

Scenario 206

ODD QUESTIONS FOR SHARIFs

SEVEN [7] QUESTIONS INITIALLY:

The opposition unanimously wanted the Prime Minister Nawaz Sharif to explain before the house:

FIRSTLY: *What interest he or his family have in the **Mayfair apartments**. When they were purchased, where the funds came from and whether income tax was filed?*

SECONDLY: *A clarification be made on [the Mayfair apartments issue] the statements given by Nawaz's wife, his two sons and Interior Minister Ch Nisar Ali Khan over the [past few] years.*

THIRDLY: *Since when Nawaz Sharif has been living in these apartments and whether he is aware that on March 18, 1999, the High Court of Justice, Queen's Bench Division, ordered the Sharif family to pay \$34 million as debt owed to **Al-Taufiq Company for Investment Funds Ltd**.*

- *Indication be made about the source of legitimate funds from which this debt [of \$32m] was paid.*
- *Whether it is a fact that £7 million were raised against the apartments from the Deutsche Bank in Switzerland.*

FOURTHLY: *Indication be made about the names of and the total number of **offshore companies** owned by or registered in the name of the Sharif family, and what was the net value of the assets of such companies, bank accounts and properties.*

FIFTHLY: *What properties are or have been held by the prime minister or his family, purchased either through front-men / shell companies or otherwise, between 1985-2016 and what was the **source of income tax-paid-funds** during this period.*

SIXTHLY: *If it is true that the prime minister's children hold or have held substantial shares in industrial units in Pakistan owned by the Sharif family including **Ittefaq Sugar Mills and Chaudhry Sugar Mills**, and whether they are bound to file tax returns and declare their worldwide income, including incomes from offshore companies and bank accounts.*

SEVENTHLY: *How much income tax, year-wise since 1985-2016, has been paid by the prime minister and members of his family and the assets owned by each of them?*

In a tit-for-tat, the PML[N] government asked some questions from opposition leaders. State Minister for Water and Power Abid Sher Ali asked PPP Senator Aitzaz Ahsan about an LPG tender he had allegedly secured for his wife during the PPP government, and alleged corruption worth billions of rupees done in the past.

PML[N]'s MNA Talal Chaudhry clarified there was no contradiction in the interviews Hassan Nawaz had given in 1999 and those given by his brother Hussain Nawaz in 2016. **"The London apartments had been purchased legally in 2006; before that, these apartments were rented,"** PML[N] leaders urged.

MNA Talal Ch also claimed the premier had no links with the Al-Taufiq case, adding that Nawaz Sharif did not own an offshore company and had disclosed his income and assets when required; he had paid all applicable taxes on them, records for which were available with the concerned departments ; FBR, Customs and Security Exchange.

The refusal letter from the CJP Jamali, in respect of proposed by the PM to form judicial commission, the SC meant that:

"...the government's TsOR are so wide and open ended that, prima facie, it may take years together for the Commission to conclude its proceedings. A list of all individuals, families, groups, companies etc, along with relevant particulars, against whom purported inquiry proceedings are to be held, must be provided, and the Commission be empowered through some proper legislation in the Parliament."

In fact, the most derogatory term the PML[N] had forwarded was that:

"....the judicial commission will not confine its probe to the Panama Papers but also investigate offshore assets held by members of the opposition as well as former rulers like Zardari and Gen Musharraf AND from the date Pakistan was born."

In local dialect, the government wanted the [proposed] Commission to chase a **'truck ki batti'**, which the apex court was unwilling to do. The PML[N] government had deliberately issued TsOR that could expand the circumference of inquiry to infinity; making the task impossible to conclude, and thus shift all focus away from the Prime Minister and his family. The Supreme Court wanted not playing any part in that limitless dirty assignment; the court didn't like to become a witch-hunting machine.

Earlier, the same SC had declined to take *suo moto* action for Panama Leaks; thus saving itself from expected political mud-slinging. The CJP once again resisted the seductive impulse to become 'king-maker' in Pakistani political Diaspora. The step was seen as open departure from the tainted judicial philosophy of CJP Iftikhar M Chaudhary, when the court seemed eager to participate in the political dramas while picking partisan sides; just by using his *suo moto* jurisdiction.

{In Saad Rasool's words, daily the 'Nation' dated **15th May 2016** is referred: ***"....[during CJP Chaudhary's era] the suo-moto became the catch-all constitutional clause for resolution of obscure issues – from wine bottles in someone's luggage, to allegations against his own prodigal son."***}

On the other pitch, after two days of brainstorming, the opposition parties had finally evolved a consensus on 10th May 2016 that the TsOR to probe into the foreign wealth of PM Nawaz Sharif's family first. PPP leader Aitzaz Ahsan said while talking to the media in Islamabad that:

"The process of accountability must start to probe into the [Panama] Leaks, starting with the prime minister and his family. For this inquiry, a commission led by the Chief Justice of Pakistan may submit its report in three months."

However, after the second address of PM Nawaz Sharif to the nation, the PML[N] turned their guns towards Imran Khan's person. Mr Khan was blamed that his foreign income through cricket counties or matches had never been documented in Pakistan.

While opposition wanted to focus on Nawaz Sharif family and insisted on restricting the scope of inquiry to those named in Panama Papers, the government was for broadening the scope in order to call everybody into question – needed five years or more.

This coincided with a new development: Imran Khan who was spearheading the campaign against the government was also caught red-handed. The offshore company he has owned since 1983 was never made public, only to be uncovered by the media. Likewise, Jehangir Tareen's children owned offshore company though it didn't figure in Panama Leaks.

As the negotiations lingered on the questions of TsOR, they ended inconclusive on 19th July 2016 when the opposition said it would no more hold discussions on this issue. While negotiations stopped, PTI geared up agitation against the government; PTI's rally near Raiwind was the most significant among those staged by the party at different places. Lockdown of Islamabad through '**Million March**' was also announced there, panicking the government.

Using notes from earlier *dharna* experience, the government went mindful of its implications and this evolved a strategy to pre-empt through arrests and road blockade to discourage from other cities. Islamabad High Court's decision directing PTI to restrict its assembly in parade ground provided much-needed relief to the government.

On 16th May 2016; Imran Khan, while addressing to the media and in the Parliament, clarified that '**he used to pay 33% tax out of remittances all he got from the cricket counties in UK and that all the record is being placed before the floor.**'

Barristor Frogh Naseem, a Senator from the MQM, explained the facts in a live TV program on the same day that:

'Tax avoidance is not so serious sin as per prevailing laws and regulations in Pakistan – whereas the most serious crime is to hide or not to declare that from where the said money was acquired.

Tax avoidance can be penalized through levy of financial penalties; can be regularised through amnesty schemes – but the wrongful acquisition of wealth and assets would take you to gallows straightway through laws related with money-laundering and terrorism.'

On the same day [**16th May 2016**]; in his appearance and address in the parliament, PM Nawaz Sharif suggested to form a parliamentary committee for finalising terms of reference [TsOR] to probe into the revelations owing to his family and others' alleged offshore holdings.

Opposition leader in the National Assembly Syed Khurshid Shah rejected the prime minister's speech, saying ***'it has created more confusions rather than replying to the seven questions jointly prepared by the opposition parties'***. Soon after his address on the floor of the house, Shah led the boycott of the session and walked out along with other parliamentarians.

PM Nawaz said the committee would have my complete cooperation. ***"It can thus settle this matter once and for all."*** The prime minister also submitted tax details of his family in the house adding that: ***"Our family paid Rs:10 billion in taxes in the last 23 years. We sold out our factory for \$9 million."***

Senator Aitzaz Ahsan was seeking the opposition's response to the offer of the prime minister for a parliamentary committee to formulate the terms of reference [TsOR]. Meanwhile, PML[Q]'s Pervaiz Elahi also urged Nawaz Sharif to come towards the solution; the PM should have replied to **seven questions** on the Panama Leaks, which the opposition had presented to him several days back.

SEVEN [7] TURNED INTO SEVENTY [70]:

However, when the opposition felt that the PM Nawaz Sharif was not taking the Opposition's SEVEN questions seriously, they worked out a questionnaire containing 70 questions for PM Nawaz Sharif on the issue of Panama Leaks and sent him through media. The PM was asked:

1. *If it was not a fact that according to the testimony of two **Peshawar Hawala dealers** [Khaista Khan and Jamshed Khan], the Sharif family illegally used to send funds abroad regularly while converting the same into foreign exchange.*
2. *Isn't it true that Mr Khalid Siraj, your first cousin and business partner had disclosed in a statement the Sharif family's misdeeds and the transfer of funds abroad and the purchase of assets overseas?*
 - *Isn't it a fact that between 1988 and 1991, an amount of Rs:56.896 million was sent out of the country?*

3. *Wouldn't you admit that during 1988, \$75,80,000 were remitted from the **Bank of Oman, Sharjah** to the **Bank of Oman, Lahore** and against this money Foreign Exchange Bearer Certificates [FEBC] worth Rs:145.06 million were distributed among close relatives / members / partners of your family?*
4. *Isn't it true that during the period of 1988 and 1991, **money laundering of Rs:145.056 million** was done by you and your family, while you paid only Rs:897 as Income Tax. Therefore, it was obvious that the objectives of sending money through Hawala / Hundi Operation were:*
 - *To avoid inquiry / investigation of FEBC, money trail in and out of Pakistan and to whiten the black money of Sharifs family as the source of illegal money could not be investigated because the money used in purchase of FEBC was termed as **'white'**. Resultantly, the buyers of FEBCs could evade Income Tax & Wealth Taxes as FEBCs are not treated as taxable and the purchaser(s) of FEBCs succeed to earn high rates of interest.*
 - *Isn't it true that the FEBC was purposely introduced by your [Nawaz Sharif's] government in your first tenure as Prime Minister so **that laundered money should not be questioned** and the prime objective of introducing FEBC was to benefit your family businesses and your partners / associates / accomplices?*
5. *Isn't it true that due to your personal direction on the FEBCs Scheme, huge loss to the national exchequer had been caused and it provided a **"Legal Cover to the corrupt mafia"**, tax evaders / tax thieves and to those who could accumulate huge assets through their unfair means.*
6. *Isn't it a fact that according to your first cousin Khilaid Siraj, initially an amount of over Rs:140 Million was transferred to Bank of Oman, Sharjah from Pakistan through Hawala / Hundi and later the same amount was **credited to Shamrock Consulting Corporation** in its Lloyds Bank Stock Exchange London Branch?*
7. *Wouldn't you agree that the said amount was used in the **purchase of Park Lane Apartments** during 1993-96?*
8. *Isn't it correct that the above said money was sent from Pakistan to the Bank of Oman in the United Arab Emirates, and elsewhere and the same money was used for converting it into foreign exchange currency and then repatriated through remittances **in the names of 43 Sharif family members** (which include your brother, sister, mother, sister-in-law and children of various ages)?*

9. *Isn't it a fact Mr Prime Minister that the **World Bank [WB] and United Nations Office of Drug & Crime [UNODC]**, jointly initiated a report for Stolen Asset Recovery / implicating you vide Case Control No. 147 finding you liable under United Nations Convention Against Corruption [UNCAC] Articles 17 and 23, for which Pakistan is also Signatory.*
10. *Do the following **Offshore Companies** belong to Nawaz Sharif Family:*

*i. **Nescoll Limited** ii. **Nielsen Enterprises Limited**
iii. **Shamrock** iv. **Chadron Jersey Pvt Ltd v.**
Minerva Ind vi. **Flagship Holdings***

11. *Isn't it correct that the above said Offshore Companies surfaced through Panama Leaks, of which you were directly a beneficial owner and that these Offshore Companies were established during your official tenure as Prime Minister in 1993?*
12. *Is it not correct that some of these offshore companies have been named in the Panama Leaks as being owned by your daughter, Maryam Nawaz?*
13. *Is it not a fact that in the years 2011 and 2012 you have shown that **daughter as your dependent** with no income of her own, and does that not make her properties as your own in **benami** form?*
14. *Is it also not correct that according to **WB and UNODC Report**, being a Prime Minister (from 1990-1993), you remained involved in embezzlement and money laundering personally and through members of your family, cronies, your political associates and other close aides?*
15. *Isn't it correct that the gist of **WB & UNODC Report** was that you along with your close aides directed following amounts;*

*i. **\$60 million in Highways contracts** to the above said companies owned by you or your associates.*

*ii. Secured **\$140 million in unsecured loans** from Pakistan's state bank on behalf of companies owned by you or your associates.*

*iii. \$60 million from **government rebates on sugar** exported by mills controlled by Mr. Sharif and his associates.*

*iv. **\$58 million from inflated prices paid for imported Wheat** from the U.S. and Canada to your companies or your associates of various entities.*

16. *Isn't it true that record indicates that Maryam Nawaz is the beneficial owner of two companies which were set-up in 1993-94 and during the establishment of these offshore companies the ages of the Maryam Nawaz, Hussain Nawaz and Hassan Nawaz were below the age of majority (less than 18 years of age)?*
17. *Isn't it true that according to investigation, the actual owner / beneficiary of the above said companies was you who injected huge sums of money through **Hawala / Hundi during your time** in Public Offices and later on this money was never declared in your tax or electoral returns and this plundered money was later used to purchase properties in New Zealand, Spain, Belgium, France, UK, USA, KSA and UAE etc?*
18. *Isn't it true that Maryam Nawaz is also shareholder of another company jointly owned by Husain Nawaz? Isn't it true that Hassan is sole owner of yet another offshore holding? Isn't it true that the companies have last been used for purchasing 6 properties in London during 2007-08.*
19. *Isn't it true that Nescoll Limited, Nielson Holdings Limited, Coomber Group Inc., and Hangan Property Holdings Limited are 4 companies owned by Maryam, Hussain and Hassan?*
20. *Isn't it true Details shared with **BVI administration** declare Maryam the sole beneficial owner and the "family business" has been described as source of funds whereas **Sarooor Palace [Jeddah]** address has been mentioned?*
21. *Isn't it true that the source of income shown clearly contradicted the stance made by Sharif Family as it was laundered from Pakistan through illegal means?*
22. *Isn't it true that **6 properties were purchased in London** during 2007 and 2008 through these offshore companies?*
23. *Is it not correct that Nescoll, Nielsen and Coomber entered into a mortgage deal of seven million pounds with a Swiss bank, **Deutsche Bank [Suisse] SA**, for 4 properties?*
24. *Is it not true that **Hangan company** itself was purchased along with its stock in £5.5 million by Hassan Nawaz in 2007 from a Liberian citizen?*
25. *Isn't it true that the oldest company among the four is **Nescoll Limited** and it was registered on January 27, 1993, six-month before you stepped down as prime minister?*
26. *Isn't it also true that **Nielson Holdings Limited** was incorporated on April 14, 1994 and Both of them subscribed the services of **Mossack Fonseca** on July 26, 2006 and Minerva Services Limited, a British Virgin Island based corporate service provider, acted as proxy shareholder being represented through **Neel Sehail and Mark Andrew**?*

27. *Isn't it true that **Mossack Fonseca** was their administrator when Nescoll, Nielson and Coomber obtained mortgage of seven millions pound from the Swiss bank through these companies?*
28. *Isn't it true that Maryam is the sole beneficial owner of Nescoll and Nielson, Coomber is jointly owned by Maryam and Hussain?*
29. *Isn't it true that in the meanwhile, **Bank of Scotland** sanctioned a loan of unknown amount to Hassan - owned Hangan for the purchase of property at **1 Hyde Park Place, London, W2**?*
30. *Isn't it true that as for as the secret ownership of Nescoll and Nielson is concerned, it remained unknown until June 22, 2012 when the companies' service provider had to answer the inquiry of the **Financial Investigation Authority of BVI** administration demanding the identity of the real beneficial owner and the sources of funding and the Reply sent in compliance, found Maryam as the beneficial owner of both companies and family business described as the source of funding?*
31. *Isn't it true that Hassan transferred company to another agent from Mossack Fonseca in 2008, the activities that followed couldn't be found in the leaked record, the remaining three companies also changed their agent in 2014 hence the post-transfer business remains unknown?*
32. *Isn't it correct that during the course of investigation, it has transpired that **luxury suites Nos 16, 16a, 17 and 17a at Avenfield House, Park Lane, London** are owned by the above said Off Shore companies namely, Nielsen Enterprises Limited and Nescoll Limited, and both these offshore companies are registered in British Virgin Island (BVI)?*
33. *Isn't it correct that as per report of WB and UNODC joint initiative for Stolen Asset Recovery you were declared as the Beneficial Owner [BO] of these off shores companies namely Nescoll, Nielson, **Shamrock and Chandron Jersey Pvt Ltd**?*
34. *Isn't it a fact that Since 1993, you, your wife, Hussain Nawaz, Maryam Nawaz, Hassan Nawaz have been residing at these suites?*
35. *Wouldn't you admit that the **London solicitors Dobb Lupton Broomhead**, manages these properties and pays the utility bills and council rates and this has been done on the instruction of **Mr Urs Specker of Ansbacher Trustees AG, Zurich Switzerland** – a nominee of both the aforesaid offshore companies?*
36. *Isn't it true that **Mr Urs Specker takes instructions / directions from Hans-Rudolph Wegmuller of Zurich**, a director of Banque Paribas es Suisse and Ansbacher (Schwiez) AG, who deals directly with you? Wouldn't you agree further that Mr Wegmuller manages Sharif's \$ 50 million overseas investments?*

37. Wouldn't you agree that the documentary evidence recovered at appendix 'i' to 'iv' established beyond doubt the link between the suites at Avenfield and Sharif Family?
38. Isn't it a fact that according to documents the **apartment no 17 Avenfield House 118 Park Lane, London** was bought on June 1, 1993 whereas the age of Hassan Nawaz was 17 years as per his official DoB record [Jan, 1976]?
39. Wouldn't you agree that the three remaining apartments [16 and 16a Avenfield house] were bought on July 31, 1995 by Nielsen, whereas apartment 17a Avenfield house park Lane was bought on July 23, 1996?
40. Isn't it a fact that the other apartment no 12a was bought in Jan 2004 by Hassan Nawaz?
41. Isn't it correct that when these apartments were bought in the names of your minor children they were college going and at the same time your **tax returns showed** as follows; 1992-93 [Rs:6,621 & Rs:2,680]; 1993-94 [Rs: 14, 898]; 1994-95 [NIL]; 1995-96 [Rs:477] & 1996-97 [NIL].
42. Isn't it true that after having established a solid Monetary Foreign Exchange Base abroad, you then took steps to convert your black money into white under the facility of Economic Reforms Act 1992 and to do so, you utilized the services of **Javed Kayani**, a nephew of your closest friend **Sheikh Saeed** and a Director of Rai Textile Mills, Arooj Textile Mills, and Chanar Sugar Mills?
43. Wouldn't you agree that in August 1992, **Javed Kayani opened 3 foreign currency accounts** in the name of Salman Zia, Mohammad Ramzan and Asghar Ali at Habib Bank AG Zurich, Lahore with deposits of less than \$300 each and the purpose of these accounts was to launder funds from overseas for use as collateral against loans to be extended to Sharif family companies?
44. Isn't it true that during the course of Investigation, it has been revealed that these individuals do not exist and their ID cards were fictitious and Foreign exchange and **travellers' cheques worth US \$37,94,762** were deposited in those accounts on the basis of which Dollar Bearer Certificates [DBC] worth US \$ 49,20,000 million were issued?
45. Wouldn't you agree that Javed Kayani then opened **more fake accounts** in the name of Kashif Masood Qazi and Mrs Nuzhat Gohar Qazi at the Bank of America, Lahore and Sikandara Masood Qazi at Citibank, Lahore? Wouldn't you further agree that these individuals are genuine but they are UK nationals **who never visited Pakistan** during the time when their foreign currency accounts were opened at Lahore in Pakistan and they were known to Mr Ishaq Dar, who is the financial mastermind behind you?

46. Isn't it a fact that **DBC's of US \$1.5 million** were deposited in the accounts of Kashif Masood Qazi and Sikandra Masood Qazi and later \$5,00,000 in the account of Nuzhat Gohar Qazi was transferred to the account of Kashif Masood Qazi?
47. Isn't it true that Bank of America and Citibank were then pressurized into sanctioning substantial loans in respect of **Hudaibya Engineering (Pvt) Limited and Hudaibya Paper Mills Limited**, companies owned by the Sharif Family against the cash deposits in the Qazi accounts?
48. Wouldn't you concede that the inner relationship between Javed Kayani and the **fake accounts of Sulman Zia, M Ramzan and Asghar Ali at Habib Bank AG Zurich**, Lahore and of Kashif Masood Qazi and Nuzhat Gohar Qazi at Bank of America Lahore and of Sikandra Masood Qazi at Citibank, Lahore stands established through unchallengeable incriminating evidence and bank records?
49. Isn't it a fact that you are the beneficiary of transactions, made from the fake account of Suleman Zia at Habib Bank AG Zurich to the bank account named **Shamrock Consulting Corporation**, which is incorporated in the British Virgin Island, that also has an account at Lloyds Bank, Stock Exchange Branch, London?
50. Wouldn't you admit that the strict banking and corporate secrecy laws of Caribbean states such as the British Virgin Islands make them a favoured destination of illegal wealth? These transfers were as follows: 03-01-93 [\$ 1,05,000]; 06-01-93 [\$1,05,000]; 01-02-93 [\$ 95,000]; TOTAL: \$3,50,000.
51. Isn't it true that according to the testimony of the handwriting expert, Sulman Zia's signature on the transfer instructions was written by Javed Kayani and these amounts were all paid into Shamrock Consulting **Account Number 121-35914 at: Lloyds Bank Plc London?**
 - Isn't it also true that the money received by Shamrock Consulting was then transferred to an account in Zurich at Banque Paribas en Suisse in 2 tranches - \$2,00,000 on 3 February 1993 and \$1,50,000 on 26 February 1993?
52. Isn't it true that during the course of investigation it transpired that the Shamrock Consulting account at Lloyds Bank is orchestrated by Mr Urs Specker, President of Ansbacher Trustees AG in Switzerland and **a German Manager of Ansbacher (Schweiz) AG?**
 - Isn't it true that the address of Shamrock Consulting in the bank's file is c/o Ansbacher Switzerland Limited, Muhlebachsrasse, PO Box 41, CH-8032 Zurich.

53. Isn't it also true that Urs Specker is a signatory for several nominee companies of which the Sharif family are the beneficial owners?
54. Wouldn't you admit that the total asset value of these companies exceeds \$50 million and that Urs Specker takes his instructions from Mr Hans-Rudolf Wegmuller, who is also a Director of Ansbacher (Schweiz) and a Banque Paribas en Suisse?
55. Isn't it a fact that Total Payments worth \$20,81,038 were paid into the fake account of Salman Zia [Account # 202120-106561] with the following break down;

- i. \$7,00,000 in travellers cheques on 4th October 1994.
- ii. \$7,50,000 in travellers cheques on 8th October 1992 by the Saudi Holland Bank, Riyadh.
- iii. \$1,06,297 transferred from the Karachi Branch of France's Societe General bank on 30th December 1992.
- iv. \$1,49,081 from Union Bank of Switzerland on 5th January 1993.
- v. \$94,405 from Union Bank of Switzerland on 6th January 1993.
- vi. \$1,00,000 in travellers cheques on 28th April 1993.
- vii. \$1,00,000 in travellers cheques on 8th May 1993.
- viii. \$79,924 from Habib Bank AG Zurich in Switzerland on 21st June 1993.

56. Isn't it a fact that all US dollar travellers' cheques have to be cleared in New York and the transfer to Salman Zia's account of the above traveller cheques to the tune of \$1.65 million was confirmed by the US authorities at the request of the FIA and by bank records? Isn't it also a fact that the entire activity in this account was carried out by Javed Kayani in his own hand writing and Finances lodged in the Salman Zia's account were disbursed to Javed Kayani, members of his family and an offshore company called Sharmock Consultant Corporation? Isn't it also a fact that they were also used to raise Dollar Bearer Certificate [DBC] that formed collateral to a loan amounting to Rs:60 million provided by Hudabiya Engineering Limited, whose Director are members of your family. Isn't it also a fact that the out-going payment from the Sulman Zia account clearly established its link to Javed Kayani and Sheikh Saeed, namely:

- i. \$3,900 To Marium Begum Kayani's account number 202-120-101265 at the Habib Bank, AG Zurich, Lahore, on 28th September 1993.
- ii. \$8,114 to Javed Kayani's account number 202-120-

101265 on 28th September 1993.

iii. \$62,610 to Star Trading and Marine Incorporated in New York on 4th July 1993. This is a company owned by Sheikh Saeed.

iv. An amount of \$7,50,000 in the form of DBCs was transferred from the fake account of Salman Zia to account number 230133-91 in the name of Kashif Masood Qazi at the Lahore Branch of Bank of America.

v. A sum of \$750,000 was also transferred to the account of Kashif Masood Qazi from a fake account at Habib Bank AG Zurich in the name of Mohammad Ramzan.

vi. A further amount of \$5, 00,000 was transferred to the account of Kashif Masood Qazi from the account of Nuzhat Gohar Qazi at the same branch of Bank of America.

57. Wouldn't you agree with the fact that the address of Ishaq Dar at Lahore was used in the account opening forms of Bank of America and both Kashif Masood Qazi and Nuzhat Gohar Qazi residing in UK and neither was present in Pakistan at the time the accounts in their names were opened? Isn't it true that the Handwriting analysis shows that the accounts were opened and operated by Javed Kayani and in total \$20,00,000 was paid into the account of Kashif Masood Qazi and the money was used as collateral against a loan worth Rs:60 million obtained by Hudabiya Engineering Pvt Ltd from the Bank of America? Wouldn't you further agree that the directors of **Hudabiya Engineering** include:

- | | |
|------------------------------|------------------------------|
| i. Mian Hussain Nawaz Sharif | Son of Mian Nawaz Sharif |
| ii. Mrs. Mian Nawaz Sharif | Wife of of Mian Nawaz Sharif |
| iii. Mian Shahbaz Sharif | Brother of Mian Nawaz Sharif |
| iv. Mian Abbas Sharif | Brother of Mian Nawaz Sharif |
| v. Mian Mohammad Sharif | Father of Mian Nawaz Sharif |

58. Isn't it evident from these transactions that the ultimate beneficiary of money laundering from Switzerland via the fake account of Sulman Zia was the immediate family of Hussain Nawaz Sharif? Isn't it true that the link between the Sulman Zia account, Kashif Masood Qazi and the Sharif family's Hudabiya Engineering Company can be proved beyond any doubt?

59. A copy of the opening form for the Mohammad Ramzan's account number 202-120-106578 and a record of its activities is appended at "**ANNEXURE-G**". According to handwriting analysis, the form

was signed by Javed Kayani. Payments into the Mohammad Ramzan account include;

- (1) \$2,00,000 in travelers cheques issued by the National Bank of Abu Dhabi on 6th May, 1993.
- (2) \$62,477,50 from Swiss Bank Corporation on 20th September 1993.

60. Isn't it correct that Bank records show that the account had previously received \$13,00,000 in travellers cheques in October 1992 and against these details DBCs, worth \$15 million were issued in favour of Mohammad Ramzan account of which \$7,50,000 was transferred to the account of Kashif Masood Qazi at Bank of America is that of Finance Minister Ishaq Dar. Citibank, Karachi, later created a Rs:40,00,000 loan in favour of Hudabiya Paper Mills Limited against collateral held in the Sikandra Masood Qazi account and the link between Hudabiya Engineering owned by Sharif family and these account is beyond any doubt?
61. Handwriting evidence shows that the account 202-120-106585 in the name of Asghar Ali at Habib Bank AG Zurich, Lahore, was also opened by Javed Kayani. Identifiable payments into the Asghar Ali account include;
 - i. \$7,50,000 in travellers cheques from the National Bank of Abu Dhabi on 4th October 1992.
 - ii. \$5,00,000 in travellers cheques on 8th October 1992.
 - iii. \$2,00,000 in travellers cheques on 4th May 1993.
 - iv. \$62,477 transferred from Swiss Banking Corporation on 20th September 1993.
62. Thus, at least \$15,12,477 was remitted to the account, against which DBCs of \$15,70,000 were raised.
63. Is it correct that on 10th February 1993 a payment of \$2,42,630 was made to Miss Sara Sheikh in New York. Isn't it correct that She is the daughter of Sheikh Saeed. Isn't it correct that on 26th May 1993 amounts in the form of DBCs were transferred to the account of Sikandra Masood Qazi at Citibank to form part of collateral for the loan to Hudabiya Paper Mills to the tune of Rs:40 million?
64. Isn't it correct that according to official documents of Company House UK submitted by Hassan Nawaz Sharif's Flagship Investments Management Ltd, there were only £5,118 whereas its net loss was £1.514 Million and Contrary to this financial statement, Hassan Nawaz remitted \$3.836 Million in 2013-14?

- The break-up of these remittances was \$ 1.9147, \$ 1.922291 & \$ 2.170 during the years 2013, 2014 & 2015; whereas Hassan Nawaz's remittances to Nawaz Sharif were much more during the same years.
65. Isn't it true that as per financial declarations of Hassan Nawaz, his company's net liabilities are exceeding than that of its profits but in actual scenario heavy amount of £42.5 Million [Rs:6.375 Billion] were lent to purchase properties in London and this amount forms the part of laundered amount from Pakistan obtained and accumulated through undue influence and corrupt practices?
 66. Isn't it correct that during your tenures of public office, you and your family members also purchased property worth Billions of Rupees.
 67. Isn't it true that Ramzan Sugar Mill owned by your Family, had obtained \$30 Million from Faysal Bank in 1990 during your first tenure as PM by misusing your official power and this loan was obtained by asserting undue influence and intimidation over the top management of the said bank?
 68. Wouldn't you agree that the said loan was obtained on the **Chandron Jersey Pvt Ltd** and subsequently was fraudulently transferred and used for another mill namely **Chaudhry Sugar Mill** under your Directorship?
 69. Isn't it a fact that you as the Director of the above said Mills in sheer violation of Banking Regulations used your undue influence to **shift the liabilities** with regards to loan facility worth \$30 Million **to a worthless and non-capital paper company?**
 70. Won't you admit that this sheer violation of loan facility was taken against prevalent laws of the country and falls within the exclusively cognizable jurisdiction of NAB?

Prime Minister Nawaz Sharif was definitely in trouble while going through the details of 70 questions. Basically it was the crux of all the investigation reports which were available on FIA & NAB's files but due to corruption in all departments in Pakistan the same were left in sleeping and slumber.

Nawaz Sharif, who was not able to face the initial SEVEN questions of the opposition, was quite upset seeing details of his mis-deeds.

IK TAKES UP PANAMA LEAKS IN ECP:

On 29th May 2016; former president and PPP's co-chairman Asif Ali Zardari rejected the media assertion that he had reached some '**understanding**' with Prime Minister Nawaz Sharif on the issue of Panama Leaks. He denied holding any meetings with Maulana Fazlur Rehman in London which was widely discussed that Maulana was engaged in back-door diplomacy on behalf of PM Nawaz Sharif. Zardari issued statement:

"Pakistan People's Party has a clear stance on Panama Leaks and rumours about reaching an understanding with Nawaz Sharif are untrue, baseless and ill-intentioned."

The former president not only contradicted the reports regarding reaching an understanding with the prime minister, he also stated that **"his party has already decided to pursue the Panama Leaks issue to its logical conclusion"**.

On 2nd June 2016; National Accountability Bureau [NAB] Chairman Qamar Zaman Chaudhry made clear to the media that the corruption watchdog was waiting for the government procedure to be decided for the probe into Panama Leaks. Chaudhry told reporters that the accountability body would act after getting substantial evidence. See his dialogues:

"...the NAB will not tolerate corruption anywhere including the projects of the CPEC. Love your country and you will see the corruption graph going down. The NAB invited the wrath of ruling PPP in Sindh after inquiring into the cases against the political elite in the province.

NAB arrested Balochistan Finance Secretary Mushtaq Raisani and recovered Rs:730 million in rupee and foreign currency from his one residence."

In fact NAB Chairman kept silent rather went non-cooperative in dealings concerning Panama Leaks and the SC had to pass very derogatory remarks against him.

On 14th June 2016; the PML[N] government and the Opposition met again despite a series of failed meetings for finalising the TsOR to probe Panama Leaks. The Opposition Leader Khurshid Shah told the media that the PPP would take a final decision on the TsOR that day if negotiations with the government failed.

In fact, the PPP wanted to avoid street politics like of PTI way but the government didn't change its stance. The prime minister in his speech to the nation had presented himself for accountability but actually the government was buying time.

Khurshid Shah had communicated Zardari's message to Aitzaz Ahsan that the party should move on with the Panama Leaks with the consultation of opposition parties. He did not see an end to the deadlock between the government and the opposition on crafting of the TsOR.

*[The fact remained that the PM Nawaz Sharif, after his speech of **22nd May 2016**, had nominated six members for parliamentary committee tasked with finalising Terms of Reference [TsOR] to probe offshore companies, loans write offs and kickbacks etc.*

In a letter addressed to National Assembly Speaker Sardar Ayaz Sadiq, Minister for Finance Senator Ishaq Dar said that in pursuance of the motions adopted by the National Assembly on 19th May and the Senate on 20th May on this subject, the prime minister had nominated six members from the treasury benches from both houses.

The names included Finance Minister Ishaq Dar, Ports and Shipping Minister Mir Hasil Khan Bizenjo, Minister for Housing Akram Khan Durrani [JUI-F], Minister for Defence Kh Asif, Railways Minister Kh Saad Rafique and Minister for IT Anusha Rehman Khan. The opposition parties had not submitted their list of names yet.

Surprisingly, the government list didn't include the name of Law Minister Zahid Hamid who had been tipped to be a strong contender to be part of the committee.

The expected six names from the opposition parties were ANP's Ghulam Ahmad Bilour, PTI's Shah Mahmood Qureshi, PPP's Aitzaz Ahsan, PML[Q]'s Tariq Bashir Cheema, MQM's Barrister Muhammad Ali Saif and JI's Tariqullah.

Political observers believed that the toughest challenge for the panel was to finalise the TsOR within 15 days only which was not tenable by the ruling PML[N]. PTI insisted that they would wait for 15 days once the committee starts functioning.

The MQM, which first quit and then rejoined the 9-party opposition alliance, had approached the government seeking representation on its panel. Getting no good response from PML[N], the MQM finally landed in the opposition's panel. MQM's inclusion heightened the possibility of differences developing within the opposition.]

On 20th June 2016; Senator Aitzaz Ahsan told the media that Hussain Nawaz himself disclosed about their property worth billion of dollars and that the government was adamant to keep the same terms of reference [TsOR] which the Supreme Court had already nullified.

PTI's Shah Mehmood Qureshi said that the government was trying to give the impression that they had reached deadlock over one particular point in TsOR – but that was the main point: PM Nawaz Sharif and his family FIRST.

On 25th June 2016; the PTI filed a reference with the Election Commission of Pakistan [ECP] seeking disqualification of Prime Minister Nawaz Sharif ***which appeared to be more focused on his daughter Maryam Safdar than the premier himself.***

Reference – filed by **petitioner Dr Yasmeen Rashid** – was to seek action under Sections 99, 82, 42-A, 12, of the Representation of the People Act, 1976 read with Articles 62 & 63 of the 1973 Constitution, and all other enabling provisions of the Act and the Constitution for disqualification of the respondent for being a member of parliament.

The objective of the party [PTI] was to discourage the tendencies among the ruling families about their will to turn the country's governance system into a monarchy.

The PTI wanted to get the prime minister disqualified for telling lies to the nation and concealing his offshore assets. They also made Maryam Safdar the focal point in the reference so that when the prime minister would be disqualified, the chances of entry of his daughter into parliament could be blocked - since she was working as the de facto prime minister in fact.

The entire reference was based on the same premise: Nawaz Sharif and Maryam Safdar had concealed their offshore assets. The focus was that the respondent [Nawaz Sharif] while submitting his nomination papers for the 2013 general elections wilfully concealed his assets and the assets and liabilities of his family members, particularly his daughter, Maryam Safdar, who had been declared as dependent of the respondent, particularly the documents related to the Federal Board of Revenue [FBR] [wealth tax returns / statements of the FBR for the year 2011 and 2012].

In compliance with Section 12 sub-section (2) clauses (a), (c), (d), and (f), of the Representation of the People Act, 1976 all contesting candidates are bound to declare their assets and liabilities as well as the assets and liabilities of their spouse and dependants. The reference also reads:

"And any concealment of assets or non-declaration of assets and/or liabilities, concerning/related to the candidate or his/her spouse or any of his/her dependent in any manner whatsoever wilful or otherwise is substantial violation of the law resulting in disqualification of the returned candidate for being a member of parliament as per Section 99 of the Representation of the People Act, 1976 and Articles 62 and 63 of the Constitution."

The representatives chosen by the people of Pakistan must fulfil the qualifications laid down under Section 99 of the Representation of the People Act, 1976 and under Article 62 (d), (e) and (f) of the Constitution that says **"a person shall not be qualified to be elected or chosen as a member of parliament unless, ... he is sagacious, righteous, non-profligate, honest and ameen..."**.

The PTI's reference further stated that:

"It appeared that many offshore companies are also owned by the respondent's family and his dependant daughter Maryam Safdar.who owned a number of offshore companies. The record, investigation and collection of documentary evidence are in process....."

Moreover, the concealment of assets and financial discrepancies discovered..... particularly the wealth statement for tax year 2011, showed land worth Rs:24,851,526 in the name of his daughter Maryam Safdar as his dependent.

According to revelations made in the Panama Papers, Maryam Safdar became the sole shareholder of Nescoll in 2006 and a letter to this effect was filed with **Mossack Fonseca**. She was also co-owner of another BVI company, Coomber Group, through which a loan of £3.5m was secured from Deutsche Bank in June 2007. (*The documentary evidence of the above mentioned offshore companies is available on the website of the International Consortium of Investigative Journalists [ICIJ] and should be considered at the time of evidence*).

In his nomination papers, the respondent mentioned the name of his daughter 'Maryam Safdar' as his dependent bearing CNIC 25201-5827424-

4, on which National Tax Number 1308504-2 was obtained on October 12, 2001, c/o Chaudhry Sugar Mills.

The reference then pointed out to the admission of Hussain Nawaz in a TV interview, claiming that Maryam Safdar was the sole owner of two BVI companies and also the co-owner of another BVI company (Coomber Group) since 2006. Therefore, in view of such admission by the respondent's son, the respondent was bound to declare these assets as his dependent daughter's assets in the column number four of his nomination papers but he did not do that deliberately.

Moreover, the reference pointed out that Maryam Safdar signed loan papers to secure loans from foreign banks. However, no liability was shown by the respondent though she was declared as dependent. "That by non-disclosure of the true and actual state of affairs regarding assets / loans in offshore companies by the dependant daughter Maryam Safdar, the respondent violated the mandatory pre-requisites of Sections 12-(2), 12-(c) & 12-(d) of the Representation of the People Act, 1976.

The reference also blamed Prime Minister Nawaz Sharif for concealing his assets. The reference points out that the late father of the respondent, Mian Muhammad Sharif, was the owner of Mayfair Apartments in London, UK, and Hudabiya Paper Mills. After his demise, shares of Hudabiya Paper Mills as well as the shares in London property were inherited by the respondent (the PM). The respondent only declared the shares of Hudabiya Paper Mills as assets in his nomination papers, but concealed the ownership of Mayfair Apartments.

The reference stated that the respondent showed liability of Rs: 110,000,000 in respect of Ramzan Sugar Mills as of June 30, 2011. The total net wealth declared was Rs:149,398,035 (in 2010 net wealth was shown at Rs:63,737,827). Total expenses were shown at Rs:19,878,706. No information was provided in the expenditure statement as to who was paying expenses of the Raiwind Palace that is owned by mother of the respondent. She has no resources to bear huge expenses of this residence.

"That the respondent in his nomination papers declared total net wealth as on June 30, 2012 at Rs:261,659,827 and as on June 30, 2011 at Rs: 166,049,542 showing accretion of Rs:95,610,542."

Moreover, the reference stated that the respondent and his son-in-law, Muhammad Safdar, in their statements of assets and liabilities as on June 30, 2011 did not declare gift of Rs:31,700,000 in the assets for the year which was the requirement of the law.

The Living History of Pakistan Vol-VII

The reference also said that the respondent contrary to the provisions of Section 116(2) of the Income Tax Ordinance, 2001 did not file wealth statement with the return of total income. *"He did not comply with the law even when pointed out through a note on the acknowledgment slip. In fact, wealth statements for the tax year 2012 and 2011 were filed just before the filing of the nomination papers."*

The reference added that the returning officer did not follow the guidelines and late filing of more than one year was ignored as tax default for applicability of Article 62(1)(d) of the constitution.

The plea further stated that the respondent after returning to Pakistan from what he called "exile" filed wealth statements for tax year 2011 and 2012 on March 21 and 22, 2013, respectively.

"He did not file statements from 2007 to 2010 to justify increase in assets vis-à-vis wealth statement filed as on June 30, 2007. That there exist lots of questions and doubts why these statements were not filed on time and no action was taken in accordance with law against the respondent, particularly, when the same were filed just before a few days of filing the nomination papers in gross violation of the law. It is pertinent to mention here that such default was required to be noticed by the ECP."

Hence the reference asked for disqualification of Prime Minister Nawaz Sharif as member of the National Assembly for concealment of assets and mis-statement to the ECP.

On the PTI's above reference, the ECP on **29th July 2016** announced to hear the reference from 3rd August 2016.

PTI's move came a day after the Pakistan People's Party [PPP] hinted at leaving the dialogue process over the terms of reference [TsOR] of the Panama Papers probe and instead filed graft cases against the Sharif family for keeping offshore holdings as disclosed in the Panama Leaks.

Meanwhile, Dr Tahir-ul-Qadri filed a separate reference with the ECP seeking disqualification of Prime Minister Nawaz Sharif for allegedly concealing his assets – under the same major head of Panama Leaks. According to points mentioned in his reference, prime minister himself, and his family members in parliament had falsely stated their assets to the ECP in their mandatory filings.

The Living History of Pakistan Vol-VII

Dr Qadri's reference alleged that the act of concealing assets was a **'treason'** that had put into suspicions the loyalty of PM with the state and the constitution.