

# National Security Bill – Briefing on the impacts of Foreign Influence Registration Scheme on UK based INGOs

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## Introduction to Bond

Bond is the UK network for organisations working in international development and humanitarian aid. It unites over 400 organisations, ranging from small specialist charities to large international non-governmental organisations (INGOs) with a worldwide presence.

## Summary

The National Security Bill will introduce a Foreign Influence Registration Scheme (FIRS). Its stated aim is to “deter foreign power use of cover arrangements, activities and proxies”. It will achieve this by requiring organisations and individuals to register their political influencing activities if they are “directed by” a “foreign principal”.

As registered charities, UK-based INGOs are permitted to engage in political influencing activities to further their mission under charity law. Bond is concerned that the FIRS will capture the lawful and legitimate political influencing activities of many INGOs working in international development, humanitarian assistance, climate change, peacebuilding and human rights.

This will have several unintended impacts. It will:

- Overburden the Scheme as huge numbers of organisations will be required to register their day to day political influencing activities under the rules as currently drafted
- Place an additional regulatory burden on many INGOs, taking up time and resources that could otherwise be spent on delivering their charitable mission
- Result in severe criminal penalties for staff working for INGOs who are unable to cope with reporting requirements or who make honest mistakes when registering activities
- Create a chilling effect, where INGOs (especially smaller ones with less capacity) choose not to engage with parliamentarians, government ministers or civil servants
- Reduce access of parliamentarians, government ministers and civil servants to the latest information, research and updates from those working on the ground

The Government’s own impact assessment on the FIRS noted that “there is the potential for discouragement of legitimate activity because of the burden of the scheme and how it is implemented”. At second reading in the House of Lords, the crossbench peer and former Independent Reviewer of Counter-Terrorism Legislation, Lord Carlile of Berriew, explained that “FIRS could affect a huge number of entities... it would affect charities... [and] I suspect that some smaller charities would simply give up.”

### How you can help

- **Support the amendment in the name of Lord Anderson of Ipswich to exempt UK registered charities** from Clause 68 of the FIRS.
- **Support Lord Anderson of Ipswich, Lord Carlile of Berriew, Baroness Hayter of Kentish Town and Lord Wallace of Saltaire’s motion** to give notice of their intention to oppose the Question that Clauses 66, 67, 68, 69 and 70 stand part of the Bill.
- **Attend debates at Committee Stage and Report Stage and raise concerns** about the impact of the FIRS on INGOs.

## Further information: How and why INGOs will be impacted by FIRS

UK based INGOs are complex, global organisations connected to civil society actors, funders and institutions based around the world, including:

- Development agencies of friendly governments such as USAID, the Swedish International Development Agency (SIDA) or the Danish International Development Agency (DANIDA)
- Philanthropic foundations incorporated in countries outside the UK, such as those based in the USA or European Union, who are large funders of development and humanitarian action
- National and local civil society organisations working on international development, humanitarian assistance, peacebuilding and human rights in countries in Asia and Africa
- Global civil society networks headquartered in countries such as Switzerland, the USA or South Africa, which are made up of hundreds of organisations based around the world.

As currently drafted **Part 3 (Foreign Activities and Foreign Influence Registration Scheme) Clauses 66-70 (Political influence activities of foreign principals)** will require organisations involved in political influencing in the UK whose activities are directed by a “foreign principal” (or in some cases, who are themselves considered to be a “foreign principal”) to register this arrangement with the government. Failure to register properly would be a criminal offence punishable by a two-year custodial sentence, a fine or both.

Engaging with parliamentarians, government ministers and civil servants is important for INGOs. They meet with senior decision makers on a regular basis to:

- Provide them with the latest information, research and updates from the ground
- Share the experiences of people living in low and middle-income countries
- Coordinate and inform responses to humanitarian emergencies and violent conflict
- Discuss wider UK development policy and provide feedback on impact of policy decisions

Much of this activity would be classed as political influencing and would be covered by the Scheme if it was considered to be "directed by" an organisation outside the UK. This is not defined in the legislation, so it could include activities that are covered by a funding arrangement with an organisation outside of the UK, such as a US or European philanthropic foundation or activities covered by a programme or strategic plan which has been signed off by an international partner. If an INGO were to include an international partner in their advocacy (invite them to speak to an APPG, or to meet with an MP or civil servant) in an effort to be more locally led, then this activity would also be captured by the Scheme.

### Examples of activities that could be captured by the FIRS

- **Example A:** A UK-based INGO is campaigning to improve food security in East Africa. It receives some funding from a US-based private foundation to support this global campaign. The funding agreement specifies that as part of this campaign, the INGO will communicate with MPs, Ministers and senior civil servants with a view to informing UK government policy on food security in the region. It is likely this activity will need to be registered under the FIRS.
- **Example B:** A UK-based INGO invites a group of its local civil society partners from India to meet with MPs and to speak at a meeting of an All Party Parliamentary Group. The purpose of these meetings is to inform the UK's policy on trade and human rights in relation to India. As the local partners would be considered to be “foreign principals”, it is likely they and the INGO who invited them would need to register with the FIRS.

For more information or a full briefing, contact Paul Abernethy, Government Relations Manager at Bond, [pabernethy@bond.org.uk](mailto:pabernethy@bond.org.uk)