e. the central region) are less confrontational, possibly due to several reasons. These could include fewer numbers of advocacy CSOs operating outside the capital, Kampala, and that the few advocacy CSOs that operate outside of the central region promote less contentious issues such as women and children's rights. Further, this research has highlighted that CSOs are generally seen as less of a threat by local governments which specifically value the role played by service-based CSOs as these are seen to be addressing critical gaps in a context of acute public institutional capacity deficits and resource constraints.

While this research has found evidence of the multifaceted character of state-civil society relationships, and in particular the differences between Kampala and outside of the centre as well as between national and sub-national/local, there are still serious concerns emerging about the overall impact of this changing approach to civic space. These changes appear to undermine the ability of civil society to effectively play a role in supporting the country's social, economic and political transformation.

The state's association of civil society advocacy work with opposition politics state has led to the state increasingly characterizing CSOs as "enemies of development" and "agents of foreign interests". This research found that CSOs face increasingly bureaucratic regulatory procedures marred by corruption and bribery and that CSO repression has been institutionalised, which contributes to the shrinking of civic space in Uganda.

These findings reinforce the literature which outlines the accelerated trend of state-inspired repression against advocacy CSOs and speaks to the normalization of intimidation, harassment, coercion and violence against civil society (Alava & Ssentongo; 2016; Khisa, 2019; Flower, 2019; HRW, 2021; Taylor, 2022b). This includes the usage of vague and harmful laws and the instrumentalization of various institutions (civilian and armed) to intimidate CSOs and to stigmatize arbitrarily arrest, prosecute and mete out physical violence on activists protesting against human rights abuses, poor governance and undemocratic tendencies (Larok, 2013; Mugisha et al., 2019). The literature explains these changes by the acceleration of neo-liberalism democratic retrogression and erosion of public institutions coupled with the emergence of confrontational populist politics, co-option and patronage of religious institutions and leaders. In contributing to the closure of civic space, these factors have dealt a significant blow to efforts for cultivating a viable civil society as a transformative agent towards sustained promotion of human rights, democratic governance and political reform, especially given the country's turbulent political history.

Nonetheless, despite the above increasingly shrinking civic space, this research has demonstrated that advocacy CSOs have demonstrated a level of endurance in a particularly increasingly difficult and highly contested political environment. Advocacy CSOs have been compelled to be

innovative and resourceful through continual learning, the adoption of technology and by strategically engaging the state through partnerships that seek to build trust and productive relationships to enable these organisations to survive. These strategies are also highlighted in the literature (Larok, 2018; Allimadi, 2022), which also highlights that civil society is also seeking to counter some of these trends by exploring the possibilities associated with localizing their work through mobilising resources locally. This is seen as important to deflect the dominant state narrative of civic space actors as agents of “neo-colonial” or “western” interests linked to their reliance on external funds (GFCF, 2022). Further, some CSOs had opted for litigation to influence reforms (Larok, 2018; Magubira, 2021; Avocats Sans Frontieres, 2022).

Looking at the above palette of strategies, it is worth pointing out the conspicuous absence of attempts by civil society to build and strengthen links with academia which is critical for providing intellectual leadership (Mutua, 2009). Further, while it is commendable that advocacy CSOs have innovatively devised various strategies to survive in an increasingly difficult environment, there is still some uncertainty about the extent to which these strategies have been effective in supporting the survival of CSOs that are still able to confront the state to promote human rights, good governance, democracy for peaceful political transitions, transparency and accountability in relation to the management of public resources.

5.0 Conclusion

Civic space is an important ingredient for enabling society to interact and exercise their human rights and freedoms, to voice concerns about existing challenges, express and confront issues affecting them and participate in governance processes. Civic space is a vital platform for a vibrant, vigilant, active and independent civil society to connect with and advance social interests and objectives. Civic space is a vital platform and anchor for a strong and legitimate civil society to intercede for the voiceless and to be agents of social transformation as their core mandate. However, evidence from this study, which is corroborated with the available literature, shows that civic space in Uganda has increasingly become restricted and repressive. This has especially negatively affected advocacy CSOs that promote human rights, democracy and governance as well as Islamic faith-based CSOs, youth-led CSOs and CSOs promoting

LGBTQI+ rights. This research suggests that these particular groups of CSOs are disproportionately impacted by a repressive regulatory framework and other state-led actions.

These increased restrictions have affected state-civil society relationships and is resulting in a rift between the state and human rights, governance and democracy advocates. To negotiate the difficult terrain that these CSOs operated in, they have adopted a range of innovative responses whose efficacy is yet to be fully assessed. The evidence generated through this research offers some useful insights for understanding some of the critical dynamics of a complex socio – political issue given the multiple facets underpinning it. that is from the actors to issues of scale, policy domains, power relational asymmetries, structures, institutions, ideologies, legitimacy and possibly the wider geopolitical considerations that go beyond the boundaries of Uganda. However, this research suggests that there are still areas to explore including ways to strengthen partnerships amongst CSOs and with academia as well as to understand the value of the strategies that are being used by CSOs to counter these restrictive trends.

Appendices

Table 1: List of key informants engaged in interviews during the research

Actor category	Actor role	Region	Planned interviews	Actual interviews
State – National	Duty-bearers responsible for policy development and implementation	Central	03	02
State – Subnational/local government/district	Duty-bearers who regulate CSOs (i.e. monitoring and inspection)	Eastern	03	04
		Northern	03	01
		Western	03	01
International Non-Governmental Organizations (NGOs)	Promoting sport for development, humanitarian and development work, healthcare, child protection, sexual reproductive health rights and gender	Any region	02	02
Civil Society Organizations (CSOs)	Advocacy CSO (Human rights, governance) Service delivery-based CSO Marginalized groups NGO/CBO (Youth, women, children, PWDs, LGBTQI, elderly) Others (Agriculture, sports CSOs, NGO Networks, faith-based NGOs)	Eastern	04	04
		Central	04	04
		Western	04	03
		Northern	04	04
Local leaders	Faith-based leaders, youth leaders, cultural leaders	Any region	04	04
Private sector	Media	Any region	02	02
Community members	‘Beneficiaries’/rights-holders	All four regions	04	04
Total			40	30

Table 2: Thematic Analysis Coding Sheet

Theme	Sub-theme	Sub-Codes	Code Descriptives
4.1 Relationship between civil society and the state	Positive relationship with sub-national level/local government entities e.g. district administrations	Partnerships	Team work; collaboration; complementarity
		Mutual dependence/benefit	Collaborative working to cover service delivery gaps
		Flexibility/co-existence	Regular dialogue/meetings/events
		Compliance	Less strict in enforcing some regulations; support for CSOs to comply with regulations by local government entities
	Negative relationship with central government and state regulatory agencies	Increasing levels of repression	Increased scrutiny by state regulatory agencies; soliciting of ‘under the table payments’ by some state officials; censure; physical attacks; intimidation; threats; stigma; reporting all activities; full disclosure of funding sources; enacting and enforcing repressive laws e.g. AHA. POMA etc.
		Lack of transparency by CSOs	Vague description of project activities to e.g. hiding provision of family planning under SRHR.
4.2 Key factors behind shrinking civic space	External factors	Bureaucracy in registration and licensing of CSOs	Multiple agencies to report to; long and costly processes (time and funds);
		The deployment of multiple repressive and regressive laws	-POMA -AHA

		Reduction in funding/changing donor priorities	Shifts in funding priorities especially towards non-human rights advocacy issues such as climate change
		The highly conservative socio-cultural environment	Negative attitude; hostility; homophobia; stigma towards LGBTQI focused CSOs
		COVID-19 pandemic	Restriction of CSO activities with imposition of lockdowns, curfews and related health measures e.g. social distancing; post COVID 19 recovery
	Internal factors	Institutional and procedural frameworks	Lack of adequate systems for filing returns; audit/accounting reporting; transparency
		Absence of strong partnerships and collaboration within civil society	Failure by CSO to form strong networks for collective bargaining
		- Leveraging technology and media	Adoption of social media advocacy through X (formerly Twitter); radio and television
4.3 CSOs most and least affected by shrinking civic space	Most affected	Advocacy CSOs	Promoters of democracy, human rights and good governance; state fiscal accountability, transparency and responsibility in relation to utilization of public resources
		Youth-led CSOs	-State usually conflate their activities with NUP the youth led leading opposition political party
		Islamic faith-based CSOs	Those that were not formally registered with Uganda Muslim Supreme Council (UMSC)

		CSOs promoting LGBTQI+ rights	-AHA -Money from the homosexuals
	Least affected	Humanitarian and development/service delivery CSOs	Remaining apolitical or neutral; aligning work with the central government's development priorities
4.4 Endurance by civil society in the context of shrinking civic space	Technology adoption	Utilization of online spaces such as social media	-Twitter/x
	Collaborative working and strategic engagement with state agencies	Striking a balance between CSOs and government to meet their mandate; Dialogue	CSOs working to support one another; taking collective action as CSOs and state agencies to improve effectiveness of advocacy efforts; holding periodic meetings with state regulatory agencies)

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