

## **SCENARIO 249**

### **SHARIFs IN FOCUS DURING PM KHAN's TIME**

#### **THE VIDEO SCANDAL:**

**On 6<sup>th</sup> July 2019;** Pakistan Muslim League Nawaz [PMLN]'s Maryam Safdar released a controversial videotape at a press conference alleging that the country's judiciary acted under compulsion and pressure to convict her father Nawaz Sharif. In the video, Accountability judge Arshad Malik was seen allegedly admitting that he was ***'blackmailed into delivering a verdict against former PM Nawaz Sharif in a corruption case on 24<sup>th</sup> December 2018'***. The particular verdict was given in Al-Azizia Case in which Mr Sharif was found guilty of corruption charges and sentenced to seven years in prison.

In the audio, recorded separately from the video, the judge pointed out the defects in his own judgment and shared the points that Sharif would be able to argue in the appeal then pending before the Islamabad High Court. The foreign media analysts contended that the independence of the Pakistani judiciary was [once more] eroded to the extent that such an ugly scenario had popped up. In the country, Maryam stirred Pakistan's entire political and judicial system through her press conference.

The PTI government rebutted Maryam's claim vehemently that the audio-video was fake and was concocted to malign the judge and the NAB as an anti-corruption state institution. The electronic media and the press of the country got a hot issue inviting the intelligentsia for and against and started discussing the scandal on air and in open.

A month earlier, a similar scandalous video was **aired** on TV channels and social media having secretly recorded a conversation between the NAB Chairman [Justice retired Javed Iqbal] and a woman, the wife of another convicted criminal. In the video, the NAB Chairman expresses a sexual desire to meet the woman separately. However, the Chairman neither acknowledged or commented on it nor resigned as per expectations of many.

*[Such intimidations remained in circulation throughout the judicial history of this country. In the 1990s, the Nawaz government was caught calling Lahore High Court's Justice Malik Qayyum to enhance 'full doze' of the verdict against Benazir Bhutto. Later, in 2007, Gen Musharraf summoned the then Chief Justice of Pakistan Iftikhar Chaudhry demanding his resignation.]*

Coming back to the video in question, the judge Arshad Malik told a PMLN worker [Nasir Butt, who allegedly had a strong part-affiliation history, too] that there was no evidence of corruption, money laundering or kickbacks against Nawaz Sharif, but he (the judge) was forced to rule against him. At one point, Malik also said that someone had a video of him of a very personal nature and it was ready to be released. The dialogue played was: ***he would not be able to 'sustain pressure' and might even 'commit suicide'.***

PMLN's Maryam Safdar also claimed that she's in possession of more such tapes that could prove her father was convicted in a fraudulent trial - she demanded that Nawaz Sharif be released immediately in the light of that tape video. The aspiring next prime minister was so ignorant of the laws of the land that no government executive could release any convict on the basis of such tape releases or press conferences – one has to go through due process of law in the respective courts.

However, following her press conference, Judge Malik immediately released a statement refuting Maryam's claims while saying that:

*"I want to clarify it there was neither any direct or indirect pressure on me nor was there any greed. I decided all these cases on the basis of evidence."*

It appeared that the said videotape scandal had put the legitimacy of Nawaz's conviction under question for a while. If it was a fact that he actually admitted to being under duress could completely vitiate a trial. However, separate issues related to the videotape cropped up - mainly an issue about privacy; as ***judge Arshad Malik was recorded in a video without his consent***. More so, the evidential value of the tapes was subject to forensic tests.

Maryam Safdar's critics and a sizable number of media houses argued she could have taken the tapes to the judiciary and not released them through a press conference. Most of them contended that Maryam's prime motive behind releasing those videotapes was political and not legal. And she was successful in scoring high points. Imran Khan's government initially okayed to facilitate an investigation looking into the legitimacy of these tapes but finally declared it a matter relating with the judiciary. Meanwhile, certain TV anchors were reprimanded for being un-careful for airing the uncertified version of the said video-tape. Some channels were made off air for some time, too.

The scandal also rattled the Pakistani judicial establishment. Following Maryam's press conference, the Acting CJ of the Islamabad High Court [IHC] had a 45-minute exclusive meeting with the Pakistan's Chief Justice Asif S Khosa to find out some solution of the video-tape issue. Two options appeared: Either the Islamabad High Court could take the matter forward or the Supreme Court could initiate proceedings *suo-moto*.

BUT the intelligentsia had the dismal and bleak history of Pakistan's judiciary in mind. In 1997, Supreme Court Justice Malik Qayyum had convicted former Pakistani PM Benazir Bhutto and her husband Asif Ali Zardari in a corruption case on explicit instructions of PMLN leadership. It was later found that Justice Qayyum had colluded with the executive and the ruling had to be overturned. ***In 2001, the judge was sent home disgracefully and unceremonially by the Supreme Court of Pakistan.***

### **ACCOUNTABILITY JUDGE SENT HOME:**

**On 12<sup>th</sup> July 2019;** Maryam Safdar called for the verdict against her father Nawaz Sharif to be expunged following the Islamabad High Court's [IHC] decision to remove Accountability Judge Arshad Malik from his post. In numerous tweets, Maryam held that the matter was not about the removal of a judge, instead - it was about suspending the verdict that the judge had issued. See her tweets:

*"The clear meaning of the removal of the judge is that the judiciary has accepted the truth. If this is the case, how can a verdict by this judge be maintained?"*

*A judge [...] was found guilty of misconduct and being removed from his post; how can the subject of his misconduct be punished?"*

*Is it enough to only remove the judge? Certainly not.*

*Now this matter is not restricted just to Nawaz Sharif. I am turning to the judiciary for justice. I will keep waiting."*

**On 13<sup>th</sup> July 2019;** after consultation with the Supreme Court amid deepening political and judicial crises, the Islamabad High Court [IHC] removed accountability court judge Arshad Malik while the apex court fixed a petition seeking a thorough probe into the video for hearing on 16<sup>th</sup> July 2019, three days later. The admin stopped the judge from performing judicial duties.

Prior to this, Judge Malik had called on acting CJ of the IHC, Aamer Farooq, twice within that week and submitted a letter to him along with an affidavit claiming that he was blackmailed owing to another ***'damaging but manipulated immoral video in a compromising position, recorded somewhere in Multan'***.

[In his affidavit, judge Malik claimed that Nasir Butt and Nasir Janjua of the PMLN used the manipulated immoral video to blackmail him time and again. He also claimed that his two acquaintances Mahar Jilani and Nasir Janjua met him in February 2018 and informed him that his appointment was made on their recommendations.]

On 13<sup>th</sup> March 2018, Judge Malik was posted as the Accountability Court judge a couple of months after being transferred to the IHC from Lahore High Court. When Nawaz Sharif's trial in Al-Azizia and Flagship Investment was transferred to his court, he was approached multiple times by associates and supporters of the PMLN supremo, the judge said.]

However, Mr Malik said in spite of all those attempts, he was determined to decide the reference purely on merit and subsequently convicted Nawaz Sharif in Al-Azizia reference but acquitted him in Flagship Investment reference on 24<sup>th</sup> December 2018. After their failed attempts, they showed him the immoral Multan video when he was posted there in the past. The judge submitted that:

***'.....due to fear of the 'Multan video' he met Nawaz Sharif at Jati Umra on 6<sup>th</sup> April 2019, Hussain Nawaz in Saudi Arabia on 1<sup>st</sup> June 2019 and Nasir Butt pressurized him to get his assistance in preparation of grounds for appeals in Al-Azizia and Flagship references.'***

After perusing the affidavit, the IHC addressed to the law ministry stating that the releasing of videos, issuing of press release by the registrar accountability court-II Islamabad and affidavit submitted by the incumbent judge narrating his version required his immediate removal. Judge Arshad Malik's affidavits were also enclosed. The IHC's recommendations were strong enough saying that *'he may be removed / relieved from his duties by the competent authority forthwith so that he can be repatriated to his parent department, i.e. Lahore High Court, Lahore.'*

The IHC registrar office also stated:

*"This letter may be treated as consultation of the Chief Justice of this court as required under section 5A (4) of the National Accountability Ordinance, 1999. An early action in this regard shall be highly appreciated."*

Shortly after this development, the Federal Ministry of Law, in compliance with the IHC directions, barred Judge Malik from serving as an accountability court judge. It also expressed the hope that NAB would initiate proceeding against those who used the video to blackmail the accountability court judge.

**On 16<sup>th</sup> July 2019:** In another significant development, the SC started hearing that petition moved by one Ishtiaq Ahmed Mirza, a lawyer and a social activist. During the hearing of the case by a three-judge SC bench, the CJP regretted that the conduct of Judge Malik had

caused all honest, hard-working and dedicated judges to bow their heads in shame. The CJP also wondered why the Federal Investigation Agency (FIA) had failed to conduct forensic examination of the video. The entire country, except the FIA, had copies of the video. The CJP questioned why no party had moved any application before the IHC to place the video as evidence in the appeal pending against the ex-PM's conviction.

While reading out a report furnished by the FIA on the video scandal, the then Attorney General (AG) told the honourable bench that the video of Judge Malik was made by (another) accused Mian Tariq Mehmood of Multan between the years 2000 and 2003, when the former was posted as additional District and Session's Judge in Multan.

According to the FIA report, Shahbaz Sharif had expressed ignorance about the video, claiming that (only) Maryam Safdar could give any clarifications. Other PMLN leaders Kh Asif, Ahsan Iqbal and Atta Ullah Tarrar also adopted a similar stance. Significantly, Maryam also attempted to disassociate herself from the details and specifics of the acquisition, origins, source, recording, dissemination, release and timing of the said audio / video. She placed the entire responsibility and burden upon accused Nasir Butt.

In an affidavit, Judge Malik said that at a social gathering attended by both accused Nasir Janjua and one Maher Ghulam Jilani, the former took him aside and implored him to give verdict of acquittal in both the references. The judge also claimed he was again approached by the two accused ***Janjua and Jilani offered him Euros equivalent to Rs:100 million and telling him that the foreign currency worth Rs:20 million was readily available in their vehicle outside.*** Also, that accused Nasir Butt met him and threatened him regarding revelation of the video by accused Janjua.

After a couple of days, accused Mian Tariq visited the judge's house and showed him the video. When Judge Malik was asked if accused Janjua had ever personally showed the video to him, the former replied in the negative. However, the judge maintained the version and accusations in his affidavit and complaint as correct.

**On 23<sup>rd</sup> August 2019;** the Supreme Court wrapped up all the petitions on video links involving judge Arshad Malik, saying that 'We find that it may not be an appropriate stage for this court to interfere in the matter of the relevant video and its effects' since the criminal appeal was lying subjudice before the Islamabad High Court [IHC]. The verdict was authored by the CJP Asif Saeed Khosa himself. His written remarks in the judgment included:

*"His admitted conduct emerging from that press release and the affidavit stinks and the stench of such stinking conduct has the tendency to bring bad name to the entire judiciary as an institution.*

*His sordid and disgusting conduct has made the thousands of honest, upright, fair and proper judges in the country hang their heads in shame."*

However, the five issues addressed by the top court were that:

- Relevant forum for consideration in Nawaz Sharif Case
- Establishing video as 'genuine piece of evidence'
- If genuine, how will video be proven before court of law?
- Effect on the Nawaz Sharif Case
- Conduct of judge Arshad Malik

**On 7<sup>th</sup> September 2019;** a trial court of Islamabad acquitted three people accused in Accountability Judge Arshad Malik's video scandal as the country's premier investigation department, FIA, had failed to produce any evidence against Nasir Janjua, Khurram Yousuf and Ghulam Jilani. They were arrested on 2<sup>nd</sup> September after a Cyber Crime Court had turned

down their plea for extension in bail before arrest. A report by the FIA had cleared them of all charges whatsoever.

**On 5<sup>th</sup> Oct 2019;** Former PM Nawaz Sharif requested the IHC to review the evidence linked to a controversial video and statement of judge Arshad Malik before deciding the PMLN supremo's appeal, then pending before that court, against his conviction in the Al-Azizia case.

**A sad note:** It also remains a fact that Pakistan's superior courts keep a history of undertaking to resolve all sorts of contentious political cases; more often quite un-necessarily. The Supreme Court has written several controversial opinions legitimizing military coups, legitimizing several political office holders knowing that they were not truthful and honest - blatantly ignoring the evidence on record - FAKE DEGREES case and swallowing the bank loans of billions smilingly are here as reference.

Due to acute politicization, Pakistan's high courts didn't enjoy a reputation of judicial integrity; the lower courts being more corrupt. The administrative courts like Banking, Labour, and Customs and to great extent the NAB courts too, are particularly vulnerable to political pressure. The media and the politicians accuse, though only in whispers, the military establishment for most political convictions BUT in fact both segments allege the army just to hide their own shortcomings and corrupt practices.

Unfortunately, there is no easy solution for fixing the degradation of judicial ecology in Pakistan. No anticorruption agency like NAB or FIA can initiate action against any judge; even the parliament or its committee cannot do so. The only door open to this effect is a constitutional provision of the Supreme Judicial Council [SJC] – AND the irony of fate is that since 1973, only one judge could be proceeded against successfully by the SJC made under that provision while tens of cases are either lying pending or suffered their own death due to ineptness of the said body / Council.

Referring to an essay by L ALI KHAN in *jurist.org* dated 11<sup>th</sup> July 2019:

*"A culture of military coups, election tampering, corruption, horse trading in the national and provincial legislatures, ethics-free politics, obsessive patriotism that treats critics as traitors, these and other factors vitiate the dynamics of justice. Under these social burdens, good faith judicial neutrality appears unavailable. Much like politicians, judges and Generals are perceived to have been forced into partisanship."*

Article -II of the Judicial Code of Conduct states that '.... a Judge should be God-fearing, law-abiding, abstemious, truthful of tongue, wise in opinion, cautious and forbearing, blameless, and untouched by greed'. However, in practice not an iota of the above adjectives is adhered to. This rule, under the current epidemic of scandals in fact presented a very dismal scenario of Pakistan's judiciary – the details of Judge Arshad Malik be taken as a fresh episode confirming that attitude.

### **SHAHBAZ SHARIF AT MAIL-ON-SUNDAY**

**On 14<sup>th</sup> July 2019;** an investigative report appeared in the British newspaper **DAILY MAIL** accusing former Punjab chief minister Shahbaz Sharif and his family of allegedly embezzling millions of pounds out of £500m aid lent by the Department for International Development [DFID] for 2005 earthquake victims. However, Mr Sharif refuted the report declaring it a fabricated and defamatory story tarnishing his political image. He termed it as part of propaganda launched by the then Prime Minister Imran Khan against the PMLN in the name of sham accountability.

When the report was published, Shahbaz Sharif was the leader of Pakistan's main opposition party, Pakistan Muslim League-Nawaz (PMLN) and, before losing power in 2018, spent ten years as mighty chief minister of the country's biggest province, Punjab – home to 110 million people. For years he was renowned as a Third World poster boy, who spent millions for the uplift of his province. However, the investigative report claimed that Shahbaz and his family were embezzling tens of millions of pounds of public money and laundering it in Britain. The investigators were convinced that some of the allegedly stolen money came from DFID-funded aid projects.

On the other hand, Shahbaz's London based son Suleman immediately denied the allegations against him and his family, saying they were the product of a 'political witch-hunt' ordered by Pakistan's PM Imran Khan and his PTI.

**[Transparency International:** *Pakistan comes just 117th in the world integrity index and 'corruption is a major obstacle' there. DFID admits it is 'well aware' that Pakistan is a 'corrupt environment'. However, since 2014, DFID has given more aid to Pakistan than any other country – up to £463 million a year.*]

During the first week of July 2019, **The Mail on Sunday (MOS)** – which had campaigned against Britain's policy of spending 0.7 percent of national income, then about £14 billion a year, on foreign aid – was given exclusive access to a high-level probe ordered by PM Imran Khan. Interview of key witnesses held on remand in jail were allowed where a UK citizen Aftab Mehmood, claimed that:

*".....he laundered millions on behalf of Shahbaz's family from a nondescript office in Birmingham – without attracting suspicion from Britain's financial regulators, who inspected his books regularly."*

During 2018; the Daily Mail had also disclosed corruption cases against Pakistan's former prime minister Nawaz Sharif, who had built up a London property empire worth £32 million. Convicted of corruption, he was then serving a seven-year jail sentence but ***due to weak justice system of Pakistan, he managed to flee from there on the basis of false medical reports.***

The **Mail on Sunday** further revealed that:

- Certain legal documents divulged that Shahbaz's son-in-law named Imran received about £1 million from a fund established to rebuild the lives of earthquake victims – to which DFID gave £54m from UK tax-money;
- There were alleged thefts from DFID-funded schemes to give poor women cash to lift them out of poverty and to provide healthcare for rural families;
- Stolen millions were laundered in Birmingham and then transferred to Shahbaz's family's accounts by UK branches of banks including Barclays and HSBC;
- Self-confessed Birmingham money-launderer Aftab Mehmood told the MOS that he had his accounts audited every three months by Her Majesty's Revenue and Customs – who failed to notice anything abnormal;
- Britain's National Crime Agency worked closely with Pakistani investigators to unearth the scam to full extent while the members of Shahbaz's family were enjoying refuge in London;
- Aware of how widespread corruption is in Pakistan, DFID has been running a £1.75 million project designed to 'reduce the exposure to fraud and corruption' of UK aid. DFID admitted that, till then, it referred just one individual to the Pakistani authorities for trying to steal UK funds.

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A night before the article published in the MoS, former International Development Secretary Priti Patel, who is widely tipped to rejoin the Cabinet if Boris Johnson becomes PM, demanded an inquiry. She told the MOS while specially referring to the background of poverty in Pakistan:

*"We spend millions on anti-corruption initiatives and yet it seems clear that Britain is still a money-launderers' paradise. It's vital we now co-operate with the Pakistani investigation, to ensure those allegedly responsible come up against with the full force of the law."*

Indeed, this was how the investigation into Shahbaz and his family began. After winning election on a pledge to combat corruption, Imran Khan set up a special team to deal with it, the Asset Recovery Unit, headed by a UK-educated barrister. They examined a series of suspicious transactions running to many millions and shown that Shahbaz's family's assets grew enormously during the years he was in power.

A confidential investigation report, seen by the MOS, said the family was worth just £150,000 in 2003 but by 2018 their total assets had grown to about £200 million; the family's legitimate income sources could not account for their richness. The money, was channelled from abroad – via several elaborate money-laundering schemes, in which Britain played a central role. Then laundered payments were made to Shahbaz's children, his wife and his son-in-law Ali Imran. But Shahbaz *'was the principal beneficiary of this money-laundering enterprise, by way of spending, acquisition of properties and their expansion into palatial houses where he lived.'*

One of the most audacious schemes was focused on Birmingham. The report listed 202 'personal remittances' from the UK and the United Arab Emirates (UAE) into the bank accounts of Shahbaz's wife, two sons and two daughters.

Under Pakistani law, before the recipients could accept these payments into their accounts, they had to sign 'due diligence forms' saying they had been sent as 'investments' by people they knew personally. Some details here:

- 'We noticed that someone called Manzoor Ahmed had sent a series of 13 payments from Birmingham worth £1.2 million to Shahbaz's wife Nusrat and his sons Hamza and Suleman.' He was traced through his identity card, whose number was on the forms; he turned out to be 'a ***small home-based tuck shop owner' in a remote village, who scraped a living selling poppadoms.*** Needless to say, he had never had £1.2 million, nor ever travelled to England.
- Another man who was said to have sent about £850,000 to Shahbaz's family from Birmingham via HSBC was Mehboob Ali, a Lahore 'street hawker', who lived from taking tiny commissions from collecting old banknotes and changing them into new ones. When I met him in Lahore, he was visibly terrified. He said: 'When I discovered my identity had been stolen, my life overturned. I never met any of these people. ***'Now I try to live by selling glasses of lime juice and it's hard to feed my family.'***

Sending money to Shahbaz's family apparently from these and other poverty-stricken 'investors' was managed via a Briton Aftab Mehmood, the proprietor of Usman International, a money-changing firm in the Sparkbrook area of Birmingham. He explained how the money-laundering worked:

*"I would just receive a fax from Pakistan with the names of the people I had to wire money to. I knew who they were: they were famous. It wasn't my business to ask where the money came from. I simply transferred it, and I did it through the proper channels."*

*"I was audited by HMRC every three months. They wanted to make sure I wasn't money-laundering. I always passed with flying colours. That meant I had no problem with the banks."*

The investigators held that the money had been taken as kickbacks and 'commissions' from government-run projects and delivered by 'cash boys' in bulging sacks to the office of

Mehmood's Lahore contact, Shahed Rafiq. **In jail, Rafiq confirmed this, adding: 'I don't know where the cash came from. It was just business.'** The last part of the scheme was clever. How did Rafiq ensure that when Mehmood wired money to the accounts in Pakistan, he had funds to pay accordingly.

The answer was that Mehmood's company in Birmingham also did legitimate money transfers and had thousands of clients who wanted to send money to relatives in Pakistan. When and if asked to send £100,000 to one of Shahbaz's sons, he would simply wait until he had funds from UK customers who wanted to send equivalent sums to Pakistan. Then, instead of wiring the money to his customers' relatives, he would send it under the names of fake investors to Shahbaz's family's bank accounts. In Lahore, Rafiq would give the relatives the stolen money which had been brought by the cash boys; the payments made by this method totalled £21 million – but were merely the tip of the iceberg.

Investigators traced a further £9.1 million from 'ghost' investors who didn't exist but fake loans and investments in family companies continued in routine; their value touched a further £160 million. Having established the scale of the money-laundering, the investigators moved into phase two – finding out where and how the laundered funds were stolen. Shahbaz's son, Suleman said:

*"This is a witch-hunt against my family. It is similar to what happened at Guantanamo Bay, and under apartheid in South Africa. There is a clique around Imran Khan which is trying to shut out the opposition and they are picking out my family members in order to harass them."*

One case was in the court till the newsbreak – a guilty plea by \*Ikram Naveed, the former finance director of ERRA, Pakistan's Earthquake Relief and Reconstruction Authority, set up after the devastating quake of 2005, which had received £54 million from DFID between then and 2012, both for immediate relief and long-term schemes to rebuild victims' lives. [*\*Naveed is described in Pakistan as the 'right hand man' of Ali Imran – Shahbaz's son-in-law who is married to his daughter Rabia.*]

Naveed pleaded guilty and confessed in November 2018 to embezzling about £1.5 million from ERRA during the period DFID was funding it, of which he passed on almost £1 million to Ali Imran. Naveed said half of this was transferred directly from ERRA's accounts – a claim confirmed by banking records. Ali Imran was summoned to answer questions from investigators, but he failed to appear – because he was in London, and refused to speak to them. He didn't respond to a request for comment from the MOS. Other family members, who had received laundered millions, had also sought refuge in Britain, including Shahbaz's son, Suleman.

### **DFID REPORT ON ERRA PERFORMANCE:**

An internal DFID report, drawn up in 2008, had warned that ERRA 'had yet to develop effective and transparent accountability systems.' Nevertheless, DFID continued pumping millions into ERRA. The report stated that DFID aid to ERRA was not 'earmarked', but paid into its general budget. DFID's funding was aimed at: ***'The UK's financial support to ERRA over this period was for payment by results – which means we only gave money once the agreed work, which was primarily focused on building schools, was completed, and the work audited and verified.'***

Under the Pakistan National Cash Transfers programme, for which DFID had provided nearly £300 million since 2012, giving payments of £100 a month to mothers in poor families. Before Imran Khan became prime minister, inquiries had begun into payments to ***'ghost claimants'*** which were being siphoned off – but the investigation was shut down while Shahbaz's party



was in power. It was reopened, and investigators were conducting a fresh survey of how the money was spent, and whether women who got the stipend actually existed; the Mail on Sunday [MoS] wrote.

A further investigation was then under way into alleged thefts from maternal and child health programmes. Meanwhile, Mr Shahbaz was summoned numerous times to answer investigators' questions, while his son, Hamza, was being held for questioning in custody.

When asked about the payments Suleman allegedly received from the poppadom seller and other questionable sources, he said: *'The law allows foreign remittances and each and every penny I received came through proper banking channels, cleared by the State Bank of Pakistan. [The investigators] are just releasing funny stories in the media. I deny their version. I have done everything according to the law.'*

However, Asset Recovery Unit's chief Shahzad Akbar held that his investigations had already uncovered evidence of money-laundering on a vast scale, much of it conducted via the UK; it appeared that (perhaps) very large sums may have been stolen from aid and development projects financed by the British taxpayers. MoS reporter ended with a very disappointing note from investigators including the main 'Mir Jaffer' of PM Khan named Shahzad Akbar:

*'We are working closely with the **National Crime Agency** and the **Home Office**. We are grateful for this assistance and we hope it will ensure that theft and money-laundering of this magnitude will never happen again.'*

According to **Daily Mail report**, Shahbaz Sharif visited Downing Street when David Cameron was UK's prime minister, held talks with successive international development secretaries – Andrew Mitchell, Justine Greening and Penny Mordaunt – and hosted Boris Johnson when he was foreign secretary. However, they were convinced that the allegedly stolen money came from DFID-funded aid projects. The Mail on Sunday (MoS) revealed:

- "Legal documents allege that Shahbaz's son-in-law received about £1 million (Rs:198.7 m then) from a fund established **to rebuild the lives of earthquake victims** – to which DFID gave £54 million from UK taxpayers;
- Inquiries were launched into alleged thefts from DFID-funded schemes **to give poor women cash to lift them out of poverty** and to provide healthcare for rural families;
- Stolen millions were laundered in Birmingham and then allegedly transferred to Shahbaz's family's accounts by UK banks including Barclays and HSBC;
- Self-confessed Birmingham money-launderer Aftab Mahmood told the MoS that he had his accounts audited every three months by H M Revenue and Customs – who failed to notice anything was amiss;
- Britain's National Crime Agency is working closely with Pakistani investigators and Home Secretary Sajid Javid is discussing the possible extradition of members of Shahbaz's family who have taken refuge in London."

Aware of how widespread corruption is in Pakistan, DFID has been running a £1.75 million (PKR 347.7 m then) project designed to **'reduce the exposure to fraud and corruption' of UK aid** - But the Pakistani authorities were trying to steal UK funds. The former International Development Secretary Priti Patel, keeping the above said investigations in mind, had also felt disturbed – thus her remarks (noted in earlier paragraphs) are on record.

Duncan Hames, policy director of Transparency International told that: *'First you identify suspicious transactions in the banking system and then you follow the money trail back to discover where they came from.'* Indeed, this was how the investigation into Shahbaz and his family began. The Asset Recovery Unit of Pakistan had examined a series of suspicious transactions running to many millions and shown that Shahbaz's family's assets grew enormously

during the years he was in power. Unit's report listed 202 'personal remittances' from the UK and the United Arab Emirates into the bank accounts of Shahbaz's wife, two sons and two daughters.

### **LEGAL NOTICES TO DAILY MAIL ETC.**

**On 26<sup>th</sup> July 2019:** PMLN President Shahbaz Sharif sent a legal notice to British Publication *The Mail* on Sunday (MoS), online news site Mail Online, and its **journalist David Rose**, about an article published on 14<sup>th</sup> July 2019, detailed in above lines. A London-based legal firm Carter-Ruck Solicitors had acted on behalf of the Sharif family; a formal legal complaint was also issued against the news outlets and investigative journalist Rose for the said **'gravely defamatory story.'**

The story published earlier this month claimed that Sharif, the former chief minister of Punjab, had embezzled funds provided by UK's Department for International Development (DFID) for the rehabilitation of the 2005 earthquake. It quoted Assets Recovery Unit Chief Shahzad Akbar and a few other individuals — none of whom were in an official position.

Thus, the story was quickly refuted by the PMLN and the party had insisted that it was published **"on the behest of [Prime Minister] Imran Khan"**. It was also rejected by DFID, that said the body's robust systems had protected UK taxpayers from fraud. *'The article is gravely defamatory of Mr Sharif, including false allegations that he misappropriated UK taxpayers' money of DFID aid intended for the victims of the devastating 2005 earthquake in Pakistan,'* the press release read. *'I am utterly appalled by these allegations,'* the press release quoted Sharif as saying.

The statement further said that at no stage were the allegations properly put to Sharifs in advance of publication. Shahbaz Sharif pointed out that — among other matters — at the time of the earthquake in 2005, I was not even in Pakistan but living in UK in exile. He claimed that the story was part of a **'politically motivated campaign'** initiated by Mr Khan and his aide Akbar. *'No allegation has been proven. There is no evidence of kickbacks,'* Shahbaz's son Suleman was quoted as saying in the report.

### **JOURNALIST DAVID ROSE RESPONDED:**

BUT, simultaneously, Journalist David Rose re-affirmed what he had said in his reporting at **MAIL-ON-SUNDAY** [MoS]:

*"We were also able to interview key witnesses held on remand in jail, including a UK citizen Aftab Mehmood. He claims he laundered millions on behalf of Shahbaz's family from a nondescript office in Birmingham – without attracting suspicion from Britain's financial regulators, who inspected his books regularly."*

Moreover, hours after Shahbaz Sharif's legal team released the press note, Journalist of the MoS David Rose took to Twitter, saying:

*"I'm only going to make one comment on Shahbaz Sharif's recent statements. He [Shahbaz] complains the earthquake was in 2005 before he became CM. But according to evidence already aired in a Pakistani court, the alleged thefts from the quake relief fund were in 2009 and 2011. Refutation?"*

**David Rose@DavidRoseUK**

On 9<sup>th</sup> October 2019: LONDON office of Pakistan's daily THENEWS wrote:

*"A journalist from Daily Mail UK, David Rose has once again come up with claims of still not receiving any lawsuit from the former Punjab chief minister and the Opposition Leader in the National Assembly Shahbaz Sharif against his story exposing alleged thefts from the earthquake relief funds."*

David Rose, in his fresh Twitter message – once more said:

*"Hello Pakistani friends. A lot of you have been asking if Shahbaz Sharif has commenced a lawsuit against me and my newspaper yet. He hasn't.... Sources tell me that investigations by NAB [National Accountability Bureau] and the Asset Recovery Unit into allegations against Shahbaz Sharif have continued with same vigour since my article was published. **This may explain why he hasn't filed a lawsuit:** they have been keeping him busy."*

Later, on 23<sup>rd</sup> August 2019: British journalist, David Rose exposed a series of tweets directed towards him and the news publishers by PMLN President Shahbaz Sharif. Shahbaz Sharif, taking to the website Twitter, had claimed that the British news publisher and the journalist associated with them, i.e., David Rose had failed to respond to his legal notice sent prior citing defamation and libel. To this, Rose had responded that he had already answered it via his twitter message dated 26<sup>th</sup> July – (as given in above paragraphs)

#### **DAILY 'THE MAIL' IN COURT AT LONDON:**

***In fact, the said libel suit against the MoS admin and journalist David Rose was formally launched on 31<sup>st</sup> January 2020;*** it was formally launched at the London High Court then. The disclosure of formal court action was made at a press conference at the chambers of British law firm Carter-Ruck by Alasdair Pepper and Antonia Foster, who were representing Shahbaz. Shahbaz was present with his lawyers at the press conference where the announcement was made. Further, that the Mail Publications were in receipt of the claim form.

Mr Pepper had however, confirmed that tweets by David Rose had also been made part of the defamation claim. On the other side, David Rose said he would not be making any comments for the time being. A source at the Daily Mail confirmed that the publication's lawyers had received the legal claim from Shahbaz Sharif's lawyers. Whereas, the DFID had already rubbished the claims made by newspaper as ***"false and without any foundation."*** Shahbaz Sharif's lawyer said the UK government had also flatly contradicted the Mail's claim. On the very day of the publication, the UK's Department for International Development (DFID) responded to the Mail on Sunday.

The Carter Ruck lawyer said that (astonishingly) PTI's Federal Minister for Education ***Shafqat Mahmood had supported refutation of the Mail's claim.*** He was referring to a press conference held at the Dorchester Hotel a week ago by Shafqat Mahmood in which, answering questions, he said that Britain's aid programme to Pakistan was by and large well managed and run properly under the previous PPP and PMLN governments. PTI's federal minister also held that: *"Shahbaz Sharif seeks withdrawal of the allegations and an unreserved and unambiguous apology from the Mail's publisher – AND that any sums awarded to him in damages will be paid to charity."*

It remained a mystery that why PM Khan's Special Assistant on Accountability Shahzad Akbar was not made a party in the claim against Daily Mail although Shahzad Akbar had incited Shahbaz Sharif to sue him as well. Addressing the media, Shahbaz Sharif said:

*"The article was a politically motivated campaign against him and his family by the incumbent government of Pakistan (PTI). He was determined to prove that allegations against him were false, baseless and politically motivated to malign him. He regretted that the Mail publications made allegations without any proofs. It was clear that the Mail journalist was used by the PTI government by **granting the journalist exclusive access to some of the tampered results** of a high-level probe ordered by PM Khan; including a **confidential investigation report** and unusual access to interview key witnesses held on remand in jail.*

*They (the PTI) couldn't compete with the PMLN in anything."*

Shahbaz Sharif held further that the Transparency International (TI)'s report had frightened the PTI government, which was in turn; attacking and victimising political opponents; wondering at the clarification issued by the TI Pakistan while the report had been released by the main chapter of the NGO in Berlin. He termed PM's Special Assistant Shahzad Akbar as a **"sycophant - there was not even a shred of evidence against him"**. Mr Sharif added that:

*"DfID had done a great job in training the youth of Pakistan and providing them healthcare. He said that instead of thanking DfID and the British authorities, the Pakistani government was defaming them. Little did they realise that while trying to hit me, they [government] are bringing a bad name to Pakistan."*

DfID had separately refuted the claims made by The Mail on Sunday (MoS). It was understood that the case was going for trial before a judge at the Royal Court of Justice and the due date to get trial was between nine months to a year those days.

Regarding **hearings** at the Royal Court of London, Daily Mail took much time to submit a defense of Rose's story. On 20<sup>th</sup> April 2020, Justice Nicklin issued the initial order for the listing hearing window running from 21<sup>st</sup> April 2020 to 31<sup>st</sup> July 2020. On 7<sup>th</sup> May 2020, Justice Nicklin issued a second ruling that extended the due dates. On 20<sup>th</sup> October 2020, Justice Nicklin issued the first order, merging the claims of Shahbaz and his son-in-law Yousaf.

**On 28<sup>th</sup> January 2021**; Justice Nicklin issued another order pertaining to the preliminary issue trial. The verdict and order were delivered on 5<sup>th</sup> February 2021. Justice Nicklin ruled at the hearing at the London High Court in favour of PMLN President Shahbaz and his son-in-law. **Justice Nicklin determined that the Mail on Sunday's article carried the highest level of defamatory meaning for both Shehbaz and Yousaf.**

**On 18 February 2021**, Justice Nicklin issued the directive with relation to certain deadlines. On 15<sup>th</sup> March 2022, The Daily Mail filed its defense. Following negotiations to resolve the dispute after March 2022 between Daily Mail and PM Shahbaz, it was made apparent to the premier's legal counsel that the publication would issue an apology and take down the item under his conditions. On 26<sup>th</sup> September 2022, Justice Nicklin issued an order and scheduled a joint case management meeting.

***Three days prior to this hearing, Shahbaz pulled his request for a delay. According to the regulations, the court was not informed that the lawyers for Daily Mail had been secretly negotiating with Shahbaz's lawyers for several months, proposing to apologize. Shahbaz Sharif was persuaded by his legal staff that there was no use in submitting more paperwork as the newspaper had already agreed to apologize and remove the defamatory and misleading piece.***

Daily Mail publishers and Shahbaz's lawyers signed an agreement of settlement with Tomlin Order in the second week of December 2022 after which *Daily Mail* removed the defamatory article and apologized to the prime minister and his son-in-law. It was promised that the Daily Mail would never repeat the false allegations at any forum and has already worked with Google to remove all articles carrying *Daily Mail's* article. **Referring to the Pakistan's DAILY TIMES dated 9th December 2022:**

*"British publication The Mail on Sunday (MoS) and news site Mail Online apologised to Prime Minister Shehbaz Sharif for an **error** in an article it published on 4<sup>th</sup> July 2019 – in which it had accused the premier of **stealing British foreign aid money**. The said news story, written by investigative journalist David Rose, has now been removed from the publication's website and other platforms.*

*The article had claimed that Shahbaz had embezzled funds provided by UK's Department for International Development (DFID) for the rehabilitation of the 2005 earthquake while he was chief minister of Punjab. It had quoted former accountability chief Shahzad Akbar and a few other individuals – none of whom were in an official position. The story was quickly refuted by the PMLN."*

### **SHAHBAZ SHARIF IN HOT WATERS [ via NAB]:**

**On 4<sup>th</sup> December 2019;** the National Accountability Bureau (NAB) immobilised 23 properties belonging to Shahbaz and his sons Hamza and Suleman, over claims they had acquired assets beyond their known sources of income and committed money-laundering.

The properties under radar of NAB were also owned by wives of Shahbaz Sharif including Nusrat Shahbaz and Tehmina Durrani. As per NAB orders, the NAB directed the Lahore commissioner to freeze 13 plots, owned by Hamza Shahbaz in Johar Town Lahore and Judicial Colony. In this regard, secretary Judicial Employees Cooperative Housing Society, Lahore, was directed to freeze the transfer and sale of four plots (49, 50, 51, 52), owned by Hamza Shahbaz in the Judicial Employees Cooperative Housing Society Lahore, each plot measuring more than one kanal. The Lahore Development Authority (LDA) was asked to freeze nine plots of Hamza in K-Block, Johar Town. A letter was also written by NAB to DG Galiyat Development Authority, Abbottabad, to freeze a property measuring 9 kanals in Nishat Lodges Dunga Gali, owned by Nusrat Shahbaz, wife of Shahbaz Sharif.

Secretary Model Town Lahore was asked by NAB to freeze two more properties, owned by Nusrat Shahbaz in Model Town Lahore including the famous 96-H and 86-H. The Defence Housing Authority (DHA), Lahore, was also directed to freeze two properties owned by Tehmina Durrani located in its Phase-V. Furthermore, the bureau had also frozen a cottage and a villa in Pir Sohawa and two more plots in Chiniot.

Previously, the NAB Lahore had ordered for freezing various industries of Shahbaz Sharif family, including Chiniot Power Limited, Ramzan Energy Limited, Al-Arabia Sugar Mills, Crystal Plastics Private Limited, Sharif Dairy Farms Private Limited and Sharif Poultry Farms Private Limited.

**On 28<sup>th</sup> September 2020:** Leader of the Opposition in the National Assembly Shehbaz Sharif got arrested by the NAB after the Lahore High Court (LHC) rejected his interim bail in money laundering case. A two-member bench of the LHC heard the case, while lawyers representing the former Punjab chief minister presented their arguments after a three-day pause.

**On 11<sup>th</sup> November 2020:** PMLN president Shahbaz Sharif and others have been indicted in a money laundering case by an accountability court in Lahore. The suspects, however, pleaded not guilty. Speaking to media outside the courtroom, Shahbaz dismissed the NAB cases as baseless and termed them politically-motivated.

The former chief minister Punjab was accused of accumulating assets worth Rs:7,328 million in connivance with his co-accused family members, *benamidars*, front persons and close associations and for developing an organized system of money laundering. NAB had nominated a total of 20 individuals in the reference – Shahbaz's wife Nusrat, his sons Hamza and Suleman, and daughters Rabia Imran and Javeria Ali. *NAB accused the PMLN president of corruption creating fake sources of income to justify the assets acquired beyond known sources of income.*

The PMLN president was previously arrested on 5<sup>th</sup> October 2018 in another case pertaining to Ramzan Sugar Mills and Ashiana Housing Scheme. He was in the anti-graft watchdog's custody when the inquiry into money laundering was authorised. On 14<sup>th</sup> April 2021 the LHC released him on bail in that money laundering reference.

**On 12<sup>th</sup> October 2022:** Shahbaz and Hamza were acquitted on all charges of corruption and money laundering by the Special Court Central in Lahore; the money laundering charges were filed in 2020.

Judge Ijaz Hassan Awan of the Special Court Central in Lahore announced the verdict in front of the prime minister's legal team, who had earlier during the hearing requested a one-day attendance exemption. The family was charged during the administration of former PM Imran Khan. The Federal Investigation Agency (FIA) in Lahore filed corruption and money laundering charges against Sharif and his two sons, Hamza and Suleman, in November 2020, accusing them of laundering Rs:16.3 billion through 28 bank accounts, which had no names for the account holders, between 2008 and 2018. Suleman was not tried since moving to London.

The case in Special Court in Lahore *was totally baseless and politically motivated*; said Sharif's lawyer Amjad Pervez - there was no immediate comment from the prosecutor.

*[In Pakistan, one may salute **its unique centuries old judicial system**. When Imran Khan was prime minister, he got hold of the NAB to dig out massive corruption of billions against his political opponents, even against the top notch Shahbaz Sharif – also being the leader of the opposition in parliament. When Shahbaz Sharif became the prime minister of the country in April 2022, he got hold of the same NAB to declare the same cases baseless and without evidence. Revengefully, Imran Khan was sent to jail on various counts – AND the same courts declared PM Shahbaz Sharif and his family innocent.*

***All elements of targeting political opponents are used just in routine by filing legal / illegal cases against them, apparently to keep them entangled in court proceedings and away from the governance fields.]***

#### **SHAHZAD AKBAR: ADVISOR TO PM KHAN:**

**On 24<sup>th</sup> January 2022;** about three months before the PTI Chief Imran Khan was voted out from premiership, PM's advisor on accountability and interior, Shahzad Akbar resigned from his post as pressure had mounted more on PTI's ruling coalition on a wider range of issues.

The former deputy prosecutor for the National Accountability Bureau (NAB), Akbar was appointed as the Special Assistant to PM Khan on accountability in August 2018.

Later, in December 2019, he was also given an additional portfolio of ***Adviser to the prime minister on Interior Affairs***. In July 2020, the barrister was promoted and made Adviser to the prime minister on Accountability and Interior ***with the status of a federal minister***. The intelligentsia and media gurus had an opinion that simply Mr Akbar looted the state-kitty with salaries in pounds, allowances and perks – did nothing in fact.

Akbar hoped that the ongoing process of accountability against Sharifs would continue under the leadership of PM Khan as per the manifesto of the ruling PTI. ***'I will remain associated with the party and keep contributing as a member of the legal fraternity – but it suddenly ended*** (as if 3years+ were not enough to dig out / fabricate cases against only one family)', Akbar held his stance.

**On 17<sup>th</sup> August 2022:** Shahbaz Sharif's federal cabinet placed the names of 10 people, including former PM Khan's close aide Shahzad Akbar, on the Exit Control List (ECL); BUT Mr Akbar had already left for Dubai on 17<sup>th</sup> April 2022, a week after Imran Khan's removal five days after the Islamabad High Court (IHC) had suspended FIA orders placing his name on the stop list (ECL). The government was intentionally not disclosing the names of those who were placed on the ECL and struck off; however, Shahzad Akbar's name was placed on the ECL at the request of the NAB.

**On 25<sup>th</sup> September 2023:** An alleged acid attack on an ex-adviser to the former Pakistani prime minister Imran Khan at his home in Hertfordshire was reported in news. There were claims by a senior Tory MP that: ***'... it was carried out by an agent of the country's feared intelligence agency...'*** INDEPENDENT of UK dated 26<sup>th</sup> September 2023 is referred.

Shahzad Akbar, who sought refuge in Britain after leading Pakistan's efforts to combat corruption and becoming an outspoken opponent of the regime, told *The Independent*; he was lucky not to lose his sight in the said attack on Sunday afternoon. He was saved by his spectacles, which were badly damaged. Mr Akbar described how the attack was launched in front of his four-year-old daughter, and left him with acid burns on an arm and the top of his head.

### **NAWAZ SHARIF's PLATELETS PROBLEM:**

**On 29<sup>th</sup> October 2019;** Nawaz Sharif was granted bail by the Islamabad High Court [IHC] on medical grounds in connection with Al Azizia and Chaudhry Sugar Mills corruption cases. ***The ailing Pakistani leader was serving a seven-year imprisonment in the Al-Azizia case in Kot Lakhpat jail of Lahore.*** Besides that, he was remanded to the NAB custody in Chaudhry Sugar Mills case. Nawaz Sharif had continuously been complaining about his deteriorating health especially that his platelets counts were going alarmingly low.

*[Nawaz Sharif was prime minister of Pakistan from 1990 to 1993, then again from 1997 to 1999, and finally from 2013 to 2017. He also appeared as the country's richest industrialists.*

*In 2018 - following the Panama Papers Leak Case - he was found guilty of corruption, relating to his family's ownership of upmarket London apartments. He was given a 10-year prison sentence, **but was released two months later** when the court suspended the sentences, pending a final judgement.*

But in December 2018 he was ***jailed in corruption cases again***, this time for seven years, in relation to his family's ownership of steel mills in Saudi Arabia. He however, denied wrongdoing ***and accused the military of conspiring to end his political career*** BUT never provided any money trail or business background logic for his huge financial empire.

**On 24<sup>th</sup> December 2018**, an accountability court, headed by Judge Malik Arshad, had sentenced Sharif to seven years in prison in the Al-Azizia Steel Mills Corruption Case while acquitted him in the Flagship Case.]

**On 2<sup>nd</sup> November 2019**; Muttahida Qaumi Movement [MQM] founder Altaf Hussain claimed via twitter that former Prime Minister Nawaz Sharif has been given polonium, the drug which slowly poisoned Yasser Arafat, famed Palestinian President, to death in 2004.

*"Lower platelets count in Nawaz Sharif's body! A known fact is that 'Polonium' (a radioactive element) is used to eliminate enemies. It acts as a slow poison and destroys platelets. Only specialized radioactive laboratory can verify it. The international laboratory must examine it."*

However, no one in Pakistan believed Altaf Hussain's hypothesis.

The 69 years old Nawaz Sharif was admitted to the Services Institute of Medical Sciences [SIMS] in Lahore on 22<sup>nd</sup> October 2019 but after few days, precisely on 6<sup>th</sup> November 2019, he was shifted to his residence – Jati Umra where an Intensive Care Unit [ICU] was set up under the supervision of Sharif's personal physician Dr Adnan Khan and the doctors were bound to be present in the ICU round the clock. Sharif's daughter Maryam Safdar, who was also undergoing treatment at the same hospital, too was moved to his house from the hospital. Maryam was also granted bail in the Chaudhry Sugar Mills Case, wanting for money laundering trails.

The medical board that treated the 3-time prime minister recommended his treatment abroad keeping in view complications of his disease. However, it remained a fact that doctors provided the best treatment to Nawaz Sharif in Pakistan. The medical board consisting of four senior and leading hematologists diagnosed N Sharif with immune thrombocytopenia [ITP] disease - a disorder that could lead to easy or excessive bruising and bleeding.

**On 12<sup>th</sup> Nov 2019**; PM Imran Khan's Cabinet decided to allow Nawaz Sharif to go abroad for medical treatment if he would agree to sign surety bonds making a commitment that he would return after the treatment and undergo jail sentences against him. The Cabinet meeting, chaired by PM Imran Khan himself, approved removal of Sharif's name from the Exit Control List [ECL]. It was a conditional release permission to which PMLN supremo agreed and opted to go to UK for treatment. PM Khan looked at the case of Sharif on *"human grounds and decided to allow him get treatment out of Pakistan"*. The surety bond money was agreed as to be equal to the fine imposed by the courts while convicting him – about seven billion Pak Rupee.

The anti-corruption watchdog, National Accountability Bureau [NAB], some of the Cabinet members, especially Minister for Water Faisal Vawda and Minister of Science Fawad Chaudhry, and key-party members blatantly opposed to giving any concession to ***'Convicted in Jail'*** Sharif – however, PM Khan prevailed while deciding on pure humanitarian grounds.

The **BBC** on **19<sup>th</sup> Nov 2019** passed sarcastic comments that:

*'... The Lahore High Court lifted a travel ban on Saturday and the government rubber-stamped the decision on Monday.'*



Fact remained that Imran Khan's government had been reluctant to release Nawaz Sharif without signing a surety bond for money equivalent to court's fine due on him. He wanted Nawaz Sharif - who had served less than 12 months of a seven-year prison sentence till then - to sign an indemnity bond worth \$44m [£34m] before allowing him to go abroad. However, the equally dubious judges allowed him to travel without signing the bond.

Till the last moments of his departure, Nawaz Sharif consistently said he had no wish to leave the country, preferring to stay and fight for his political survival; but media termed it his hypocrisy of highest order. After Nawaz Sharif's flight in a family aircraft sent by the Qatari rulers, an uproar remained hanging in the whole Pakistan press & media that - how much 'factually ill' Nawaz Sharif was? Sharif had agreed to return within four weeks, or when doctors would declare him fit to return. His brother Shahbaz - who later travelled with Nawaz Sharif - signed a court document that said:

*"If at any stage, the federal government has credible information that Nawaz Sharif is living abroad despite his fitness to travel, a representative from Pakistan's High Commission would have a right to meet with his physician(s) to verify or confirm about his health – (but nothing like commitment prevailed)."*

Thus, Nawaz Sharif stayed in UK till mid-2023 and had run his PMLN party remotely and very successfully.