



GOVERNMENT OF SIERRA LEONE

TO: The His Excellency Mr. Lansana Gberie Ambassador Permanent Representative to the United Nations Office and other International Organizations in Geneva

FROM: The Development Secretary

DATE: 27/2/19

RE: JOINT COMMUNICATION FROM SPECIAL PROCEDURES

PREAMBLE

The Government of Sierra Leone fully acknowledges and recognizes the key role that Non-Governmental Organizations play in service delivery specifically relating to marginalized groups and improving accountability of the Institutions.

The Development Cooperation Framework (DCF) provides the overall framework under which the Government will engage NGOs as part of the development process. The DCF is therefore guided by Firm International Development Instruments, coupled with a range of pacts on Aid effectiveness that redefines relationship between donor countries and recipient nations, including the Paris Declaration (2005), the Accra Agenda for Action (2008), the Bussan Partnership for Development (2011) leading to the principles of the New Deal and the Addis Ababa Action Agenda.

The DCF is thus part and parcel of the process of domesticating, planning forward ensuring effective implementation of the United Nations SDGs, AU Agenda 2063 that Non- State Actors are privy to.

I. WHAT IS THE DEVELOPMENT COOPERATION FRAMEWORK (DCF)

The Development Cooperation Framework presents a platform of development partnerships between the Government of Sierra Leone and all development cooperation partners contributing to Sierra Leone's development.

II. WHY WAS IT DEVELOPED

Sierra Leone did not have a comprehensive framework guiding development of the NGO sector, ensure effective service delivery and strengthens government's relationship with the partners. The DCF defines the overall objectives and principles surrounding the development partnership as well as undertakings by the various partners supporting Sierra Leone's development process. The overall goal of the framework is:

To strengthen the partnership between government and development partners as well as promote transparency and effectiveness in the areas of service delivery.

III. WHEN AND HOW WAS IT DEVELOPED

The process to develop the framework started in May 2018 with a series of meetings involving Ministers of sector Ministries, NGOs, CSOs, Development Partners, Parliament and Local Councils. This was supported by several reviews of best practices and the final document was approved by Cabinet in December 2018.

15 th May 2018	-	Meeting with cross section of Civil Society Organizations (CSOs)
23 rd May 2018	-	Meeting with development partners to discuss concerns in the 2009 NGO Policy
July 2018	-	Submission of draft Development Cooperation Framework to partners for inputs
September 2018	-	Eight (8) consecutive days meeting with NGOs, Ministers of Government, CSOs, NGO Focal Persons of line ministries, Parliamentarians on the DCF. The meetings were arranged by sectors together with the presentation of the National Development Plan.
Oct.-Nov. 2018	-	Validation of DCF at National and Regional level
December 2018	-	Presentation and approval of document by Cabinet.

IV. WHAT DOES THE DEVELOPMENT COOPERATION FRAMEWORK (CDF) SAY ABOUT NGOS

The document acknowledges NGOs as important players in the country's social, economic, political and intellectual development. The document explicitly recognizes the diversity in the NGO sector, from those working in direct service delivery to those primarily focused on policy advocacy and some that do both.

RESPONSE TO CONCERNS RAISED

NO	CONCERNS RAISED	RESPONSE
1	<p><u>Article 5.2.1 and 5.3.1</u></p> <p>The New DCF has increased restrictions on the scope of activities which NGOs are permitted to carry out by introducing Article 5.2.1(ii) which states:</p> <p><i>“Organizations wishing to operate as NGOs in Sierra Leone (...) register in not more than two categories/sectors”</i></p> <p>and Article <u>5.3.1</u> which states:</p> <p><i>“New NGOs shall be limited to two categories only. Extension of categories in subsequent registrations is dependent on performance”</i></p>	<p><u>Response to Article 5.2.1 and 5.3.1</u></p> <p><u>DCF 5.2.1(ii) states:</u> Register in not more than two categories. NGO’s wishing to register in additional categories other than those which it is registered in, should seek approval from MoPED. The categories referred to here are the clusters outlined in the National Development Plan. For example, cluster 1 Human Development Capital _has the following sub clusters- Education, Health, Environment, Lands and Housing and Social Protection</p> <p>The rationale for this clause as proffered during the consultations is to enhance effective service delivery. It is clear that most NGOs don’t have the capacity to operate in more than two clusters and as a result, little or no impact is seen in their areas of interventions. However, there is an open space for those who possess the needed capacity to operate in more than two clusters to seek approval from the Ministry. New NGOs will be assessed through periodic monitoring.</p>
2	<p><u>Article 5.3.3 (ii)(e) and 5.7.4</u></p> <p>Article 5.3.3 (ii)(e) states:</p> <p><i>“Submission of a list of assets acquired in the past two years and evidence of having surrendered assets for projects completed to the line ministry or as determined by the Minister of Planning and Economic Development”</i></p>	<p><u>Response to Article 5.3.3 (ii)(e)</u></p> <p>Article 5.3.3)ii)(e) is to track the assets of NGOs as prescribed in government asset policy viz: (The Asset Service Commission) and ensure that disposal of assets is done in line with laws bordering on taxation.</p>
3	<p>Article 5.7.4 state that:</p> <p><i>“NGOs should manage programme assets in line with their agreements with donors and programmes funded by partner governments or organizations. At the end of the programme, NGO’s will inform the</i></p>	<p>Article 5.7.4 provides the Ministry the opportunity to update data on assets of NGOs and ensure they are used for the intended purpose.</p>

	<i>N.G.O Unit of MOPED and the Sector Ministry on how the remaining assets will be used. It is expected that reallocated assets, or the resources raised from their sales will be used for development purposes in Sierra Leone”.</i>	
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4	<p><u>Article 5.4.5</u></p> <p>Article 5.4.5 state that:</p> <p><i>“NGOs shall share their development plans with Sector Ministries and inform the Local Council before operating in any locality. The Local Council shall issue a certificate of acknowledgement for a minimal administrative fee of Le50,000- fifty thousand leones”.</i></p>	The essence of this Clause is to ensure that NGOs programs are aligned with the National Development Plan. This will discourage duplication of functions and promote optimal use of resources. The certificate of Compliance is issued once every registration period (2 years) and the administrative fee is only paid during this period.
5	<p><u>Article 5.14.4, to 5.14.6</u></p>	Article 5.14.4, to 5.14.6 are noted and should be interpreted to provide a common platform for effective coordination, transparency and accountability and not prescriptive by Law. It creates a platform for mutual cooperation between Government and partners.

CONCLUSION

Please note that most of the concerns of NGOs were taken on board. For instance, there is a reduction in the renewal fees, the language toned down considerably as per request, payment to sector ministries was waived, reduced Local Councils registration fees to a minimum of SLL, 50,000(Fifty thousand Leones) which is equivalent to \$5-five dollars, reduced staffing requirements from five to four and membership of the Sierra Leone Association of Non-Governmental Organization (SLANGO) made optional.

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