**CPEC Authority Act**

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At the very end of last month, the China-Pakistan Economic Corridor (CPEC) Authority won legal cover as the the CPEC Authority Act 2020 sailed through the Senate. The Bill, already passed by the National Assembly, unexpectedly landed in the Senate through supplementary agenda minutes before the closing of the day’s proceedings.

The opposition members strongly protested the government’s move, and walked out over their being ignored. Thus, this proved a golden opportunity for the government to add the CPEC Authority Act feather to its cap. Once again, the PTI government has proved its stubbornness in refusing to take the opposition and other stakeholders into confidence.Thus, from this point henceforth, CPEC governance will remain controversial and stimulate a tug of war between the two ends; government and opposition.

The opposition had pointed out their concerns mainly regarding certain sections of the CPEC Authority Act. Yet these were not even addressed in the relevant Standing Committee of the National Assembly that passed the Bill with a majority of only two votes in October 2020. The opposition also strongly protested the sections of the Bill in the National Assembly session on February 1, 2021 when it was hurriedly passed without debate.

What strange thing is in the CPEC Authority Act that the government avoided a discussion in both houses? Why did Adviser to the Prime Minister on Parliamentary Affairs Dr Babar Awan hurriedly want to present the Bill for immediate consideration through a motion on behalf of Minister for Planning Asad Umar? Following the opposition’s objection that an adviser has no authority in this regard, the motion was moved by Minister for Science and Technology Shibli Faraz, and the Bill sailed through the Senate.

The opposition’s main concern is the procedure for the appointment of the CPEC chairman, two executive directors and six other members. Section-5 of the Act gives all authoritarian and discretionary powers to the Prime Minister to appoint all nine in the senior management initially for four years, extendable to another term of the same period. The procedure of appointments is contrary to country’s previous practices for such kind of statutory bodies including National Accountability Bureau (NAB), National Commission of Human Rights (NCHR), Pakistan Institute of Parliamentary Services (PIPS) and some others where the opposition is taken on board for consensus appointment of its chief and the executive management.

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It is strange, too, that three members of the CPEC Authority will make the Administrative and Financial Rules and Regulations for the authority, and they will be the final after its approval by their own executive management.

On the plus side, however, the CPEC Authority will have its quarterly meetings to review the progress, will have an audit and an annual report will be submitted to the Prime Minister within three months after every fiscal year. The Authority may establish a CPEC Fund with the Board of Investment (BOI) to further its objectives with “such a manner and no terms approved by the Finance Division” under the Section-15.

When “A single line budget shall be provided to the Authority” under Section-16 of the Act, then there will be no possibility to discuss it in Parliament. The chairperson shall be the Principal Accounting Officer of the budget prepared by his nominated two members and one from the concerned Division. “All the investments by the Authority shall be made with the approval of [its own] budget committee”. That’s it.

The bone of contention between the government and opposition is Section-23 of the Act that gives protection to all decisions and actions of whatsoever nature made by its chairman, senior management, members, directors, experts, consultants and staff working for the CPEC Authority.

Mystery surrounded the entire process of the making of this Act and its approval. Some of the Sections of the Act mentioned above reflect that the government has successfully made the CPEC Authority Act 2020 controversial. A regime that has been sloganeering for just and transparent governance in the country for 25 years is going to open several new Pandora’s boxes. The Act will set an example contrary to the PTI’s own shout outs. Lt General (Retd) Asim Bajwa has already been on the “mud-slinging” campaign very recently that has dented badly the reputation of the state institution and the gentlemen working for it. The Act is another ticking bomb that further blasts the image and repute of the institution and the uniformed personnel. The Act will open a road to legally compromised frameworks in the future too, further deteriorating and undermining the position and role of the parliament. The “indemnity” in the CPEC Authority Act will encourage other “white elephants and lucrative government organisations” to demand the same legal cover. Rest in peace Pakistan, with unaccountable governance mechanisms.

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