PDA written submission on Draft Foreign Contribution Bill 0213 and Policy for the Regulation of Organizations receiving Foreign Contributions

February 17, 2014 at Islamabad

The Pakistan Development Alliance (PDA), is an alliance of national level NGOs/Networks working together on developmental and rights based approaches to address issues in governance and accountability across the country. An extra ordinary meeting was convened by PDA in its national secretariat at Islamabad that was attended by the representatives/members of PDA, PCSF, PHF and PCP. The participants resolved that

* The government is listening and has requested general public for comments on proposed Bill and regulations, however in the current circumstances, whereby the country is passing through most difficult challenges of the history, the time given for reflection on such an important legislation is too short. Therefore, more time and exclusive involvement of all stakeholders is required to reflect on the consequences of new Bill and regulations in the presence of existing laws and regulations that provide ample opportunity to control over the emerging development sector in Pakistan.
* The overall country environment is already punitive to the working of NGOs and civil society voices, the proposed legislation/ regulations would further instigate the undesirable actions against them, therefore any new legislation / regulation if required may be very carefully initiated.
* The new legislation / regulation should not be to direct human rights / developmental /humanitarian NGOs regarding their funding flows / selection of operational areas/ partner organizations rather the new legislation/ regulations should be to separate the registration of religious groups / Madaris under special laws other then the five existing laws.
* The government should enforce existing laws / regulations in letter & spirit to manage the gaps / challenges if any to control and regularize the NGOs in the country rather than introducing such vague and unwelcoming legislation/ regulations in haste.
* The issuance of policy notification for regularization of NGOs receiving foreign contribution shows that government is in extra ordinary haste to overburden/enhance the unlawful control over the already registered national Organizations by signing through another MOU with GOP.
* Some of the clauses in the proposed Bill/ regulations are contrary to the international bindings and constitutional rights of the citizen for the formation and running NGOs/ CSOs in the country.
* Some of the suggestions/ recommendations already submitted to SECP and /or Cabinet Committee by PCSF, PHF and PCP for the improvement of both proposed Bill and Regulations are commendable and are endorsed fully by the participants.
* The intent of the government for bringing new legislation and regulations is ambiguous and requires detailed discussions to build understanding among all concerned stakeholders.

Adopted by the following Members of PDA

SEHER (Baluchistan)

PIDS (Baluchistan)

Traquee (Baluchistan)

IDEA (Khyber Pakhtunkhwa)

PDO (Khyber Pukhtunkhwa )

RDP (Khyber Pukhtunkhwa )

Takhleeque (Sindh)

Legal Rights Forum (Karachi –Sindh)

Muslim Aid (Sindh)

Civil Society Sustainable Initiative (Karachi –Sindh)

WRA (Punjab)

PARC-Network (Punjab)

PARWAN Network (Punjab)

GCAP-Pakistan

AWAZCDS-Pakistan