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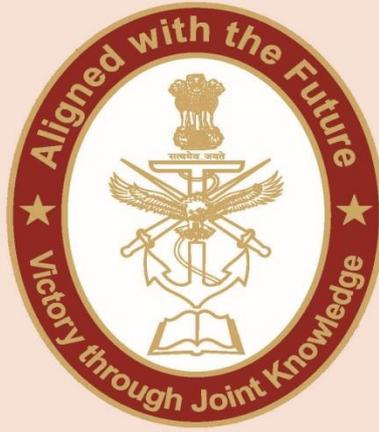
HYBRID GOVERNANCE UNDER IMPLICIT MILITARY DICTATORSHIP

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**HYBRID GOVERNANCE
UNDER IMPLICIT
MILITARY
DICTATORSHIP**



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Abstract

“**Authority, Responsibility & Accountability**¹ are the three triads of any organisation”, which provide stability to the organisation (akin to the three legs of a tripod peg table). Such a peg table resting on only two legs will be unstable & a table resting on only one leg is not a peg table but is actually a rod merely covered with a tabletop. Likewise for any stable democracy to exist & flourish, the Executive, Legislature & Judiciary are the three pillars on which it rests. Many evolved democracies like those in India & the USA also have a vocal & independent media, which acts as the fourth pillar of democracy & is also termed as the fourth estate!

Unfortunately, in Bharat’s neighbourhood, in Pakistan, a **silent bloodless political coup** has been executed, which has not been covered by various news channels in the western world, which profess to be the sentinels and guardians of free speech & democracy. This coup that is being alluded to, refers to the passage of three important laws by the National Assembly of Pakistan and that too in a rather hurried and questionable manner.

In India, the nation has an Army (or Armed Forces), which are there to function as directed by the Govt of the day. However, it is often stated that in Pakistan, the Army has a nation! This may actually be true because despite the dire financial condition that Pakistan is going through, there is no let-up either in the financial outlay on Pakistan defence expenditure or on the amount spent on the lavish scales of pay, perks and privileges of the Pakistani Army (**PA**) or Pak Armed Forces.

In addition to the obscenely high wages paid to the PA, the actual expenditure is actually in terms of the huge (& hidden) amount spent on the perks & privileges (including generous grants of land allocation). As per new reports the family wealth of **Gen Bajwa**², the **erstwhile COAS of Pak** had grown disproportionately in just over six years. As per a report published on investigative website Facts Focus, General Qamar Javed Bajwa's extended family **became billionaires** after he took command of the military in 2016, accumulating assets and businesses of more than Rs 12.7 billion within and outside the country over the past six years. Citing annual tax returns and wealth statements of Gen Bajwa's family from 2013 to 2021, the report claimed that his wife Ayesha Amjad wasn't filing any tax returns when he became a Lieutenant General, while Sabir "Mithu" Hameed, his closest friend and father-in-law of his eldest son, was an average businessman. "Everything changed for both families as they moved ahead and became one family." Within six years, according to the report, both families became billionaires, started an international business, purchased multiple foreign properties, started transferring capital abroad, became owners of commercial plazas, commercial plots, huge farmhouses in Islamabad and Karachi, an immense real estate portfolio in Lahore, and so on.

The world was always aware of the various non-professional business ventures of the Pakistan Army^{3 4} and it was often ridiculed & made fun of on that account. This was so evident on hearing the remarks of various Pakistani citizens, when on 09 May 23, they saw the opulence & lavish style of living of the personnel of the Pak Army (especially of the senior lot!), as compared to the abject poverty & deprivation (of even the basic necessities), in which the average population of Pakistan was living.

Hence in order to provide legal legitimacy to its various "**Mil Biz**" (**Military Business**) ventures, and to also put in place measures which will prevent re-occurrence of the 09 May like incidents, **the Establishment** has quietly brought in three major bills, which have been rushed through the Pakistan National Assembly (NA) and became law (despite **not** having been granted approval by the then Pakistan President)

These three laws are the *Pakistan Army Act (Amendment) 2023 [Pak AA(Amdt)]*, *Official Secret Act (Amendment) 2023 [Pak OSA(Amdt)]*, and *The Establishment of Civil- Military FDI Forum: Special Investment Facilitation Council (SIFC)*. The details of these laws and the interesting journey & circumstances under which they become law, and their implications, has been covered in this monograph.

Introduction

Pak Army Act (Amdt) 2023: Salient Aspects

During the 09 May incidents, the authority of Pakistan Army for the first time, seemed to have been questioned by the masses of Pakistan, which may have come as a shock to them. _Uncorroborated inputs indicated that during the said period, possibly ISI had conducted an informal survey to ascertain/ gauge the **sentiment of troops** & had reportedly come up with startling results that many of the troops would not have

opened fire on the protestors. Possibly the ISI & Pakistan Army felt that certain sections of Pak Army sympathised with Imran Khan (IK) & his political party. Also, Pakistan Army was also possibly not appreciative of fact that IK was getting relief from the court and invariably the **judiciary was ruling in his favour**. Pak Army's various **mil-business** ventures had been **highlighted** during the 09 May incidents, subjecting the Army to considerable measure of **ridicule** & people had even **questioned the rationale** behind Pakistan Army venturing into **commercial ventures**. In order to address these various issues, the Army brought in the amdt to AA & amdt to OSA, which were passed by the Pakistan National Assembly. The SIFC was also established, and the AA (amdt) gives legal sanctity to Pak Army for engaging in commercial ventures.

Pak Army Act 1952

The Pakistan Army Act 1952^{5 6 7 8} regulates the legal code within the military, mainly for prosecuting military personnel and associated civilians. The act was notified in the official Gazette on 13th May 1952. The Pak Army officers, JCOs and warrant officers come under this Act. **Later, this act was extended for trials of civilians.**

Amendments:

The Pakistan Army Act 1952^{9 10} has been amended three times since its inception. The details are as under: -

- **1977:** The first amdt in the act was made in 1977 during the tenure of Gen Ayub Khan, which **extended its applicability to civilians**, specifically those charged with inciting mutiny or accused of disseminating classified information and assaulting military infrastructure.
- **2015:** The act was further amended in 2015. The amdt allowed the **establishment of special military courts to try** the civilians suspected of terrorism. The courts established under this amdt **has a moratorium of two years** thus setting an end date of Jan 2017. The establishment of military courts under this amdt was challenged in the Supreme Court of Pakistan but a full court bench of 17 judges upheld the amdt by 11-6 decision.
- **2020:** The third amdt carried out in Section 8 of Army Act in the year 2020¹¹ related to the **appointment and tenure of COAS and JSCSC.**

Latest Amdt in Army Act (AA) 2023¹²: The Army Act has been amended again in 2023 with amdts in **Section-** 1A, 2, 8, 10, 17, 18, 26A, 26B, 55A, 55B, 55C, 91, 92, 126, 175A, 175B, 175C, 175D, 175E, 176, 176A, 176AA, 176C, 176D, 176E. The amdt bill was moved in Pakistan National Assembly by Defence Minister Khawaja Asif. The bill was **passed by the house amid less attendance**, as some members belonging to PDM, and opposition were missing. Law Minister Azam Nazir Tarar made it clear that **no provision of this bill is applicable to civilians**. The details of important amendments are as given in subsequent paragraphs.

- **Under Section 26-A (Unauthorised Disclosure):** Under this section, if any person, who is or has been subject to this act, discloses or causes to be

disclosed any information, **acquired in official capacity**, which is or may be prejudicial to security & interest of Pak or **Armed Forces of Pakistan**, shall be guilty of an offence and on conviction be the **court constituted** under this act, be punished with **Rigorous Imprisonment** for a term which may **extend to five years**.

- **Section 176-AA (Power to Issue Instructions)**: COAS was empowered to **issue instructions** for carrying into effect the provisions of this Act, rules and regulations. Section 176-C empowered COAS to **delegate** any of his powers and functions.
- **Section 55-A (Conflict of Interest), Sec 55-B (Electronic Crimes) & Sec 55-C (Defamation)**: New sections inserted in this act. **Violation** of these sections may be **punishable with** imprisonment for upto two years or with fine not exceeding five hundred thousand rupees or with both.
- **Under Section 26-B [Political Activity]**: Under this section, any person, who is subject to Army Act, shall **not engage** in any kind of political activity **within two years form service**. A person who is subject to this Act and has remained posted, employed, seconded, tasked or otherwise **on sensitive duties**, as prescribed under this Act, shall **not take part** in political activity of any kind, during a period of **five years from the date of his retirement**, release, resignation, discharge, removal, or dismissal for this service. **Any violation** of this clauswhichll be convicted by the court and punished with **Rigorous Imprisonment (RI)** which, may be extended up to **two years**.
- **Section 176-E (Overriding Effect)**: Proposes that **any other law**, rules or regulations in force can be **ceased to have effect**.
- **Section 10**: Section 10 of the bill **barred dual nationals** to take commission into the army.

Official Secret Act (OSA) (Amendment) 2023. ^{13 14}

- Amdts in Sections - 2, 3, 3A, 4, 5, 6A, 9, 11, 12, 12A, 12B have been made, while new Section 16 has been inserted in OSA- 1923. In this bill certain clauses, words and definitions of OSA have been amended. The amdts in various sec of OSA have **made the OSA watertight** in that inter alia it covers a **very wide canvas**. In Section 11, insertion of new Sub Sec (2A), **empowers the Intelligence agencies**, at any time to **enter and search** any person or place, **without warrant** and **if necessary, by use of force** seize anything which is, or can be evidence of an offence committed or suspecting of having been committed under this act.
- A new Section 16 inserted into the OSA states that the Federal Govt may make rules to carry out the purpose & object of the OSA.

Implications & Importance of Amendment to AA & OSA (2023)

- **Strict Penalties**: Under this amendment, harsher punishments (with imprisonment for up to five years) have been introduced for individuals involved in the unauthorized sharing of state information.

- **Disclosures against National Interests**: In situations where information is disclosed against the interest of the country and of the **Pakistan Army**, the concerned individuals **will now be dealt with under the Official Secrets Act and the Army Act**, which may lead to more severe legal consequences and puts a question mark on the aspect of civil liberties.
- **Restrictions on Political Activities**: For personnel of the armed forces, the amended Army Act imposes limitations on engaging in political activities for specific personnel who have been dismissed from service. Such individuals are barred from participating in any political activity for a period of two years and this has been done in the garb of ensuring the integrity and impartiality of the armed forces.
- **Penalties Political Engagement Clauses**: The amendment introduces penalties for breaching the restrictions on political engagements. Those found in violation may now be liable for punishment of up to two years, aiming to prevent any potential conflicts of interests of interest and maintain the apolitical nature of the military establishment.
- **Combating Electronic Crime Against Army**: In recognition of the growing threat of electronic crimes, the amended Army Act incorporates provisions to combat such offences targeted to defame the Pakistan Army.
- The amendment in both Army Act and Official Secret Act provides **more legal powers to Pak Army and COAS**. PLM-N passed the bill to ensure legal actions against Imran Khan to keep him out of politics. However, it has long term implications that will affect the political space in future.

Civil-Military Foreign Direct Investment (FDI) Forum: SIFC

- Economic security was the core element of national security as was reflected in national security Policy 2022-26. Hybrid Civil – Military forum named '**Special Investment Facilitation Council (SIFC)**' is part of the economic revival plan with target of attracting \$100 billion in FDI within three years. The ultimate goal is to achieve a nominal GDP of \$1 trillion by fiscal year 2035. SIFC needs to be also seen in light of recent amendment in Pak Army Act wherein Section 175E will play a significant role in times to come.
- As per Pakistan PMO's Board of investment notification of Jun 23 SIFC ¹⁵has been established to act as a '**Single Window**' Interface as 'ease of doing business' for potential foreign investors. **COAS is the key person** for pushing the govt's desperate 'Economic Revival Plan'. **SIFC identified 23 countries**, but main focus is on Saudi Arabia, UAE, Qatar & Bahrain for Foreign Direct investment in **key sectors of defence production, agriculture/ livestock, mining, IT & energy**. On being questioned about 'giving military a legal role' through various amendment in Army Act & Board of Investment Act for SIFC, **PM Shehbaz Sharif (PMSS), in his previous tenure**, had vehemently said. **'if we are on the same page without trespassing each other's domain then**

what is wrong with it'. Hence, **Pak Army will have major role to play** in implementing the SIFC vision during the tenure of current COAS.

- **Set Up of SIFC:** SIFC includes key figures from both Govt and Armed forces. **Four Maj Gens are heading four verticals (Agriculture, Green Energy, Mining & Information Technology)** which has Col/ Lt Cols posted by the Military Secretary Branch of Pakistan GHQ. This long-term plan consists of the following three committees: -
 - **Apex Committee:** PM Shahbaz Sharif (**PMSS**), COAS, Key Federal Ministers & **National Coord (Pak Army)** are part of Apex committee. This committee will meet monthly to give directives. Second & third meetings were held on 22 Jul 23 & 07 Aug 23 respectively. The COAS attends all these meetings. PMSS in his previous tenure itself had given go ahead to incorporate a **new company named Special Purpose Company (SPC)** that would directly report to SIFC secretariat with the objective of hiring financial, legal and & marketing professionals.
 - **Executive (Exec) Committee:** It consists of Ministers of Defence (Def), Petroleum, IT, Provincial Chief Secretaries, Secy Board of Investment & Secretaries of Provincial Ministries. **SIFC Secy (a serving Maj Gen)** is part of this committee. First meeting of SIFC Exec Committee on implementations process was held on 13 Jul 23 at SIFC Sectt. Mr Ahsan Iqbal, Federal Minister for Planning & Development presided over the meeting which was also **attended by the Chief of General Staff**.
 - **Implementation Committee:** This committee under the Ministry of Planning will meet every week led by SAPM. DG from Army is part of the implementation Committee.
- **Legal Cover to SIFC in Disguise of Various Amdts in Acts:** Parliament approved controversial amdts to AA to give legal cover to the working of SIFC. Insertion of whole new chapter in Board of Investment (Amdt) Act 2023 will have **precedent over all existing laws**. Elections (Amdt) Act 2023 was also introduced to **ensure continuity of Establishment** driven work, **even during caretaker govt's unlimited tenure**, with clearly visible geopolitical agenda. Further, creation of Pakistan **Sovereign Wealth Fund** was also in pipeline to provide equity to SIFC approved project for both joint ventures with foreign nations or single ownership schemes. **SIFC was given power to summon any regulatory bodies**, auth, public sector entities, divisions and depts federal govt. SIFC was also given **power to relax or exempt from regulatory compliance** with **complete immunity from lawsuits**, prosecutions or any other legal proceedings or action. No investigating department, anti-graft body, law enforcement agency or court can inquire or initiate a probe in relations to any commercial transaction, arrangement or agreement signed by SIFC.
- **Re-Constitution of Board of Investment:** Re-constitution of Board of investment (25 members) was approved by the previous outgoing govt. Reportedly, Ministers of Foreign, Finance, **Investment & Trade, Industries & Production, Energy, IT & Telecom** were included in the board. Governor State

Bank, Chairman Federal Bureau of Revenue & Chairman Board of Investment were also added as members of this board.

- **Multibillion Dollars Projects:** SIFC has approved 28 multibillion dollar projects to Saudi Arabia, UAE, Qatar, Bahrain for investment including construction of Diامر-Basha dam and mining operations at Reko Diق in Baluchistan’s Chagai district. Following important projects under umbrella of SIFC were discussed in open source: -
 - Khanewal Model Agri Farm -1 (4000 acres in South Punjab).
 - Khanewal Model Agri Farm-2 (600 acres).
 - Nukerji Farm (2,500 acres in Thatta, Sindh of Fauji Group).
 - Saudi Aramco Refinery (\$10Bn).
 - TAPI Gas Pipeline.
 - Cattle farms.
 - Corporate Farming (by Qatar) on 10,000 acres in Cholistan desert. Later will be extended to 85,000 acres.
 - Setting up a Dairy company holding 20,000 Holstein Friesian animals (foreign breed) with five or more farms.
 - Corporate Camel Farm of 10,000 Animals.
 - Mining operations at Reko Diق in Baluchistan’s Chagai District.
 - Thar Coal Rail connectivity scheme.
 - Thar Coal block II.
 - Diامر Basha Dam (offered to China under CPEC).
 - Solar PV Project at Layyah & Rajdhani.
 - Transmission Lines from Ghazi Barotha to Faisalabad & Matiari to RY Khan Reactive Power Compensation Devices projects & Battery Storage for frequency regulation.
 - Water Reservoir for irrigation in Cholistan.
 - Chashgman Right Bank Canal Projects.

- **LIMS- CoE:** Land Information Management System (**LIMS**) -Centre of Excellence (**CoE**) inaugurated by COAS on 07 Jul is a project of DG Strategic Projects under Pakistan Army to revolutionise modern agriculture. The first Head of LIMS- CoE is **Maj Gen Shahid Nazeer** who told reporters that LIMS is aimed at **utilizing over Nine million hectares** of uncultivated wasteland distributed across the country.

- **Green Pakistan Initiative:** “The Green Pakistan Initiative” was Army Chief’s fourth prefabricated initiative which was also launched as ‘second green revolution’. It was launched in presence of all federal ministers, CMs & all political parties for much- need legitimacy but former PM Imran Khan (IK) was conveniently not invited, as if he has no relevance in the current and future political setup.

- **MOU between World Economic Forum (WEF) sponsored Pakistani Organisations for Narrative Building:** **Mishal Pakistan & Organic Pakistan** announced an MoU on 17 Jul 23 to work together to address critical issues

related to agro-economy, climate change and food security. MOU sets the framework for joint initiatives, like key opinion makers & advocacy campaigns through seminars/ interactive work through seminars/ interactive workshops. **Both partners will support the World Economic Forum's initiatives for narrative building related to agriculture.**

- **Interesting Developments Leading to AA (Amdt) and OSA (Amdt) Bills Becoming Law:**

- It has been reported that, these two contentious bills, that strike at the very heart of the democratic rights of citizens, were introduced in Pak's National Assembly & were **hastily passed** and then sent to the then President for his approval. **Nothing was heard about these bills**, from the President's office and after ten days it was announced that these Bills have become laws.
- The erstwhile **Pakistani President Arif Alvi** took to social media and made the startling revelation that he never signed these bills as he "**disagreed with these laws.**" He stated that "*I asked my staff to return the Bills unsigned within stipulated time to make them ineffective. I confirmed from them many times that whether they have been returned and was assured that they were.*"
- Alvi later claimed that "*I have found out today that my staff undermined my will and command*" this raises a very pertinent question- as he (the then President of Pakistan) holds the highest position of authority in the country, so how could someone dare defy orders issued by the President of Pakistan?
- The logical deduction which can be made is that whosoever on President Alvi's staff took this decision, was either acting on orders or had blessings of someone who was interested in seeing these bills become laws and whose power and **authority exceeds that of the President** of Pakistan i.e possibly the **COAS of Pakistan?**
- That the latest amdts to the OSA and AA have possibly been specifically made to **serve as a stick to beat former PM Imran Khan** and his PTI supporters with and keep them out of the electoral race.
- After President Alvi reportedly went public claiming that he had not signed these bills and his orders to return the same were disregarded. The then Interim Law Minister Ahmed Irfan Aslam and Information Minister Murtaza Solangi held a joint press conference and clarified that **any bills pending at the Presidency for more than 10 days automatically becomes a law.**
- Aslam further clarified that "Under Article 75 of the Constitution, the President only has two options: either to sign a Bill or reject it; in case of rejection, he has to give reasons for returning the bills unsigned." The erstwhile interim Law Minister clarified that "**Returning the Bills without any observations or assent is not provided** for in the Constitution."

Analysis, Implication & Significance: Amdt to AA, OSA & SIFC

- **Strict Penalties:** Introduction of harsher punishments (imprisonment for up to five years) for persons involved in the unauthorized sharing of state information.
- **Disclosures Against National Interests:** The amendments also addresses situations where information is disclosed against the interest of the country and the **Pakistan Army**. In such cases, individuals will now be dealt with under the OSA and the AA, which may lead to more severe legal consequences.
- **Restrictions on Political Activities:** To ensure the integrity and impartiality of the armed forces, the amended AA imposes limitations on engaging in political activities for specific personnel who have been discharged or dismissed from service; they are barred from participating in any political activity for a period of two years. Those found in violation may now be liable for punishment of up to two years.
- **Combating Electronic Crime Against Army:** In recognition of the growing threat of electronic crimes, the amended Army Act incorporates provisions to combat such offences targeted to defame the Pakistan Army.
- **Commercial Ventures Formalised:** Pak Army had previously ventured into various commercial aspects but the amdt to AA & OSA have smoothed the process of **legitimizing** and **legally incorporating Army** into the **running of various financial institutions** in Pakistan. Moreover, these amdt to AA & OSA virtually ensure that **no one can question the decisions of the Army in this regard**. It appears Pak Army is likely to have a stake in following major strategic ventures of Pakistan:
 - Civil- Military FDI Forum.
 - Auction of Pakistan Steel Mills.
 - **LIMS- CoE:** (Land Info Management System- Centre of Excellence)
- **COAS and SIFC:** PDM govt's tenure were though completed within 6-7 weeks of existence of SIFC, but the **COAS led the whole plan with the caretaker setup**.
 - Participation of COAS has apparently been done to create a favourable environment and build confidence among investors of GCC countries, which was already voiced in 258th Corps Commanders Conference held in Jul 23.
 - COAS himself is the national coord for Apex & Exec Committees of SIFC. DG of Implementation Committee is also an army official (a serving Major General). The council aims to privatise multiple loss-making state-owned enterprises with significance to the military's role in the project.
 - Pakistan Govt will possibly need **support of the army in dealing with disturbances caused by protests of workers** of state-owned enterprises when they are privatized.
 - **The Army Chief** being part of SIFC Apex Committee is now effectively **in a position to bypass any law which collides with its interests of regulatory capture**.
 - Recently amended acts have ensured **immunity to decision-makers** (ie Establishment) from **any kind of investigation** by various anti-graft bodies.

- **Military** already **runs** almost **50 commercial entities** and Pakistan's economic domain is likely to be partially **controlled by the Pak Establishment** in near future, through SIFC.

- **Financial Support Mechanism**: The Ministry of Finance sanctioned a PKR 200 million budget against a demand of PKR 400 million. Besides this, assets of **seven profitable state- owned entities**, including blue-chip companies have been proposed to be transferred to newly created "**Sovereign Wealth Fund**" for utilization on projects approved under SIFC. Govt shareholding in these seven companies which is approved to transfer into the Sovereign Wealth Fund is as under" -

| Ser No | Name of State-Owned Company | Govt Shareholding (No of Shares) |
|--------|--|----------------------------------|
| (a) | Oil & Gas Development Company Ltd | 3,65,70,79,419 |
| (b) | Pakistan Petroleum Ltd | 1,95,21,81,498 |
| (c) | National Bank of Pakistan | 1,60,84,20,866 |
| (d) | Govt Holding s (Private) Ltd | 2,08,85,12,092 |
| (e) | Pakistan Development Fund Ltd | 6,00,00,00,000 |
| (f) | Mari Petroleum Company Ltd | 2,45,32,720 |
| (g) | Neelum- Jhelum Hydro – Power Company (Pvt) Ltd | 41.66,34,630 |

- **Judiciary Practically Bypassed**: The erstwhile CJSC of Pak (who retired in Sep 23), was possibly seen to be an Imran Khan loyalist and often questioned many of Army's/ PDM govt's decisions, which had possibly appeared to be unconstitutional. He was initially silenced by the passage of "**Contempt of Parliament Bill**". However now with the passage of the AA Amdt (2023) & OSA Amdt (2023) bills, the auth of Army appears to be **virtually unquestionable**.
- **Two Important Pillars**: SIFC & LIMS are touted to stand as two pivotal pillars in Pakistan's journey towards economic revival. At present, secretariat houses relatively few people and it is **mostly aided by army** to run administrative affairs of SIFC and LIMC.
- **Various MOUs**: MOUs between World Economic Forum (WEF) sponsored partner institutions in Pakistan are expected to improve Pakistan's agriculture related rankings and narrative building on international platforms. Frequent interactions between Pakistan establishment & Bill Gates, Co- founder of Microsoft in various agriculture related developments, also merit attention.
- The amendments in both AA and OSA, provide **more legal power** to Pak Army and COAS. Pak possibly passed the bill to ensure the loyalty & political neutrality of Pak Army as also to facilitate legal actions to be taken against Imran Khan to keep him out of politics. However, these have long term implications that will affect the political space of Pakistan in future. **These need to be addressed by all concerned citizens of Pakistan and by various democratic nations of the world**, if Pakistan is to

survive as a democracy and not fall into the quagmire of a military controlled **Pseudo/Hybrid Democracy**.

Way Ahead

- Due to the passage of these three bills, in one go the Army has legally strengthened its hold over the country. It not only exercises unquestionable control over the Army, but also **oversees the day-to-day administration of Pakistan & exercises indirect control over the nation**. The passage of these acts has also strengthened the Army Economically & in Judicial spheres.
- Thus, **without actually declaring martial law, the Pakistan Army is now effectively running the country** (which it earlier also was doing) but the only difference is that now it's doing it with **supposed** legal sanctity.
- **Investment:** SIFC has approved 28-multibillion-dollar projs to be offered to various countries. This is likely to open the floodgates of corruption & favouritism and may lead to another "**Panama Leaks**" type of situation. Such possible instances of corruption which are bound to be there, need to be carefully watched by all mature democracies of the world and in various International Forums.
- **Strict Penalties:** One of the prominent features of the amdt to AA & OSA is the introduction of harsher punishments (imprisonment for upto five years) for individuals involved in the unauthorized sharing of state information. This issue needs to be analysed by various International HR bodies, as it appears to be draconian in nature & undemocratic.
- Due to **legitimizing & legally incorporating Army** in the **running of various financial institutions** in Pakistan, disparity in wealth of Armed Forces personnel & in the general population of Pakistan is bound to increase and is likely to cause discontent to the general population of Pakistan. This is likely to result in anger against Pak Army, by the common citizen of Pak who is actually facing the brunt on ground.
- **Land Info Management System- Centre of Excellence:** LIMS has though been touted to revolutionize modern agriculture, yet it is presumed that the people of Pakistan & International Community would be aware that this project actually places **over Nine million hectares of land across the country, under control of Army**. Thus, the moniker **Zamindars in Uniform** might be an apt way to describe the **current situation of Pakistan Army**.
- **COAS and SIFC:** PDM govt's tenure were though completed within 6-7 weeks of existence of SIFC, but **COAS led the whole plan with caretaker setup. COAS, being part of SIFC Apex Committee can now effectively bypass any law which collides with its interests of regulatory nature**, besides of course being militarily supreme. Thus, we are looking at a **heady cocktail of unbridled political, Economic & Military Power being vested into the hand of one person – the COAS of the Pak!** This is actually tantamount to a Pseudo Dictatorship and the Western world & democracies of the world need to call it out for what it actually is (a **Wolf in Sheep's clothing!**)
- Concerned agencies the world over need to take note of remarks of the erstwhile Pak President Arif Alvi **that he never signed these bills** as he disagreed with these laws. Suitable sections in the general population of Pakistan & in the

International Community needs to question the legality of these laws and the world needs to take measures to prevent the Army from becoming legally all too powerful & unquestionable. These amendments need to be challenged in the Pakistan SC & possibly in the International Court of Justice because ***Pakistan Army has made it very difficult for any legal action to be taken against it inside Pakistan.***

- The amendments in both AA and OSA, provides more legal power to Pakistan Army & COAS. Though the govt passed the bill primarily to ensure the loyalty & political neutrality of Armed Forces through legal actions and to take measures against Imran Khan to keep him out of politics, yet it has long term implications that will affect the political space in future. These actions of Pakistan do not measure up to the established norms of a democracy and the **democracies of the world need to be unanimous in voicing these opinions against these sham laws.**

DISCLAIMER

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