I. SUMMARY

Uganda's parliament is due to consider a new draft law proposed by the government that aims to increase state control over the country's non-governmental organizations (NGOs), whose existence and activities are already subject to stringent legal restriction. As a party to both the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, Uganda has an obligation to promote and protect freedom of association, including the right to form and join human rights and other NGOs.

Human Rights Watch opposes the new draft law and urges the Ugandan government to withdraw it. In addition, Human Rights Watch is calling on the government to repeal or else amend the current law regulating NGO activities, the Non-Governmental Organizations Registration Statute of 1989,[1] in order to bring it into conformity with international law on freedom of association.

Under existing law, all NGOs in Uganda must be approved and registered by a government-appointed board composed mostly of government officials, including security officials, before they are allowed to operate. The board can refuse to register an NGO or may impose various conditions when approving it, and can abruptly terminate any NGO's registration on vague grounds. NGOs that operate without official approval are liable to fines and to have their office-holders jailed for up to one year if the fines are not paid.

The new draft law, the Non-Governmental Organizations Registration (Amendment) Bill,[2] proposes additional controls. It would further complicate the registration process, requiring that NGOs also obtain a special permit from the registration board before they can operate. It would also increase the registration board's powers to reject or revoke an NGO's registration; and it would stiffen the penalties for operating without official sanction, thus raising the possibility that legitimate NGO activities may be criminalised.

NGOs currently make a hugely important contribution to Uganda's social, cultural and political life. Women's associations, human rights organizations, as well as many other civil society groups concerned with HIV/AIDS prevention and other health issues, promoting education, and broader development issues, operate throughout the country, despite existing controls. Both in their particular areas of focus and more generally, they help to foster and facilitate public debate and exchange on a wide range of questions. They encourage the expression of different views and, significantly, have been willing to address politically sensitive issues at a time when the Ugandan government continues to restrict ordinary political party activity. For example, prior to the July 2000 referendum on Uganda's political system, NGOs organized debates and other initiatives to inform the public about the choices before them and earlier this year, local NGOs led efforts to monitor the presidential elections that again returned President Yoweri Museveni to power. In addition, NGOs have been instrumental in pushing for peaceful solutions to the armed conflicts in northern and western Uganda, and have organized assistance for victims of those conflicts.

[1] Non-Governmental Organizations Registration Statute, 1989. Date of Assent: 10 August 1989; Date of Commencement: 29 September 1989.

[2] The Non-Governmental Organizations Registration (Amendment) Bill, 2000. Bill No.26. Published in the Uganda Gazette No.73 Volume XCIII, 15 December 2000.

Political party activity remains highly constrained in Uganda. Since President Museveni and his National Resistance Movement (NRM) took power in 1986, he has ruled Uganda under the so called "Movement" or "no party" system. He has argued that an all-inclusive movement is more suited to Ugandan conditions than the multiparty system that formerly existed and is held to have contributed to the widespread violence and sectarianism that plagued Uganda in the 1970s and early 1980s. Under this system, all Ugandans are officially deemed to belong to the Movement and candidates for political office run on their personal merit, not as representatives of particular political parties. This is meant to encourage political participation at the grassroots. The country is governed by a pyramid of five levels of councils, from the village to the nation. In 1986, almost immediately upon taking power, the government issued a decree suspending political party activity. The 1995 constitution transformed the administrative ban into a legal ban, allowing political parties to exist in name but outlawing all activities normally associated with political parties. Article 269 of the Constitution prohibits opening and operating branch offices, holding delegates' conferences, holding rallies, or campaigning for a candidate in an election. Security forces have halted numerous political rallies, some through force, and leading opposition activists have been harassed and, sometimes, subjected to arbitrary arrest.[3] In February 2001, Parliament passed a Political Organisations Law with a view to relaxing some of the restrictions placed on political parties, in particular allowing them to operate district offices. However, President Museveni has refused to sign this law, reiterating that party activities are only allowed at the national level.

The right to freedom of association, like the associated rights to freedom of expression and assembly, is well established in international law, notably in the International Covenant on Civil and Political Rights (ICCPR), which Uganda ratified in 1996 and is thereby bound by treaty to uphold. Like the rights to assembly and expression, however, freedom of association is not an unqualified right. International law allows for restriction of the right but only on certain prescribed grounds and when particular circumstances apply. Any regulations that have the effect of restricting freedom of association must meet the specific standards contained in international human rights law to be permissible.

As this briefing paper shows, neither the new NGO bill, nor Uganda's current law on NGOs, the Non-Governmental Organizations Registration Statute of 1989, meet the applicable standards.

On 15 December 2000, the Minister of Internal Affairs proposed to parliament the Non-Governmental Organizations Registration (Amendment) Bill. The new NGO bill was discussed in the Parliamentary Committee on Defense and Internal Affairs just weeks before the parliamentary elections on 26 June 2001, but was not taken any further. The new Ugandan parliament now faces the challenge of creating a new legal framework for relations between NGOs and the state.

[3] See also Human Rights Watch, Hostile to Democracy. The Movement System and Political Repression in Uganda. New York, August 1999; Human Rights Watch, Uganda: Not a Level Playing Field. Government Violations in the Lead-Up to the Election. Vol.13, No.(1) – March 2001.

II. FREEDOM OF ASSOCIATION UNDER INTERNATIONAL LAW

Freedom of association can be defined as the right of persons to join together in groups in order to pursue common objectives or interests. Such groups can be political parties, professional groups, sports clubs, non-governmental organizations, religious groups, trade unions or corporations.[4]

The right to freedom of association, and the only grounds on which it may be restricted, are set out in article 22 of the International Covenant on Civil and Political Rights:

> "(1) Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.
> (2) No restrictions may be placed on the exercise of this right other than those which are prescribed by law and which are necessary in a democratic society in the interests of national security or public safety, public order *(ordre public)*, the protection of public health or morals or the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on members of the armed forces and of the police in their exercise of this right."

As can be seen, under international law restrictions on freedom of association are permissible only on certain clearly specified grounds. And these grounds, as the leading international law expert Manfred Nowak has demonstrated, are not to be interpreted loosely. For example, terms such as "national security" and "public safety" refer to situations involving an immediate and violent threat to the nation or to its territorial integrity or political independence. Nationwide limitations imposed on the basis of merely isolated or localized threats cannot be justified, therefore, and are impermissible.[5]

Limitations of the right to freedom of association can also be imposed in order to maintain "public order" (*ordre public*). Public order can be understood as the rules that ensure the peaceful functioning of society.

Freedom of association may also be restricted for "the protection of public health or morals." Here, for any restriction to be legitimate, "public health" should mean a situation in which the activities of an association poses a serious threat to the health of the population or individuals within it. The right of assembly may also be restricted in instances where the fundamental values of the community - "public morals" - are threatened.

Finally, Article 22(2) allows limitations for the protection of rights and freedoms of others. This means that if an association has aims that threaten the rights of others, there can be grounds to limit its freedom. This provision can be regarded as complementary to Article 20(2), which prohibits "any advocacy of national, racial or religious hatred"[6].

---

[4] Manfred Nowak, UN Covenant on Civil and Political Rights. Kehl 1993 p.386-387. On freedom of association in other African countries, see also Article 19, Freedom of Association and Assembly; Unions, NGOs and Political Freedom in Sub-Saharan Africa. March 2001 (can be found on www.article19.org).
[5] On this and the following Nowak, p.394-396.
[6] Nowak, p.393-394.

Certain other requirements are necessary under international law to justify freedom of association restrictions even on the grounds specified in Article 22(2) of the ICCPR. Notably, restrictions can only be imposed if they meet the standard of being "necessary in a democratic society." This implies that the limitation must respond to a pressing public need and be oriented along the basic democratic values of pluralism and tolerance. The term "necessary" also contains the principle of proportionality, i.e. it requires a careful balancing of the intensity of a measure with the specific reason for the limitation. In applying a limitation, a state is to use no more restrictive means than are required for the achievement of the purpose of the limitation. The dissolution of an association or the prohibition of its formation, as the severest type of restriction on freedom of association, should constitute an ultimate sanction, and may be imposed only when lesser measures of restriction are insufficient.[7]

The principle of proportionality has been highlighted in several rulings on freedom of expression made by the Human Rights Committee (HRC), the treaty mechanism body established under the ICCPR to interpret its provisions.[8] For example, in 1997 the HRC ruled on the case of a citizen of the Republic of Belarus who had been prevented from distributing leaflets concerning the anniversary of independence: his leaflets were confiscated and he was fined because he had not registered his publication with the authorities. The HRC found that the state authorities of Belarus had "failed to explain why this requirement was necessary," and declared that: "these (registration requirements) cannot be deemed necessary for the protection of public order (*ordre public*) or for the respect of the rights or reputations of others."[9] In another case, regarding the detention of a political activist by the state authorities in Cameroon, the HRC determined that there was no causal link at all between the measures taken by the state and the aim of safeguarding national security, stating that the committee "further considers that the legitimate objective of safeguarding and indeed strengthening national unity under difficult circumstances cannot be achieved by attempting to muzzle advocacy of multi-party democracy, democratic tenets and human rights; in this regard the question of deciding which measures might meet the "necessity" test in such situations does not arise."[10]

According to Article 22(2), restrictions on freedom of association must also be "prescribed by law". In other words, state authorities must base their actions on legislation that is already in existence. In another freedom of expression case, the HRC ruled in favor of a complainant against Finland who had sought to raise a banner to protest against a visit by a foreign head of state because the state authorities of Finland had "not referred to a law allowing this freedom to be restricted."[11]

No other limitations than the ones mentioned above are allowed under Article 22(2) of the ICCPR. For example, procedural formalities for recognition of associations must not be so burdensome as to amount to substantive restrictions on the right of freedom of association. This

[7] Nowak, p.394.

[8] Article 19 of the ICCPR allows limitations of the right to freedom of expression which are similar than then ones of Article 22(2). Article 19(3) states that restrictions "shall only be such as are provided by law and are necessary: (a) For the respect of the rights or reputations of others; (b) For the protection of national security or public order (ordre public), or of public health and morals."

[9] Vladimir Petrovich Laptsevich v. Belarus. Communication 780/1997 of the Human Rights Committee.

[10] Albert Womah Mukong v. Cameroon. Communication 458/1991 of the Human Rights Committee.

[11] Auli Kivenmaa v. Finland. Communication 412/1990 of the Human Rights Committee.

was made clear by the Human Rights Committee in its Concluding Comments on onerous registration procedures for NGOs in Belarus and Lithuania.[12]

This interpretation of Article 22(2) is also supported by the Siracusa Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights (hereafter the Siracusa Principles).[13] The Siracusa Principles have developed further the understanding of the concepts of "national security or public safety" [14], "public order" [15], "public health[16] and morals"[17], and the "protection of rights and freedoms of others"[18].
They also define further the meaning of "necessary in a democratic society" and "prescribed by law", along the lines of the argument above. The Siracusa Principles stress that any limitations imposed on freedom of association must not be used as a pretext for imposing vague and arbitrary limitations, or for suppressing opposition and perpetrating repressive practices. They

[12] Sarah Joseph/ Jenny Schultz/ Melissa Castan, The International Covenant on Civil and Political Rights. Cases, Materials and Commentary. Oxford 2000, p.433.

[13] These were developed in 1984 by a panel of thirty-one international experts who met at Siracusa, Sicily, to adopt a uniform set of interpretations of the limitation clauses contained in the ICCPR. While they do not have the force of law, they offer important, authoritative guidance as to the meaning of the terms contained in the ICCPR. "The Siracusa Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights," *Human Rights Quarterly*, vol. 7, no. 1 (February 1985).

[14] Siracusa Principles 29-32:
- National security may be invoked to justify measures limiting certain rights only when they are taken to protect the existence of the nation or its territorial integrity or political independence against force or threat of force;
- National security cannot be invoked as a reason for imposing limitations to prevent merely local or relatively isolated threats to law and order;
-National security cannot be used as a pretext for imposing vague or arbitrary limitations and may only be invoked when there exists adequate safeguards and effective remedies against abuse;
- The systematic violation of human rights undermines true national security and may jeopardize international peace and security. A state responsible for such violation shall not invoke national security as a justification for measures aimed at suppressing opposition to such violation or at perpetrating repressive practices against its population.

[15] Siracusa Principles 22-23:
- The expression "public order (*ordre public*)" as used in the Covenant may be defined as the sum of rules which ensure the functioning of society or the set of fundamental principles on which society is founded. Respect for human rights is part of public order (*ordre public*);
- Public order (ordre public) shall be interpreted in the context of the purpose of the particular human right which is limited on this ground.

[16] Siracusa Principles 25-26:
- Public health may be invoked as a ground for limiting certain rights in order to allow a state to take measures dealing with a serious threat to the health of the population or individual members of the population. These measures must be specifically aimed at preventing disease or injury or providing care for the sick and injured;
-Due regard shall be had to the international health regulations of the World Health Organization.

[17] Siracusa Principles 27-28:
- Since public morality varies over time and from one culture to another, a state which invokes public morality as a ground for restricting human rights, while enjoying a certain margin of discretion, shall demonstrate that the limitation in question is essential to the maintenance of respect for fundamental values of the community;
- The margin of discretion left to states does not apply to the rule of non-discrimination as defined in the Covenant.

[18] Siracusa Principles 35-26:
- The scope of the rights and freedoms of others that may act as a limitation upon rights in the Covenant extends beyond the rights and freedoms recognized in the Covenant;
- When a conflict exists between a right recognized in the Covenant and one which is not, recognition and consideration should be given to the fact that the Covenant seeks to protect the most fundamental rights and freedoms. In this context especial weight should be afforded to rights not subject to limitation in the Covenant.

also make clear that the burden of justifying restriction of a right guaranteed by the ICCPR lies with the state imposing that restriction[19].

The U.N. Declaration on Human Rights Defenders spells out the rights of individuals, groups and associations working for human rights in the broadest sense[20]. The Declaration can provide guidance as to what should be permissible in the area of freedom of association. For example, for the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels, to meet or assemble peacefully; to form, join and participate in non-governmental organizations, associations or groups; and to communicate with non-governmental or intergovernmental organizations."[21]

III. THE CURRENT NGO LAW

Under the Non-Governmental Organizations Registration Statute, in force since 1989, all NGOs must obtain official registration before they can operate legally in Uganda. NGOs are defined under the act's Article 13 as any body "established to provide voluntary services including religious, educational, scientific, social or charitable services to the community or any part thereof". The act established a National Board for Non-Governmental Organizations (hereafter the NGO board) with the power to grant or refuse registration, and to revoke registration once granted if the board deems it "in the public interest to do so."[22] The NGO board is located at the Ministry of Internal Affairs and its members are appointed by the minister. They are mostly officials of different government ministries, [23] but they include representatives of Uganda's internal and external security services, the Internal and External Security Organizations (ISO and ESO). There are also two members of the public appointed to sit on the board, but it includes no NGO representatives. Appeals against NGO board decisions can be made to the minister of internal affairs, but there is no provision for judicial oversight or challenge to the board's decisions.

NGOs that seek to operate without first obtaining official registration contravene the law and are liable to a fine of up to two hundred thousand shillings (approximately U.S. $120). Failure to pay such fine can result in those responsible for the management of the organization being imprisoned for up to one year.[24]

---

[19] The African (Banjul) Charter for Human and Peoples' Rights reproduces the language of the ICCPR in its Article 11: "Every individual shall have the right to assemble freely with others. The exercise of this right shall be subject only to necessary restrictions provided by the law, in particular those enacted in the interest of national security, the safety, health, ethics and rights and freedoms of others."

[20] In full Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. The Declaration was adopted on 9 December 1998 by the UN General Assembly.

[21] Article 5.

[22] Article 9(c).

[23] Article 3(2). It includes representatives of the Ministries of Internal Affairs, Relief and Social Rehabilitation, Justice, Land and Surveys, Planning and Economic Development, Finance, Foreign Affairs, Local Government, from the Office of the Minister of State for Women in Development in the President's Office, and the Office of the Prime Minister.

[24] Article 1(7).

The NGO board's powers are extensive. In granting registration, it can specify "conditions or directions" for the NGO concerning its "operations" (a term that is not defined in the law), where it may carry out its activities, and its staffing. Once registration has been granted, the NGO board has further powers enabling it to "guide and monitor organizations in carrying out their services," and to summarily revoke an NGO's registration if the NGO is considered to have contravened any of the "conditions or directions" that the NGO board set when approving its registration.

The current law provides for an excessive degree of state control and interference in the activities of NGOs. The mandatory registration requirement means that the government, through the NGO board, has full powers to determine which NGOs are permitted to operate. NGOs that wish to engage in legitimate activities within the community can be prevented from doing so legally, if the government disapproves of them, by being refused registration. NGOs may also be required to carry on their activities under conditions or in locations not of their choosing, or not to employ or to dismiss particular individuals, such as known government critics or opponents, from their staff. Or, having obtained registration, NGOs may be summarily closed down on ill-defined grounds of "public interest" by order of the NGO board. In such case, the NGO board is not even required to provide detailed reasons or disclose evidence in support of its decision to revoke registration, and the NGO is denied recourse to the courts or an independent judicial body, being permitted to appeal only to the minister responsible for appointing the NGO board.

The perception that NGOs that have obtained registration may be subject to continuous and potentially intrusive monitoring by the state is heightened by the presence of state security representatives on the NGO board. This, understandably, may lead NGOs to exercise a degree of self-censorship, including on important issues of public concern. Under the twin threat of surveillance and de-registration, it would be surprising if some NGOs at least did not feel obliged to adopt more cautious policies and practices than they would wish, and to steer clear of activities that, while entirely legitimate, could be controversial or politically sensitive, and incur government displeasure.

Under international law, states may restrict freedom of association only on certain prescribed grounds such as to uphold national security or public order or to protect public health or morals, and then only in particular circumstances. But no such restraints are reflected in Uganda's NGO law. On the contrary, that law's vague and widely drawn provisions allow the Ugandan authorities to impose curbs on freedom of association that breach international law and its treaty obligations under the ICCPR, and to block NGO activities that pose no threat to national security, public order or other legitimate areas of protection.

Another problematic area of the current law is that of punishment. In Article 1 (7), the law states that registration can be revoked when an NGO "contravenes any of the conditions or directions inserted in the Certificate" of registration. It authorizes up to a year in prison for "an officer concerned in the management of the Organization" if the NGO fails to pay its fine, without any explicit requirement of proof that that officer was in some way responsible for the organization's failure to pay the fine or for the alleged violation of the law.

IV. THE NGO BILL

On December 15, 2000, the Minister of State for Internal Affairs, Sarah Namusoke Kiyingi, submitted the proposed Non-Governmental Organizations Registration (Amendment) Bill to the Ugandan parliament on December 15, 2000. It was subsequently discussed by the Parliamentary Committee on Defense and Internal Affairs just weeks before new parliamentary elections were held on June 26, 2001. As part of this process, the committee met representatives of Ugandan NGOs, who informed the committee of their concerns.

In July 2001, the parliament was constituted and by August 2001, it was taking up its work. The new Minister of Internal Affairs, Eriya Kategaya, appointed following the elections, will soon launch the debate about the bill by presenting it to the newly constituted Committee on Defense and Internal Affairs.

The NGO bill proposes to further limit freedom of association and to heighten state control over Uganda's NGOs. The bill provides that, in the future, NGOs will not only have to register with the NGO board but also acquire a special permit from the board before they may legally function.[25] Neither the precise nature nor function of the permit is defined, however, but the Minister of Internal Affairs would be empowered to make regulations "prescribing the duration and the form of a permit."[26] In other words, the minister would be given effective "carte blanche" to set conditions for the permits without having to submit these for prior parliamentary approval, a potentially draconian power.

One positive aspect of the bill is that it would require that in future no less than one third of the members of the NGO Board are women.[27] It would also broaden the NGO board's composition: however, the new members would be drawn almost exclusively from several government ministries not previously represented. The bill would add officials from the health, agriculture, tourism, gender and education/ sports ministries,[28] in a sense reflecting the extent to which NGOs have become active in issues related to public health, protection of the environment, women's rights, and in other social and cultural areas.

The bill makes no provision, though, for appointing NGO representatives to the NGO board, for transforming it into an independent registration and oversight body, or for subjecting its decision-making to judicial oversight and review. On the contrary, the bill envisages that the NGO board will remain firmly under the government's direct control.

The bill would also increase the NGO board's power to reject or terminate NGO registrations by stipulating that the NGO board could reject any NGO whose objectives "as specified in its constitution are in contravention of any government policy or plan, or public interest".[29] This would allow the government, through its control of the NGO board, virtually limitless powers to interfere with legitimate NGO activities and, effectively, to order the closure of any NGO

[25] Article 1(1).
[26] Article 12(d).
[27] Article 3(2b).
[28] Article 3(2).
[29] Article 1(4).

deemed to have criticized the government or its policies. Indeed, it is not inconceivable that an NGO that declared a commitment to human rights in its constitution could be held to be in contravention of certain aspects of government policy, and barred from existence.

The bill would make individuals as well as their organizations directly liable for any breaches of the law, such as operating without official registration, which would become a criminal offence leading to possible imprisonment. This is an important change from the current law, which foresees punishment of individuals only as default, in the case that an NGO fails to pay a fine levied against it. According to the NGO bill, an organization that continues to operate after its permit has expired or its registration has been withdrawn, or that contravenes the law in any other way, "is liable on conviction to a fine not exceeding twenty-five currency points".[30] In addition, it states: "any director or officer whose act or omission gave rise also commits the offence" and is liable on conviction to a fine not exceeding fifty currency points or to a period of up to one year of imprisonment.[31]

The bill lists terms of imprisonment and fines as equal alternatives, with the judge apparently having discretion to choose between them. Compared to the current law, this would increase the likelihood that individuals could be sent to prison solely on account of their legitimate exercise of their internationally recognized right to freedom of association. It is proposed also to increase the level of financial penalties: currently, fines for NGO breaches must not exceed 200,000 Ugandan Shillings (about U.S. $120) but the new limit would be raised to fifty currency points, i.e. 1,000,000 Ugandan Shillings (about U.S. $600). In Uganda, this is the equivalent of about three months' salary for a full-time teacher, and some NGOs would face serious difficulties if they were required to pay such a sum.

Disappointingly, the drafters of the proposed new law make no attempt to lay the ground for a constructive relationship between NGOs and the government by, for example, institutionalizing channels of communication and cooperation or providing for NGOs representation on certain state bodies. The emphasis, rather, is on narrowing the rights guaranteed to the individual, not strengthening them. Most ominously, the bill's provisions potentially criminalize legitimate NGO work. It is an ill-considered measure that would impose limits on freedom of association that exceed those permitted under international law. As such, it should be withdrawn by the government or rejected by Uganda's parliament.

V. RECOMMENDATIONS

Human Rights Watch calls upon the Ugandan Government and Parliament to:

[30] Article 1(7) and 1(8). One currency point is 20,000 Ugandan Shillings. Fifty currency points are 1,000,000 Ugandan Shillings (approximately $550).
[31] Article 1(9).

- **Withdraw the proposed NGO bill**

The NGO bill, in its present form, represents a severe threat to freedom of association in Uganda.

- **Repeal or amend the current law on NGOs**

The Non-Governmental Organizations Registration Statute should be repealed or else amended to bring it into conformity with Uganda's obligations under article 22 of the ICCPR.

- **Simplify the requirement for NGO registration**

The registration process should be reduced to a technical matter. It should be enough for NGOs to submit information about the organization's name, address, objectives and audited annual accounts to the designated government agency. The registration process should not be capable of being misused to amount to a substantive restriction on freedom of association, or to interfere with an NGO's direction and work. No government body should have power to refuse or withdraw registration.

- **Transform the NGO board into an independent body with a mandate to facilitate cooperation between NGOs and the government**

The NGO board should be made independent of government and be transformed into a body whose purpose is to facilitate cooperation among NGOs and between NGOs and state authorities. The composition of any such independent body should include NGO representatives, and those appointed to it should be persons of integrity and appropriate competence, and should reflect all sectors of Ugandan society. Representatives of the internal and external security services should not sit on the board, and any government officials appointed to it should serve in their personal capacity.

- **Eliminate the principle of individual criminal and civil liability.**

There is no need for individual liability beyond what is already provided by the law of Uganda. Individual liability threatens individuals and may diminish the citizen's readiness to work for non-governmental organizations as volunteers or staff.

- **Institute an independent appeals procedure.**

The law should make it possible for an NGO to appeal against decisions of the NGO Board to a court of law.