

Introduced on 12.11.2018

[AS INTRODUCED IN THE SENATE]

**A
BILL**

to provide for the ratification of foreign agreements by Parliament

WHEREAS it is expedient to provide for the ratification of foreign agreements by Parliament for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title, extent and commencement.- (1) This Act may be called the Ratification of Foreign Agreements by Parliament Act, 2018.

(2) It shall extend to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions.- In this Act unless there is any thing repugnant in the subject or context ,-

(i) "Foreign Agreements" means and includes all Agreements, Treaties, Contracts and Trade Protocols signed with foreign Governments or Banks or Donor or Lending agencies by the Government of Pakistan.

(ii) "Ratification" means passed by a simple majority of each House of Parliament.

3. Foreign agreement to be laid before Parliament. - (1) Any Agreement, Treaty, Contract or Trade Protocol signed with a foreign Government or Bank or Donor or Lending agency by the Government of Pakistan shall be laid before Parliament within fifteen days of the finalization with the other party i.e., before it is signed by the parties.

(2) All Agreements, Treaties and Contracts other than those initiated by the Finance or Commerce's Divisions shall be laid before Parliament by the Foreign Affairs Division.

(3) All Agreements, Treaties, Contracts or Trade Protocols initiated by the Finance or Commerce's Division shall be laid before Parliament by the respective Division.

4. Procedure of ratification by Parliament. - (1) Either House of Parliament may take up for discussion the Foreign Agreement laid before it under section 3 of this Act.

(2) Both the Houses shall pass the Foreign Agreement within fifteen days each or make a recommendation to the concerned Division about an amendment in the Foreign Agreement.

(3) The concerned Division on receipt of the recommendation in sub-section (2) above will on its own or through the Government of Pakistan approach the other Party to the Foreign Agreement to incorporate the same.

(4) A detailed report of the proceedings under sub-section (3) above will be placed before Parliament and it will be deemed that Parliament has ratified the said Foreign Agreement:

Provided that if a Resolution withholding ratification is passed by 55% of the members of each House such Foreign Agreement shall not have received the ratification of Parliament.

(5) A Cultural Agreement shall only be laid before Parliament;

Provided that if a Resolution withholding ratification is passed by 55% of the members of each House such Cultural Agreement shall not have received the ratification of Parliament.

5. Power to make Rules .- The Parliament and the Federal Government may by notification in the official Gazette, make rules for the carrying out the purposes of this Act.

STATEMENT OF OBJECTS AND REASONS

Parliament is unaware of the various economic and other foreign agreements signed by the Government of Pakistan. Under the Rules of Business 1973 of the Federal Government only Cabinet ratifies these agreements. As some of these Agreements have serious consequences on the economic, political and fundamental rights of a citizen of Pakistan it is essential that they be subjected to a national debate and scrutiny through Parliament. In democracies parliamentary ratification is an accepted norm which provides transparency, public awareness and ensures the supremacy of Parliament.

**SENATOR MIAN RAZA RABBANI
MEMBER-IN-CHARGE**