

## EU-Uganda relations: friction, change, or business as usual?

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*This brief analyses the multilayered frictions in the relations between the EU and Uganda. First, it shows how the funding of governance and human rights activities by the ‘West’ - and particularly the EU - has put the latter in the spotlight in Uganda, leading to an increasingly repressive response by the government – of which the suspension of the Democratic Governance Facility is the main example. Second, the briefing explains the EU’s limited reaction to governance transgressions by the Museveni regime through Uganda’s geopolitical importance, and because of donors’ internal institutional incentives. Third, this results in a piecemeal approach by the EU, which largely is the outcome of ad hoc responses to dramatic events, and compromises between a variety of European actors and incentives.*

On the 27<sup>th</sup> of September this year, President Museveni called the Members of the European Parliament ‘young girls’ which are ‘so shallow, so egocentric’.<sup>1</sup> He also tweeted how “Some of these EU MPs are insufferable and so wrong that they think they know everything but should calm down. This is the wrong battleground for them”.<sup>2</sup> He used these terms in reaction to the resolution of the European Parliament,<sup>3</sup> which was very critical on fossil fuel investments in Uganda and Tanzania, and the planned East African Crude Oil Pipe Line (EACOP)<sup>4</sup> in particular. Later on, in an opinion piece published on the website of Uganda’s State House, the President called out Europe’s climate policies as the ‘purest hypocrisy’.<sup>5</sup>

It’s not the first time President Museveni uses such a strong language with regard to the EU. During the

run-up to the 2021 elections, Museveni particularly called the EU ‘fools’<sup>6</sup> for what he perceived as support to leading opposition figure Bobi Wine. After the elections, President Museveni received the EU ambassadors in the State House, warning them not to get involved in Ugandan affairs<sup>7</sup> – a lecture which was broadcast on Ugandan tv, and YouTube,<sup>8</sup> to amplify its effect.

Similarly, government spokesperson Ofwono Opondo, called the EU ambassadors ‘charlatans, passing for diplomats’<sup>9</sup> in October 2021. Four years earlier, he wished the outgoing EU ambassador upon leaving Uganda ‘good riddance, stay there’.<sup>10</sup>

A particular contentious point was the Democratic Governance Facility (DGF), the multi-donor pool-fund financing activities related with democratic governance in Uganda, funded by the EU and a number of European member states. In a letter written by President Museveni in January 2021 to the Ministry of Finance, the DGF was accused of inciting violence during and after the elections,<sup>11</sup> and of wanting to overthrow the government and financing armed resistance.<sup>12</sup> The letter led to the suspension of the fund. Museveni only allowed the program to re-open (under severe restrictions) in June 2022, a year and a half after its suspension, and 6 months before the closure of the program.<sup>13</sup>

What does all of this tell us about EU-Uganda relations? In answering this question, this brief aims to lay out multilayered frictions which the EU is confronted with, both in its relation with Uganda, and within the EU.

## BETWEEN A ROCK AND A HARD PLACE?

The EU – and many other ‘Western’ donors, including the EU member states – perceive themselves being caught between a rock and a hard place. They are not only severely criticized by the regime; but also by the opposition: for the latter, the EU is seen as ‘friends of the dictator’,<sup>14</sup> which are far too lenient on the Museveni regime and its ever increasing authoritarian characteristics. The 2021 elections were not only marred by widespread fraud, the election campaign was also characterized by a campaign of abduction, and torture, of Ugandan civilians: Around 1000 people were kidnapped—many members of the National Unity Party (NUP), Bobi Wine’s party—often suffering torture, beatings, and other abuses.<sup>15</sup> Moreover, during two days in November 2020, at least 54 people were killed by security forces during protests after the arrest of Bobi Wine–Museveni’s main challenger. Many of those killed were bystanders.<sup>16</sup>

Yet, there was limited public reaction by the EU to these events. After the November 2020 killings, it called for an independent investigation “to ensure justice for victims and to avoid impunity for the perpetrators who must be held accountable for their actions”.<sup>17</sup> However, no consequences were tied to this. A similar statement, expressing concern over a number of issues, but without concrete consequences, was shared after the 2021 elections.<sup>18</sup> EU member states reacted in similar ways.

All of this constituted a very limited reaction, certainly in comparison with earlier demarches, such as e.g. the reaction to the 2013-2014 anti-gay bill, for which much diplomatic capital was used; not only in the public statements, but also through the cutting of aid – donors (including EU member states) cut \$100 million in foreign aid.<sup>19</sup> Similarly, the 2005 arrest of opposition leader Kizza Besigye led to budget support cuts amounting to \$73 million; while a 2012 corruption scandal led many actors to suspend aid (including the EU, UK, and Denmark).<sup>20</sup> This is not to suggest that aid cuts are the only possible reaction to governance transgressions, but rather that no signal of a similar

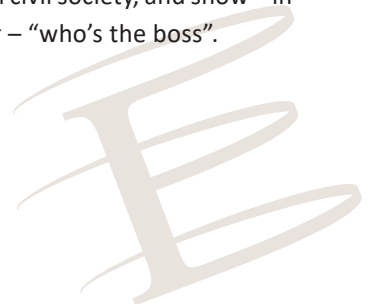
scale has been used in recent times; notwithstanding the continued escalation of authoritarian dynamics – the recent return of abductions of opponents<sup>21</sup> being the most prominent, and brutal, example of this.

Why has there been such a limited reaction by the EU? In the remainder of this brief, I lay out the reasons as why this is the case.

## GOVERNANCE AND HUMAN RIGHTS: THE ‘WEST’ IN THE SPOTLIGHT

Activities in the field of governance and democratization have become particularly contentious under the Museveni regime, and so has donor aid towards these activities. Civil society organizations in this field have been severely weakened due to escalating repression by the Ugandan government over the years – with the repression getting more severe every election cycle. On August 10, 2021, the National Bureau for Non-governmental Organizations indefinitely suspended 54 civil society groups,<sup>22</sup> including Chapter Four (the country’s most prominent human rights organization) on a range of grounds, such as operating with expired permits.<sup>23</sup> Half a year before, Chapter Four’s head – equally prominent human rights lawyer Nicholas Opiyo – had been abducted, and imprisoned, by armed policemen.<sup>24</sup> While Uganda’s High Court eventually overturned the suspension of Chapter Four in May 2022, these actions send out a clear message to others.<sup>25</sup> This has resulted in effective self-censorship: many prefer to keep a low profile in their interactions with the government, by focusing on less contentious topics.

In this situation, the spotlight is even more on the international community and the ‘West’, as the de facto being the most important funder for these activities. The case of the Democratic Governance Facility is a stark illustration of this, and the government’s harsh reaction has to be seen in this light: in doing so, the government both aimed to crack down on civil society, and show – in the words of an interlocutor – “who’s the boss”.



All of this takes place in a changing national and international context.

1. The crackdown on DGF is only the most prominent manifestation of the Ugandan government's attempts in recent years to strengthen control over aid flows. In 2021 and 2022, a number of communications by government agencies were made with a similar intent. In letters sent to donors in September 2021 and January 2022, the Minister of Finance for example stated that "all donor programmes needed to be signed off by his ministry and jointly implemented with the relevant government ministries".<sup>26</sup> While such measures in theory could be aimed to improve transparency of aid flows, they at the same time could be used by the government to block politically contentious aid. These measures are yet to be implemented. They therefore seem similar to the government's overall strategy to control internal dissent, in which it has established a toolbox of various laws and regulations that might not be directly used but remain at its disposal.<sup>27</sup> It therefore is the threat of politically opportune use of such legal and policy instruments which matters.
2. The international context is important, as it helps to explain the increased leverage of Uganda towards the 'West'. The increasingly critical stance of longstanding ally United States<sup>28</sup> and Museveni's harsh statements on the EU, illustrate how much Uganda's geopolitical landscape is in flux. The Ukraine-Russia war has further accelerated the pluralization of the donor landscape. After the onset of the war, Russia launched a PR offensive in Uganda, with the visit of its minister of Foreign Affairs Sergei Lavrov as its most visible manifestation.<sup>29</sup> A series<sup>30</sup> of tweets<sup>31</sup> of the (former Chief of Defence Forces and) First Son Muhoozi Kainerugaba in support of Russia further highlights this. While these PR maneuvers so far haven't materialized in much concrete support or collaboration, the symbolics of these are nevertheless important in the current geopolitical landscape. President Museveni himself

continues to skillfully position himself between all these actors – for example by emphasizing his neutrality on the Ukraine-Russia war. Moreover, while donor aid still plays a role for the Ugandan state, we are far away from the days in which donor aid constituted over half of the government's budget. In 2004 for example, official Development Aid constituted 52% of the annual budget;<sup>32</sup> while current figures point at around 14%. Oil exploitation is also, and finally, becoming more tangible – further reducing the dependence on international donors.

### GEOPOLITICAL AND INSTITUTIONAL INCENTIVES FOR INACTION

While Uganda's days as the 'donor darling' of the West<sup>33</sup> are clearly over, the Museveni regime continues to be geopolitically important for the West – including the EU – in various ways. First, as a major refugee hosting country, with close to a million and a half refugees.<sup>34</sup> Certainly after the European migration crisis, the country is seen as a global example of refugee reception in their own region.<sup>35</sup> Second, as a key-military ally, for example through its participation in the AMISOM peacekeeping mission in Somalia, through a number of forward operating bases of the US Africa Command, or by being an active regional player in the war on terror (most recently against the ADF rebels).<sup>36</sup> It is important to highlight how the Museveni regime is an active player in this process, by actively tapping into priorities of the international community, and making itself indispensable.<sup>37</sup> Third, more generally, the country is perceived as a beacon of stability in a highly unstable region. This view has been widely criticized – through its role in the conflicts of neighboring countries (such as South Sudan or DRC).<sup>38</sup> Yet, the general view remains that the Museveni regime constitutes a reliable partner in an uncertain region.

Geopolitical interests aren't the only explanation for the limited international (and European) reaction to the increased governance transgressions. Institutional dynamics also play a major role in here, both in explaining

international inaction, and in the way the Museveni regime is looked at. In this context, it's useful to refer to Brown's analysis of donor logics in hybrid regimes in Africa,<sup>39</sup> which very much applies to the current situation in Uganda. As Brown argues, key in situations of hybrid and more authoritarian regimes is that "donor officials often maintain that the country is more democratic than it actually is or that the country cannot reasonably be expected to be more democratic in the foreseeable future".<sup>40</sup> As a result of this, there is a continuous "shifting of the goal posts",<sup>41</sup> in which red lines with regards to respect for human rights and democratisation are continuously shifted or abandoned. For Uganda, this is particularly obvious in the limited reaction to the November killings and abductions. Second, in doing so, there is an "emphasis on 'baby steps' and need for patience and (a lot?) more time for democracy to be possible";<sup>42</sup> as an excuse for limited action, or inaction. In order to explain this, Brown highlights a range of institutional dynamics, such as the short lifespan of diplomats' presence in the country (3 to 4 years - shorter than the electoral cycle in Uganda); or the lack of political will preventing more vigorous concerted action – this particularly comes from the donor capitals, which is explained in the next section.

### FRICTIONS WITHIN THE EU

Specifically for the EU, it's also worth highlighting several other differences, or in some cases tensions, between positions and approaches taken by different EU policy actors towards Uganda:

1. **Between Brussels and Kampala** (i.e. between the EU commission and the EU Uganda delegation). This 'distance' reflects dynamics between diplomatic missions and their capitals more broadly, with the latter putting greater emphasis on their geopolitical interests, and the former on the quality of governance.
2. Relatedly, **within the EU institutions, there is a struggle for attention by the different crises, and delegations.** Uganda - and more particularly the human rights violations, and 'authoritarian turn' of the Museveni regime - have featured particularly

low in this picking order. One example of this was the long absence of visits of high-level EU visits to Kampala – the April 2022 visit of the EU's human rights envoy being a recent exception to this.<sup>43</sup>

3. **Between the EU member states.** There are different positions and priorities of the EU member states, also on Uganda – with e.g. France being increasingly considered an uncritical supporter of the Museveni regime.<sup>44</sup> A stark example of this was the reaction of France to the contested and violent 2021 elections. After these elections, EU member states either did not send any letter to President Museveni, or a diplomatic-yet-critical letter. The letter of Macron was of a very different order, as he directly congratulated President Museveni upon winning the elections and emphasized the wish to "deepen the friendship between the two countries".<sup>45</sup>
4. **Between the development and political wings of the EU mission(s).** This dynamic is similar to other diplomatic missions, in which the development officers will more strongly prioritize their development projects, and spending of funds. In the words of one international actor: "development aid is a train wanting to race on". Development officers therefore have less interest in the reduction of aid, or its use as a political instrument.

These differences entail a continuous search for compromises, with sometimes odd outcomes. A stark example of the above dynamics is the **October 2021 decision on development funding for Uganda:** a confidential letter of the EU council on this issue (dated 21 October 2021)<sup>46</sup> shows a reduction of EU aid to Uganda by 10%. The letter includes the percentage-wise evolution for every aid partner, and shows Uganda as the **only African country where EU aid has been reduced.** It has been argued that this was an intentional decision, as a direct reaction to the political- and human rights- situation in Uganda.<sup>47</sup> Interviews showed how this decision was very much a compromise in true EU-style, highlighting the abovementioned frictions, with certain actors – such as the country delegation, and in

particular the delegation's political wing – advocating for a reduction in EU aid. A number of interviewees indicated that a 20% reduction was the goal, in direct reaction to the political situation of the country. This was however opposed by other actors, such as the Commission and the country delegation's development wing, as these had other priorities – such as Uganda's geopolitical importance and the EU's ongoing development projects. The 10% reduction was therefore a compromise, with the added condition that the reduction was not to be communicated as such to the Ugandan authorities. This ultimately made it ineffective as an instrument for change, and, according to some, a waste of (non-spent) resources.

These dynamics also mean that EU Parliament resolutions do not necessarily have much effect. The abovementioned EACOP resolution was not the first resolution which led to frictions. After the 2021 elections, the EU parliament adopted a resolution on the political situation in Uganda which included a call for sanctions against human rights violators among the Ugandan security services.<sup>48</sup> It led to a 10-page response by the (then) Minister of Foreign Affairs, calling out the EU to respect its sovereignty.<sup>49</sup> Beyond this exchange, not much happened with the resolution – neither by Ugandan nor European actors. These resolutions also highlight the difference between the EU Parliament, which is prone to take stronger positions, and the other EU actors – whether it is the Commission or country delegation, that might exercise more restraint. This was also reflected in the way in which this resolution was received in Kampala by relevant actors. While some perceived it as another example of 'shooting from the hip' by the radical parliament, jeopardizing fragile relations between the EU and Uganda; others welcomed the attention it focused on the governance transgressions by the Ugandan government.

## WHAT'S NEXT?

Some change has taken place among the EU and member state policies in dealing with the Museveni regime. For example, the EU's budget support to the Justice Law and Order Sector (JLOS) program ended, and it is unclear if it will be renewed. This program with a budget volume of 60 million euro over three years, was deemed controversial, because much of the JLOS funding went to the police.<sup>50</sup> During this time, the police was accused of grave human rights abuses, including the violent crackdown on opposition during the election period. Similarly, the Netherlands bilateral JLOS support ended in 2021, and is currently reconsidering whether a renewal is appropriate.<sup>51</sup> More significantly yet, the DGF program is winding down by end of 2022 when its current three-year funding phase expires. Although the ban on the fund was lifted in June 2022,<sup>52</sup> the fund will not be extended (as happened during previous phases). Individual donors are currently looking as to how to continue support to governance and human rights, in what most likely looks in bilateral way, as a common pool fund of this scale is out of the question. This however might still take a while – a period which might further weaken civil society organizations.

However, doubts can be raised whether all of this constitutes a qualitative change; in which the overall structural context remains the same, as no accountability has been provided for the above governance transgressions, and authoritarian tendencies further persist – as shown by the recent re-emergence of abductions and torture.<sup>53</sup>

The current EU (and member states) approach highlights the difficulty of an overall coordinated strategy in its response to the escalating authoritarianism in Uganda. Instead, we see a piecemeal approach of relatively minor, tactical changes, which are the outcome of ad hoc responses to dramatic events and compromises between the above dynamics and actors. Importantly, these are characterized by a separation between the different levels of engagement with the Museveni regime, in particular between the development and political



engagements. Development interactions continue, and are in some cases either reduced or redirected, but are not connected to any political consequences. The abovementioned ‘not-to-be-officially-communicated’ 10% reduction in EU aid is a rather stark example of this.<sup>54</sup>

All of this is particularly important in the light of Uganda’s current political trajectory: political forecasts in the medium- and long term signal a series of serious warning lights, due to the combination of escalating authoritarianism, President Museveni’s advanced age (78), the weak institutional structure, and the way in which the ‘transition discussion’ within the Museveni regime is limited to the contentious ‘Muhoozi project’.<sup>55</sup> A recent report of the Open Society European Policy Institute therefore highlights the need to think beyond a ‘business as usual’ approach, and the need for the international community – and the EU in particular – to rethink its ways of engaging with the Museveni regime.<sup>56</sup> Recent experiences in the region have shown how the international community – such as US policy in Ethiopia<sup>57</sup> – can not only ignore warning signals, but also become complicit in undermining long-term stability, through a narrow focus on both short-term geopolitical interests – such as the image of an anchor state in an unstable region – and technical incentives (the necessity to continue funding streams). All of this indicates that a fundamental rethink of the EU’s engagement with Uganda is needed.

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