



**TRANSPARENCY
INTERNATIONAL-PAKISTAN**

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28th May 2010

Mr. Hussain Haqqani,
Ambassador,
Pakistan,
3517 International Ct NW
Washington, DC 20008-3023
USA

Subj: Selection of Lobbyists in USA against Public Procurement Rules 2004

Dear Sir,

Transparency International Pakistan has received a reply from you dated 14th April 2010, on the selection method of Lobbyists in USA by Pakistan Embassy in response to TIP letters dated 30th September 2009 and a reminder sent on 2nd April 2010.

We appreciate your clarification that the news report is not fully true, as it has reported appointment of all Lobbyists appointed in last 20 years in USA, and that Pakistan has only one Lobbyists in USA appointed by Ministry of Foreign Affairs on the recommendations of your predecessor. Will you please confirm that Contracts of such nature are not awarded by Pakistan Embassies, and it is only the Foreign Office who is authorized to award Contracts of this nature.

However your understanding is wrong that Public Procurement Rules 2004 are not applicable on foreign policy procurements, as it is not comparable to a purchase order.

In this regard, we draw your attention the PPRA Ordinance 2002 and Public Procurement Rules 2004 by downloading it from www.ppra.org.pk, specially meaning of public procurements, and its applicability in and outside Pakistan. We refer to the article 2 of PPRA Ordinance 2002.

Article 2 (f) public procurement means acquisition of goods, services or construction of any works financed wholly or partly out of the Public Fund, unless excluded otherwise by the Federal Government;

With regards to the applicability of Public Procurement Rules 2004 on the Ministry of Foreign affairs and Embassies of Pakistan, we quote Public Procurement Rule No 3,

Public Procurement Rules 2004, Rule 3, Scope and applicability, Save as otherwise provided, these rules shall apply to all procurements made by all



procuring agencies of the Federal Government whether within or outside Pakistan.

TI Pakistan also acknowledges your articles on need transparency and that is why we expect that you at least will try to follow the rules and regulations, specially Public Procurement Rules 2004 which are based on the basic principle, on disclosure to public all information during the procurement process.

We would also like to inform you about the Supreme Court orders given on 28th April 2010 in case of disputed award of multibillion dollar LNG contract to GDF-Suez, in which the SC has announced that "Here we may observe that it is duty of the court to ensure that the Public Procurement Regulatory Authority Ordinance 2002 read with the Public Procurement Rules 2004 are adhered strictly to exhibit transparency".

We request you to kindly provide a copy of the Contract Agreement awarded to the lobbyist whose identity has not been mentioned in your reply, which is mandatory on you as per Public Procurement Rules 2004, Rule No 47, so that the details as stated by you may be examined for confirmation.

With regards,



Syed Adil Gilani,
Chairman,

Copy forwarded for the information of:

Chairman, PAC, Islamabad
Registrar, Supreme Court of Pakistan, Islamabad
Chairman National Accountability Bureau Islamabad
Auditor General Pakistan, Islamabad
Managing Director PPRA, Islamabad