

ANATOMY OF A DYING NATION

INAM R SEHRI

THE LIVING HISTORY OF PAKISTAN
[14th Book]

ANATOMY
OF
A DYING NATION [2022-24]

by

INAM R SEHRI

ABOUT PERFORMANCE OF
PDM GOVERNMENT AFTER IMRAN KHAN's EXIT

G H P
SURREY UK

All Rights Reserved
Copyright c Inam R Sehri 2026
(However, scholars & students are permitted
to use material of this book by quoting the exact reference)

.....do.....

.....do.....

.....do.....

.....do.....

Material Sourced From

NEWS / REPORTS
OF
THE LOCAL & FOREIGN MEDIA

[All page with usual statements ending with]
ISBN

Other Books from

INAM R SEHRI

KHUDKUSHI

(on Suicide) [in Urdu] (1983)

{Details of historical perspective of 'Suicide' in various societies; & investigation techniques differentiating in Murder & Suicides}

WARDI KAY ANDAR AADMI

(Man in uniform) [in Urdu] (1984)

{Collection of short stories keeping a sensitive policeman in focus}

AURAT JARAIM KI DALDAL MEIN

(on Female Criminality) [in Urdu] (1985)

{Describing various theories and cultural taboos concerning Female Criminal Behaviour}

POLICE AWAM RABTAY

(on Police Public relationship) [in Urdu] (1986)

{Essays describing importance of mutual relationships}

DEHSHAT GARDI

(on Terrorism) [in Urdu] (1987)

{Various theories and essays differentiating between Freedom Fighting & Terrorism in Middle Eastern perspective}

QATL

(on Murder) [in Urdu] (1988)

{The first book written for Police students & Lawyers to explain techniques of investigation of (difficult) Murder cases}

SERVICE POLICING IN PAKISTAN

[in English] (1990)

{A dissertation type book on which basis the PM Benazir Bhutto, in 1990, had okayed the Commissionerate System of Policing in Pakistan. Taking Karachi as the pilot project, later, it was levied for all major cities and still going on as such}

SHADI

(on Marriages) [in Urdu] (1998)

{A detailed exposition of Marriage explained in various religions, cultures, countries and special groups; much applauded & commented upon on PTV in 1998-99}

All the above URDU books were published by Pakistan's
one of the top publishers

SANG E MEEL PUBLICATIONS,

25 - The Lower Mall LAHORE, Pakistan

And are normally available with them in latest re-prints.

Judges & Generals in Pakistan VOL-I

[in English] (2012)

Judges & Generals in Pakistan VOL-II

[in English] (2012)

Judges & Generals in Pakistan VOL-III

[in English] (2013)

Judges & Generals in Pakistan VOL-IV

[in English] (2013)

The Living History of Pakistan Vol-I

[in English] (2015)

The Living History of Pakistan Vol-II

[in English] (2016)

The Living History of Pakistan Vol-III

[in English] (2017)

The Living History of Pakistan Vol-IV

[in English] (2017)

The Living History of Pakistan Vol-V

[in English] (2017)

The Living History of Pakistan Vol-VI
[in English] (2018)

The Living History of Pakistan Vol-VII
[in English] (2018)

History of A Disgraceful Surrender [2021]
[in English] (2022)

SAFAR E AQSA (A journey into *OLD JERUSALEM* with 245 Pics)
(in Urdu) (2022)

Rise & Fall of IMRAN KHAN [2018-22]
[in English] (2023)

{The **FOUR** volumes of '*Judges & Generals in Pakistan*' are not the stories or facts about only the honourable judges or respectable military Generals of Pakistan but also an authentic record of contemporary history linked or associated with them.

Living History of Pakistan Vol-1 to 7 are the continuation of the same series with only a change in name of the same product. It is just for the change of taste otherwise the SCENARIOS and the PAGE NUMBERS are in the same continuity. All the above books deal with Pakistan's chequered history of massive financial & intellectual corruption, abortive rule by two political parties in succession with higher judiciary's gimmicks during 1971 onwards; Constitutional Amendments which made political parties as family businesses & apex court's nexus making the politicians more corrupt.}

History of A Disgraceful Surrender [2021]: It's all about America's quit from Afghanistan in August 2021 after staying there for two decades. These are real facts in detail which are considered responsible for the US defeat after Korea and Vietnam. The content of this book is mainly sourced from America's own official documents and the Western Media.

Rise & Fall of IMRAN KHAN [2023]: This volume covers the premiership of Imran Khan, from his brilliant success in 2018 elections till his unceremonial departure in April 2022. 456 pages of this 13th volume describes his policies, achievements, negligence & pitfalls, performance, slackness in governance AND causes of his failure. The source of material was the printed reports, electronic and social media news.

ANATOMY OF A DYING NATION

INAM R SEHRI

SAFAR E AQSA, a hard-bound, pictorial and coffee-table book, is printed in ISLAMABAD whereas the other mentioned 4+8 volumes in English; 4615 in continuity, are published by the GHP of Surrey UK.

Grosvenor House Publishing Ltd
LINK HOUSE, 140 THE BROADWAY, TOLWORTH
SURREY UK KT6 7HT

It's me; my Friends!

Inam R Sehri

- Born in Lyallpur (Pakistan) in April 1948
- First Degree from Government College Lyallpur (1969)
- Studied at Government College Lahore & got first Master's Degree from Punjab University Lahore (1971);
- Attachment with AJK Education Service (1973-1976)
- Central Superior Services (CSS) Exam passed (batch 1975)
- Civil Service Academy Lahore (joined 1976)
- National Police Academy Islamabad (joined 1977)
- LLB from BUZ University Multan (1981)
- Master's Degree from Exeter University of UK (1990)
- Regular Police Service: District Admin, Police College, National Police Academy, the Intelligence Bureau (IB), Federal Investigation Agency (FIA) [1977-1998] then migrated to the UK permanently.

A part-script copied from the earlier volumes:

Just spent a normal routine life; with hundreds of mentionable memoirs allegedly of bravery & glamour as every uniformed officer keeps, some times to smile at and next moment to repent upon but taking it just normal except one or two spills.

During my tenure at IB HQ Islamabad I got chance to peep into the elite civil and military leadership of Pakistan then existing in governmental dossiers and database.

During my stay at FIA I was assigned to conduct special enquiries & investigations into some acutely sensitive matters like Motorway Scandal, sudden expansion and build-up of Sharif family's industrial empire, Sharif's accounts in foreign countries; Alleged Financial Corruptions in Pakistan's Embassies in Far-Eastern Countries; Shahnawaz Bhutto's murder in Cannes (France); Land Scandals of CDA's Estate Directorate; Ittefaq Foundry's 'custom duty on scrap' scam, Hudaibya Engineering & Hudaibya Paper Mills enquiries, Bhindara's Murree Brewery and tens more cases like that.

[Through these words I want to keep it on record that during the course of the above mentioned, (and also which cannot be mentioned due to space limits) investigations or enquiries, the then Prime Minister Benazir Bhutto, or [late] Gen Naseerullah Babar the then Federal Interior Minister, or G Asghar Malik the then DG FIA, had never ever issued direct instructions or implicit directions or wished me to distort facts or to go malafide for orchestrating a political edge or other intangible gains. Hats off to all of them!]

I should feel proud that veracity and truthfulness of none of my enquiry or investigation could be challenged or proved false in NAB or Special Courts; yes, most of them were used to avail political compromises by Gen Musharraf's government.

That's enough, my dear readers.

CONTENTS

14th SUBMISSION

- THE SHIP IS SINKING DOWN (?)
- ECONOMY – ECONOMY – ECONOMY
- ON JUDICIAL REFORMS

Scenario 262

FALL OF IMRAN KHAN – REVISITED

- KHAN SENT HOME UNCEREMONIOUSLY
- WHAT WAS LEFT FOR IMRAN KHAN...
- PAKISTAN DURING 2022 ONWARDS...
- SUMMARY OF KHAN's DOWNFALL-FACTORS
- KHAN vs ARMY - FACTS ON FILE
- KHAN NEVER TOUCHED HIS AGENDA / PROMISES (24)

Scenario 263

CM USMAN BUZDAR FACTOR

- DARK CHAPTER OF PUNJAB's HISTORY
- MEDIA's HARSH CRITICISM ON BUZDAR
- BUZDAR QUILTS THE PTI (39)

Scenario 264

THE CYPHER CASE AGAINST KHAN

- THE CYPHER (Original Transcription)
- ARGUMENTS DEVELOPED BOTH SIDES
- GEN BAJWA DEPARTED
- AMERICA's INNOCENCE (?)
- YOU TOO – BRUTUS
(Principal Secretary Azam Khan betrayed)(?)
- CYPHER-COPY's DILEMMA
- SHAH MAHMOOD QURESHI ARRESTED
- IMRAN KHAN SENTENCED
- US-PAKISTAN: CYPHER CONTROVERSY
- IMRAN KHAN & QURESHI ACQUITTED (63)

Scenario 265

IMRAN KHAN's AZADI MARCH; MAY 2022

- FURTHER DETAILS OF AZADI MARCH...
- TEMPO OF THE AZADI MARCH
- AZADI-MARCH HANDLED HARSHLY

- DAY OF POLICE BRUTALITY
- PAK-ARMY DEPLOYED IN CITIES
- RUMOURS ABOUT DEALS
- WHY AZADI MARCH ENDED ABRUPTLY (82)

Scenario 266**TOSHA-KHANA CASES AGAINST KHAN**

- ECP's VERDICT – MR KHAN DISQUALIFIED
- ...EXPLOITATION OF STATE GIFTS (?)
- CASE SENT FOR CRIMINAL TRIAL
- IMRAN KHAN SENTENCED 3 YEARS+
- IMRAN KHAN's FRESH CALL FOR MARCH
- MEDIA: 'SCALES BALANCED' (?)
- IK's REMOVAL FROM PTI MOVED
- **TOSHA-KHANA-II TRIAL**
- KHAN SENTENCED IN TOSHAKHANA-II CASE (107)

Scenario 267**SAD EVENTS IN ENDING 2022**

- ARSHAD SHARIF KILLED...
- FINAL VERDICTS OF VARIOUS COURTS
- IMRAN RIAZ KHAN CASE
- AZADI MARCH-II PROMPTLY PLANNED
- GUN ATTACK ON IMRAN KHAN
- INTERNATIONAL DENOUNCEMENTS
- SHOOTER SENTENCED TO DEATH (120)

Scenario 268**AL-QADIR TRUST CASE**

- BACKGROUND – ORIGIN OF THE CASE
- HERE'S THE FULL PICTURE
- THE NAB REFERENCE
- KHAN & THE 1st LADY SENTENCED
- MEDIA ON AL-QADIR CASE
- LATER LEGAL DEVELOPMENTS (138)

Scenario 269**PAKISTAN ECONOMY DURING 2022-23**

- MEDIA REPORTS OF 12TH APRIL 2022
- WELCOME TO 'PURANA PAKISTAN'
- ECONOMY DURING PDM GOVT 2022-23
- MIFTAH ISMAIL, THE FM, EXPELLED

- ANOTHER FRENCH REVOLUTION AHEAD
- NAWAZ SHARIF SENDS MR DAR
- WHY PEOPLE DON'T PAY TAXES (157)

Scenario 270**PROHIBITED (FOREIGN) FUNDING CASE**

- TIME-LINE OF FOREIGN FUNDING CASE
- PROCEEDINGS IN ISL HIGH COURT
- PTI-ECP CONFLICT
- VERDICT AGAINST PTI ANNOUNCED
- CALLS FOR LEADERSHIP CHANGE IN PTI
- FF REFERENCE FILED AGAINST IK (173)

Scenario 271**SCP (PRACTICE & PROCEDURE) BILL 2023**

- REVIEW / APPEALS DISMISSED
- ON 'INTERNAL' JUDICIAL INDEPENDENCE
- SC (P & P) AMENDMENT ORDINANCE 2024 (184)

Scenario 272**THE 9TH MAY 2023****A DARK DAY OF PAKISTAN'S HISTORY**

- THE 1ST EVENT: KHAN ARRESTED
- THE 2ND EVENT – DEADLY PROTESTS
- KHAN'S ARGUMENTS WITH MILITARY
- PTI LEADERS JUMPED OUT OF SINKING SHIP
- THOUGHTS FOR SURVIVAL
- REACTION MANAGED TO OPPOSE PROTESTS (199)

Scenario 273**CONSEQUENCES OF 9TH MAY...**

- MOST PTI LEADERS DEFECTED JUST AFTER
- ONSLAUGHT AGAINST PTI & KHAN
- PTI'S CASES IN THE COURTS
- PTI VS PAK-ARMY: A YEAR AFTER (210)

Scenario 274**RETURN OF NAWAZ SHARIF IN 2023**

- PM SHAHBAZ SHARIF & HIS FAMILY ACQUITTED
- RETURN OF NAWAZ SHARIF-MANAGED WELL
- WHO PLAYED & WHAT FOR NS'S RETURN
- NAWAZ SHARIF LANDED BACK

- NAWAZ SHARIF ACQUITTED...
- THE AVENFIELD REFERENCE
- DEEP ANALYSIS OF NS's RETURN (233)

Scenario 275**UMAR ATA BANDIAL, the CJP**

- BACKGROUND OF CJP BANDIAL
- CJP's WING-CLIPPING PLANNED
- DIVISIONS IN SC JUDGES:
DOUBLE STANDARDS OF JUSTICE (?)
- WAS THE CJP REALLY BIASED (?)
- CJP BANDIAL's LEGACY
- GOOD BYE CJP BANDIAL (246)

Scenario 276**...PRE-POLL RIGGING 2024**

- 'FOREIGN POLICY' ANALYSIS ON...
- PRE-POLL RIGGING FOR ELECTIONS-2024
- TIME'S ANALYSIS BEFORE ELECTIONS 2024
- CRACKDOWN ON PTI INTENSIFIED
- IDDAT CASE AGAINST Mr KHAN & 1st LADY
- RELIEF FOR KHAN IN IDDAT APPEAL
- OPPOSING VIEWPOINTS ON IDDAT (261)

Scenario 277**GENERAL ELECTIONS 2024-I**

- ELECTION (2024) SCHEDULE ANNOUNCED
- DE FACTO BAN ON PTI
- SAGA OF PTI's ELECTION SYMBOL
- PTI's INTRA-PARTY ELECTIONS (?)
- PTI LOST THE 'SYMBOL APPEAL' IN SC
- PESHAWAR HIGH COURT'S VERDICT
- THE SCP's JUDGMENT & AFTER
- ECP's PARTISANSHIP (?) - THE SAME DAY
- PRE-POLL RIGGING? (279)

Scenario 278**ELECTIONS 2024-II**

- WHO WERE IN THE ELECTION-RACE?
- PRELIMINARY ELECTION-REPORTS
- RWP COMMISSIONER's ADMISSION FOR TEMPERING
- MORE MEDIA POSTS ON ELECTIONS-2024
- URGE TO AUDIT BOGUS ELECTION RESULTS

- INTERNET & WI-FI KEPT SUSPENDED ON POLL-DAY
- ...MORE FOREIGN VOICES ON WI-FI SHUT (303)

Scenario 279**ELECTIONS 2024-III**

- CRISIS OVER DELAYED ELECTION RESULTS
- ECP DEGRADED PAKISTAN...WHY SO
- REJECTED BALLOTS EXCEED VICTORY MARGIN
- PTI / SIC DENIED SPECIAL SEATS (318)

Scenario 280**GEN ELECTIONS 2024-IV**

- FORM 45 PLAY IN ELECTIONS 2024
- INTELLIGENTSIA CRIED HIGH
- IK TERMED 'KING OF CHAOS' – WHY SO
- HIGH-PROFILED VOICES SPARKED, TOO
- COURTS & TRIBUNALS FLOODED...
- ELECTION TRIBUNALS STAYED BY IHC (333)

Scenario 281**WORLD MEDIA ON ELECTIONS-2024**

- ANALYSIS AT //TIME.com [9th Feb 2024]
- LEVEL-PLAYING FIELD FOR ALL? - BBC
- IMRAN KHAN LOST POWER OPTIONS
- CONTROVERSIES AROUND IMRAN KHAN
- DEMOCRACY OR FAMILY AFFAIRS
- FOREIGN MEDIA OPINIONS
- REUTERS on media of 10th Feb 2024
- MORE OBSERVATIONS OF FOREIGN MEDIA
- WOULD KHAN RISE AGAIN? – NOT LIKELY
- FOREIGN NEWSPAPERS' ONE-LINERS (357)

Scenario 282**RESERVE SEATS SAGA**

- JANUARY 2024's TRAGEDY
- RESERVED SEATS (?)
- IN PAKISTAN'S PARLIAMRNT
- SC RESTORED PTI WITH BENEFITS
- SEAT POSITION IN KHYBER PK
- SC's [CORRECTIVE+] JUDGMENT AT LAST
- PTI's SMILES OVER ITS RE-ENTRY
- AFTER EFFECTS OF THE SC DECISION

- ECP RELUCTANT TO SC's RULING (379)

Scenario 283**HOPELESS PAK-ECONOMY IN 2024**

- NO HOPE OF ECONOMIC RECOVERY
- PROTESTS AMIDST ECONOMIC STRESS
- CHINA DISTANCED FROM PAKISTAN
- BRIDGING THE TRUST DEFICIT (2024)
- ON AGRICULTURAL TAX
- UAE's SILENT CONQUEST OF PAKISTAN (396)

Scenario 284**DUBAI PROPERTY LEAKS**

- BELL THE ROGUE PAKISTANI CATS
- SAGA OF VANISHING FILES IN FBR
- STARK FACTS ABOUT DUBAI HUB
- PROJECT: 'DUBAI UNLOCKED' (405)

14th Humble Submission

Very unusual submission this time.
This is a rainy day of exactly the mid-2024.

WORDS OF WISDOM FOR MANY:
THE SHIP IS SINKING DOWN

.....AND I'm looking at the farthest end of useless sermons, abuses, mud-slinging, press conferences, media briefings of all, for and against the government, invariably at all media channels of the country – BUT compelling me to think that PAKISTAN'S SHIP IS SINKING DOWN – yes – THE SHIP IS SINKING DOWN:

Go through the following dramatic but horrible conversation amongst so-called intelligentsia...

"The world considers Pakistan dangerous; as long as you don't accept this reality, you will continue to get entangled."

A faint scent of cigar smoke was spreading in the air. 'He' was exhaling smoke through both his nose and mouth. I have an allergy to the smell of tobacco, it makes me short of breath, but I was enduring both the tobacco and its smell because of his conversation.

He was a financial expert. His father was Indian, and his mother American. Born in Virginia, he completed a ***PhD in terror financing*** and became an advisor to global financial institutions.

He was a Muslim by religion. I met him through a friend. He had come to Pakistan on an invitation from a multinational company. My friend invited both him and me for dinner. We met at a restaurant, had dinner, and then he started smoking a cigar on the terrace while I began to enjoy his insights. He said:

"The world considers Pakistan dangerous. You people are building long-range missiles. You are also a nuclear power. But you are economically weak, so you can become a problem for the world at any time."

He paused, took a long drag on the cigar, and said:

"You people need to take the world's observation seriously, or you will harm yourselves."

I silently watched him as he continued:

"The economy is the greatest truth of the day. If you are economically powerful, you can keep nuclear bombs and build missiles. China and Russia also have these, but the world does not consider them a threat. Why? Because the world believes these two countries are economically stable. They will never become a threat to the world that is giving them income. But Pakistan is a weak country. It cannot protect its nuclear assets for long. It can sell them for money or use them under psychological pressure, making you intolerable to the world."

I will explain this issue with an example. Suppose you are a poor man and you have a very deadly and valuable rifle. What can you do with this rifle? You can sell it for money, or you can put it to someone's head and rob him. The world thinks you are such a hungry and poor rifle-bearer and that you can adopt either of these options any time."

He paused, took another drag on the cigar, and said:

"This impression against you has been spread by India. The Indian government sent countless students to America, Canada, Europe, and Far Eastern countries in the 1990s with scholarships. They got degrees from top institutions and then got them employed in global institutions. These people are part of the staff of American congressmen and senators and are also in the media industry and think-tanks. They sit there and spread fear against you every day, and the world believes this fear to be true."

*Your past also supports this truth. **The world knows that you alone shattered the power of the Soviet Union. You did not let a power like India rise, and despite all economic weaknesses, you achieve what you want. You have even made the JF Thunder, so global policymakers think you can do anything.**"*

He paused, took another drag on the cigar, and said:

*"My study on Pakistan is that **global powers will not give you a chance for war.***

They believe you cannot fight a conventional war. You will start a war with the ultimate weapon, and this will be dangerous for the entire world, so they will not let you reach this level. Go back two months; India conducted a surgical strike in Balakot. Pakistan made noise, but no country in the world came forward to help Pakistan. Why? Because the world wanted to assess to what level you can react. The next day, you shot down two Indian aircraft. India deployed 9 missiles on the border on the night of 27th February, and you deployed 14.

***The night of 27th February was the most dangerous night in the world after the Cold War.** A small mischief could have destroyed the entire world. Therefore, the world immediately became active and calmed the situation with great difficulty. It was a test. This test revealed that you people are always ready for the ultimate war, so they will not let you reach this level again. They will not give you a chance to bring out your missiles. They will not provoke you at the borders either.*

..... So: Global powers will destroy you economically."

I looked at him in amazement. He paused, took a deep breath, and said:

*"Note my words. **The IMF deliberately delayed your package.***

It will still keep you waiting repeatedly. It will make the dollar more expensive. It will increase inflation to twelve percent. It will also make petrol, gas, and electricity more expensive. It will reduce the development budget as well. It will increase unemployment. It will put so much pressure on banned organizations through the state that they will rebel against the government. It will not let Pakistan's exports increase either."

I listened silently as he continued:

And this is a grand design against Pakistan. You must have heard of the Jack Russell breed of dogs. It is a small-sized, fierce dog that chases a bear into its den. It is so small in size that the bear cannot catch it. It hides behind the bear and wounds it so much that it cannot stand on its feet. The

Jack Russell comes out of the den completely satisfied, informs its owner, and the hunter reaches the entrance of the den and shoots the bear.

"Global financial institutions are also like Jack Russells.....They wound the giant bears with their small teeth and jaws. When the bears can no longer stand on their feet, the big hunter comes and shoots the bear.

- *Mark my words, this is what is happening to you too.*
- *Jack Russells have been unleashed on Pakistan.*

*They are wounding you. They will make you so weak economically that you will not be able to fire your missiles, let alone bring them out. You will not even have money to pay the salaries of government employees..... **And you will be forced to hand over tax collection to the army. And the day this happens, you start counting your days, because tax collection will tarnish the army's reputation.***

People's love for it will start to diminish, and global institutions want this. They want to wound you economically and scratch the love from people's hearts. And the day you reach this level, they will make you sit at India's feet. They will turn you into Bhutan and the Maldives. You will keep taking aid and keep running the country and that's it."

He fell silent. I looked at him in fear as he said:

*"What is the future of Pakistan? **This decision will be made in six months.** If your economy does not take off, if stability does not come to the market, then only a miracle can save you. You will be stuck in the whirlpool."*

He straightened up, extinguished the cigar, crushed it in the ashtray, and stood up. He wanted to leave. We started walking towards the reception. As we walked, I asked: "What is the way to save ourselves?"

He smiled and said:

*"There are three ways to save Pakistan - **ECONOMY – ECONOMY – ECONOMY***

- *Focus solely on the economy. Let the country run. You will all be saved; otherwise, your entire country will fall victim to ego and foolishness.....You will be forced to borrow money even to run trials.*

You will take money from the IMF to pay salaries to judges and lawyers and to arrange food for prisoners."

He finished his talk, shook hands warmly, and left.....

But I stood there thinking..... I didn't get an answer. Maybe you will....

{Taken from a media post shared on 23rd July 2024
– courtesy: **Zahid Mahmood IGP (R)**}

See a social media post of 19th June 2024:

- "Why the people should pay tax when they know their money will go in vain through BISP like looting channels (***BISP allotted 593b this year, instead of investing the same money in erecting industries and providing employments to the same poor families***) like wasteful expenditures.
- When people know their money will go for subsidies aimed at providing extra money to some dearest ones. We're are waiting for absolutely a new start from zero; soon we'll see these high heads rolling in our streets."

{In Pakistan, education is primarily a provincial subject under the 18th Amendment. Between 2022 and 2025, consolidated public spending on education generally hovered between **1.5% and 1.9% of the GDP** as against the recommended international standard of 4%. Yearly budgetary breakdowns were:

- During **2022-2023**: The federal Public Sector Development Program (PSDP) allocated **Rs. 90.556 billion**. Out of this, the **Higher Education Commission (HEC)** received about **Rs. 44.174 billion** for development projects and **Rs. 66 billion** for recurring expenditures. Nationally, roughly 88% of provincial education budgets were consumed by non-development expenses such as employee salaries, leaving only 12% for infrastructure and development.

On Judicial Reforms: It is a pity that Pakistani courts are still following outdated procedures and methods, whereas most countries have adopted e-system for filing of cases and their quick disposal through fast track follow up using the offices of magistrates at grass root levels. There could have been the judicial reforms by each successive government concentrating upon

the elimination of unnecessary litigation and facilitating smooth running of affairs between the State and its citizens – but the politicians and military rulers collectively failed to address this essential requirement of justice.

It is painful that presently, governments were the main litigants during recent periods in Pakistan. They usurped rights of the people and then dragged poor citizens in courts. People know the reasons for this gloomy state of affairs, but nobody came up with incentives to rectify that disgusting state of affairs. ***'Judicial reforms do not stipulate asking for more judges and funds, but eliminating unnecessary litigation and its quick disposal and to help reducing its occurrence in the first instance'.***

[A case in point is the United Kingdom where the number of income tax payers alone is over 30 million, whereas appeals reaching the Lord Chancellor in a year number only around 30. This confirms the tremendous public satisfaction with the credibility of the system and good governance by the fiscal administration. On the contrary, in Pakistan, every year over 70,000 appeals, references and writ petitions are filed against the orders and actions of the tax authorities with meagre number of actual tax payers. Litigants have to wait for years to obtain orders.]

On another count: See media comments dated 22nd June 2024 posted by this author in reply to someone's post on ***'faint scope of Foreign Investment'***:

"..... to make success into any future plans of investment and industrialization in Pakistan, even at the local level (foreign investment has become a dream now) is making our whole country safe from killing, kidnapping and Ransome.

The Chinese have sensed it much earlier that Pakistan has no cogent plan in hand to tackle this menace.

...walking on footpaths fearlessly during night hours. That's the minimum standard required to come at par with the rest of the world.

Whether it's TTP, TLP or India's guerilla war tactics, or BLA or Sec-tarian elements from within - we have to make out special summary procedures to hang (at least) the red handed culprits in mid- town places within 5-6 days of continuous trial (like our neighbouring country IRAN). For it military courts can again be revived under special ordinances, if needed.

It's beyond the capacity and will of normal police and routine lethargic courts now. Some of them would also be needed to be hanged alongside the culprits.

It's the fearlessness of the wrong doers and politician's aptness and naiaiqi that the whole Pakistan has gone ruined....

It's now or never situation.... wake up please."

(Inam R Sehri) www.inamsehri.com

....Dil jalaaney ki BAAT kartey ho (...why teasing us so much)

Inam R Sehri
Manchester UK
30th July 2026

SCENARIO 262**FALL OF IMRAN KHAN - REVISITED**

Pakistan's Prime Minister Imran Khan was sent home, on 10th April 2022, after a vote of no confidence in the parliament - but what steered to his downfall? Much details have been given on the subject in this author's earlier book titled:

RISE & FALL OF IMRAN KHAN

PRINTED IN NOV 2024; REPRINTED IN MID-2025; 456pp, published by GHP Surrey (UK) – available on AMAZON BOOKS and [free download] at <https://www.inamsehri.com/>

Imran Khan was elected as prime minister in mid-2018; he seemed to have almost everything in his favour - he had, until ending 2021, the open backing of what was referred to as '***the establishment or the military***', then headed by Gen Qamar Javed Bajwa as the Pak-Army's chief.

KHAN SENT HOME UNCEREMONIOUSLY:

On 10th April 2022, Khan was ousted as Pakistan's prime minister after a vote of no confidence in the parliament; Imran Khan lost, his opponents having secured 174 votes in the 342-member house. Imran Khan's tumultuous term as prime minister of Pakistan ended and weeks of high political drama and days of constitutional chaos started. The Supreme Court's verdict had restored the parliament that Mr Khan had sought to disband and mandated a vote of no confidence that he sought to avoid. He was given a choice: resign or face No Confidence Move in the parliament; his political demise was rooted in the said new twin realities.

[The ruling PTI had already lost the majority in parliament; more than 190 legislators had voted against Khan in an apparent mock session that was held by the opposition on 3rd April 2022. The embattled leader summoned a meeting of the federal cabinet as well as of the PTI lawmakers to chalk out a future course of action. He also scheduled to address the

nation on next evening in which, some expected he could announce his resignation.

PM Khan could make alternate dramatic move including en-mass resignations from assemblies – it was unlikely that he would wait for the opposition to vote him out. He could resign but he instead preferred to play the role of an opposition leader in the parliament. No doubt; Khan was still a popular leader and he wanted to go for fresh elections with a narrative that he was a defender of the national interest.

*However, next day, inside parliament, Mr Khan's PTI had lost the support of coalition allies, denying him the majority he needed to defeat the vote of no confidence. Outside parliament, Khan had lost the support of Pakistan's powerful military because the Army Chief Gen Bajwa had publicly fallen out with the prime minister over senior military appointments and some policy decisions. While the principal opposition parties, the PPP and PMLN, had ramped up their efforts to dislodge Mr Khan. They were urging the public rallies that: **"As far as governance is concerned, the government has totally failed".**]*

Taking light from Zafar Aziz Chaudhry's essay appeared in the '**DAILY TIMES**' dated 23rd July 2022:

"In the aftermath of Mr Khan's departure, Pakistan was seen on the brink of disaster due to grave constitutional crisis in continuity which was timely averted due to the intervention of the Supreme Court. This was enough to conclude that '...if the level field is entirely left to the politicians, they can always play havoc with the country'. Mr Khan indeed inherited a bad economy with enormously heavy debts, which no government in the past tried to minimize. Amongst factors which had been influencing price hike was the rapid growth of the population, rising non-development expenditure of the government, the inadequacy of agricultural and industrial outputs and escalating imports. He did not touch these souring problems – he had no team of macro-financing managers with him in fact."

On a positive tone, when he won a thumping victory in the by-elections on 17th July 2022, the people had re-asserted his popularity as their saviour, obviously with high expectations of overcoming their on-going problems, for which he could face grave challenges in the future. Since Imran Khan's dismissal, a large population of the public rallied behind Mr Khan (**famous rally of MARCH TOWARDS ISLAMABAD on 25th May 2022 is especially referred**); Khan's anti-corruption message and promises of reform resonated with many Pakistanis especially the youth. His emphasis on the need for greater social justice including poverty and improving access to education (*though nothing done significantly in this field*)

and healthcare were translated into effective policy, while gaining popular support from the people.

The road ahead was very tough. Mr Khan and the PTI was expected to seriously analyze their defects and weaknesses and resolve that the same mistakes would not be repeated again. However, his arrest on 9th May 2023, and an un-precedented burden of pseudo type revengeful criminal cases, remotely controlled by his opponent political parties - marching up with the ECP hand-in-hand - didn't allow him to appear or showing face in the next general elections. See a little glimpse of charges framed against him:

Referring to Maliha Baig's analysis on the media pages of 8th April 2023; amongst **Corruption & Terrorism Charges**, Imran Khan was accused of:

- Members of the ruling party PMLN filed a case against Mr Khan contending that he had failed to disclose the assets in declarations submitted to the Election Commission of Pakistan [ECP].
- Illegally selling \$2m unique antique watch, gold pen, ring and cufflinks given to him by the Saudi Crown Prince, Muhammad Bin Salman.
- The sale of state gifts by Mr Khan, known as **Tosha Khana Case**, became a national political scandal, and the ECP suspended Mr Khan from the parliament accusing him of corrupt practices.
-
- The opposition parties alleged that Imran Khan and his wife, Bushra Bibi, misappropriated AL-QADIR TRUST funds. As per report by Geo News, the charges against Khan and the others showed that the accused allegedly adjusted 190 million pounds in the trust at the time — sent by Britain's National Crime Agency (NCA) to the government of Pakistan.
-
- In another high-profile case Khan was charged with **"terrorism"** by the police, a day after thousands of PTI supporters allegedly clashed with security forces; dozens of party workers and senior leaders were named and arrested for committing that unique type of terrorism.

In November 2022, he was shot and wounded in an attack on a protest rally he was leading in the city of Wazirabad; it was an attempt on his life, but police didn't admit he had been the target. Mr Khan was leading a march on the capital, Islamabad, to demand immediate elections. Earlier, he had suffered another setback when the Election Commission of Pakistan [ECP] disqualified him from holding public office in a politically motivated case – in media known as '**TOSHA KHANA Case**'.

WHAT WAS LEFT FOR IMRAN KHAN...

On 10th April 2022: A long-drawn-out political drama was over in Pakistan; Prime Minister Imran Khan was removed from office following a vote of no confidence in the Parliament. Next day, the opposition leader Shahbaz Sharif sworn in as new prime minister of the country. However, it was not an end of political turmoil in Pakistan, a country of about 240 million inhabitants. After various attempts to stay in power, Imran Khan was finally voted out - more than 100 members of Parliament loyal to Khan had resigned and walked out of Parliament in protest.

The basic charge against Imran Khan was his mismanagement, especially in Punjab where he had appointed one Usman Buzdar as (dummy) Chief Minister. He knew that CM Buzdar would not be able to deliver but he allowed him to continue – perhaps Imran Khan wanted to make all pivotal decisions for Punjab from his Banni Gala residence in Islamabad. CM Buzdar was only the rubber stamp. However, the scheme didn't work and here was the first point of difference between the Army Chief Gen Bajwa; his die-heart companions like Shah Mahmood Qureshi and Jehangir Treen were also amongst the silent dissidents.

Imran Khan assumed power in mid-2018 promising a 'New Pakistan' and an end to the corruption that was for decades been part of Pakistan's politics; but he failed to live up to that promise. Even his chosen CM Buzdar was accused of widespread corruption, taking bribes for making bureaucratic appointments. Even members of Khan's Pakistan Tehreek-e-Insaf (PTI), had raised fingers over this menace. On top of this, Khan was vastly criticized for his handling of everything from the pandemic to soaring inflation in the country.

Shahbaz Sharif for a long time had been chief minister of Punjab, and the general perception prevailed that he was an effective administrator there. His brother Nawaz Sharif served as prime minister of Pakistan on three separate occasions - but had been convicted of corruption and was banned from public office. Shahbaz had also faced allegations of cronyism and corruption - but this has been a usual practice in Pakistani politics – nothing is ever proved in court against any including Sharifs.

Imran Khan fell back on a tried-and-tested tactic in Pakistani politics: Blame America. He claimed to have been unseated by a foreign conspiracy aimed at forcing him from power. And it was America, Khan said, that was really behind the no-confidence motion filed by opposition lawmakers. He accused US Assistant Secretary of State Donald Lu of being involved in the plot to overthrow his government, suggesting that Lu had warned Pakistan's ambassador in Washington

that there would be implications if Khan survived the no-confidence vote. However, The US dismissed this claim because Khan had offered no evidence to support it.

Khan also said, the Pakistani military was (still) overwhelmingly depending on the US, and as such Pakistan's Generals would want to maintain some semblance of good relations with Washington. But at the top level in politics it was fair to say relations with the US were not good – **'terrible'** was the word Khan used in a 2021's interview.

Imran Khan certainly had a base of support that was very loyal, but doubtful factor was - whether it would outweigh that of the other parties put together – or a coalition of about 13 opposition parties could gain enough seats to oust Khan in the next election. The media analysts held that Khan never governed with a large mandate – his party did not win a majority of seats in Parliament thus required the support of smaller parties. However, many people in Pakistan bought the conspiracy that it was the US that toppled Khan. The fact remained that it was very difficult to win Punjab given the mismanagement through his beloved choice of Usman Buzdar as CM for which he was blamed for - and without Punjab, there would be ashes in the Pakistan's governance basket; for more details see **Prof Ayesha Jalal's** (Tufts University...) analysis on media pages of 13th April 2022.

PAKISTAN DURING 2022 ONWARDS...

Major events in Pakistan during 2022 and 2023 were dominated by significant political instability, a severe economic crisis, a devastating natural disaster, and ongoing security challenges.

Political and Constitutional Crisis: The period was marked by unprecedented political turmoil, primarily centered on former Prime Minister Imran Khan. On 10th April 2022, Imran Khan was removed from office through a no-confidence vote in the National Assembly, the first time a Pakistani PM was ousted by this method. Shehbaz Sharif, leader of the Pakistan Democratic Movement (PDM) coalition, was sworn in as the new Prime Minister. Immediately after, Khan mobilized massive public support, holding numerous rallies and marches (**'Azadi March'**) to demand early elections; and criticized the new PDM government and military establishment.

On 3rd November 2022, Imran Khan was wounded in the lower leg during a shooting at a political rally in Wazirabad, which resulted in the death of one supporter. On 9th May 2023, Khan was arrested on corruption charges; his arrest

triggered nationwide violent protests where PTI supporters allegedly attacked government and military installations, leading to mass arrests of party leaders and a significant government crackdown. The PTI-led provincial assemblies of Punjab and Khyber PK were dissolved in January 2023 to force early elections. The national assembly was dissolved in August 2023, but general elections were postponed to February 2024 due to new constituency delimitations based on the latest census. A caretaker government was appointed in August 2023.

Economic Challenges: Pakistan faced a severe economic crisis characterized by high inflation, a depreciating currency, and dwindling foreign exchange reserves, bringing the country to the brink of default. The government engaged in prolonged and difficult negotiations with the International Monetary Fund (IMF) to secure bailout funds and avert a sovereign default, which involved implementing tough austerity measures. A last-minute Stand-By Arrangement (SBA) was agreed upon in June 2023, providing temporary relief.

More Crisis: The country experienced major power breakdowns, including a nationwide grid failure in January 2023. Import restrictions led to a significant decline in the trade deficit, while exports also saw a year-on-year decline.

In 2022 Floods between June and October 2022, unprecedented monsoon rains and flooding submerged one-third of the country, affecting 33 million people, displacing nearly 8 million, killing over 1,700, and causing an estimated \$30-40 billion in damages. A state of emergency was declared in August 2022.

The period saw a notable increase in terrorist activity, particularly by the Tehreek-e-Taliban Pakistan (TTP), following the Taliban takeover in Afghanistan. Key attacks included the Peshawar mosque attack (March 2022), the attempted assassination of Imran Khan (Nov 2022), the Tanda Dam boat disaster (Jan 2023), another major Peshawar mosque bombing (Jan 2023), and the Mastung bombing (Sep 2023).

During **2023-2024:** The federal government earmarked **Rs. 97.098 billion** for education in its budget. The HEC received roughly **Rs. 59.7 billion** under the PSDP (approx. Rs. 52.8 billion for ongoing schemes and Rs. 6.9 billion for new ones).

During **2024-2025:** The federal PSDP allocated **Rs. 25.7 billion** directly to the Federal Education & Professional Training Division. The HEC saw an increase, securing **Rs. 66.3 billion** for its PSDP projects.

Despite minor nominal increases, overall education expenditures as a share of the federal budget trended downwards during this period due to competing fiscal pressures and inflation.}

SUMMARY OF KHAN's DOWNFALL-FACTORS:

On 5th May 2023; Mr Khan was speaking to media in the federal capital while appearing before the Islamabad High Court (IHC); he also made an announcement through a video message before leaving for that hearing at IHC. The PTI chairman was going to lead the rally in Lahore to convey the Chief Justice of Pakistan (CJP) Umar Ata Bandial and the judiciary about his following in masses.

Mr Khan urged the people to come to the streets next day, Saturday the 6th May 2023, to express their solidarity with the top judge amidst ***then ongoing conflict between the judiciary and parliament*** over the holding of elections in Punjab and Khyber-PK. The PDM was running away from elections and had been violating the Constitution and opposing the CJP.

On 9th May 2023; Mr Khan was arrested on corruption charges, sparking widespread protests that plunged Pakistan deeper into political turmoil at a time when its economy was on life support and food prices were soaring. The arrest was declared illegal at another judicial forum, but in August 2023, he was taken into custody again after being found guilty of not declaring money earned from selling gifts he had received in office - '**TOSHA KHANNA Case**'. He was sentenced to three years in jail; Mr Khan's conviction ended any chance of a resolution between the former PM and the establishment.

Going back for details for a while – while referring to the **BBC News** dated 5th August 2023; few words on Imran Khan's past:

"Imran Khan was born in 1952, the son of a civil engineer. He and his four sisters had a privileged upbringing in Lahore where he was schooled, before he studied at Oxford University....."

In 1995, at the age of 43, he married the 21-year-old British heiress, Jemima Goldsmith - the daughter of one of the world's richest men at the time, Sir James Goldsmith. The marriage brought two boys but was dissolved in 2004.

A second marriage in 2015, to a journalist Reham Khan, lasted less than a year. The former BBC weather presenter alleges she was bullied by his supporters and wrote a tell-all memoir.

Mr Khan married again in a low-profile ceremony in January 2018. His third wife Bushra Watto, a mother of five, was described as his

spiritual adviser. Ms Watto later set up a trust that allegedly received land as a bribe from one of Pakistan's top real estate developers [Riaz Malik]. This eventually led to the corruption charge that saw Mr Khan arrested."

..... At last in the aftermath of the Elections of 2018, he gained sufficient strength to get a majority in the Parliament and form his government. On 18th August 2018 when he took hold of his office as Prime Minister, his immediate challenges included flawed energy policies, spiraling fiscal deficit, all-pervasive corruption, grossly inadequate tax to GDP ratio, underinvestment in education and health sectors etc. His economic agenda projected a growth rate of 6 per cent, inflation to be brought down to 7pc, fiscal deficit to be brought down to 4.5pc, and tax revenues to be raised by 15pc. These were his ambitious plans and big challenges ahead.

Mr Khan undoubtedly had significant public support in 2018. However, the critics labelled his government a **'hybrid regime'**; it was because some of his party candidates standing for election were either cajoled or coerced into joining his party. Nawaz Sharif, his chief opponent, was first disqualified and then convicted on corruption charges. Many believed that Mr Sharif had indeed been involved in corruption in the past - but the real reason he was being punished and defeated in 2018 elections was his own falling out with the army. The fact remains that Mr Sharif had started his political career as a protégé of a military dictator, Gen Ziaul Haq, later growing more independent and invoking the ire of the **'establishment'**.

Mr Khan, the former cricket captain, later styling himself as a pious anti-poverty reformer, spoke of his dream of building **'NAYA PAKISTAN'**, however, on the basis of old traditional thinking of **'RIYASAT E MADINA'** - an Islamic welfare state; making ambitious promises that included reforming the country's tax system and bureaucracy. Instead, inflation soared, the rupee plummeted and the country became crippled by debt, stoking anger and criticism that Mr Khan had mishandled the economy. Through his party agenda before 2018 elections, Mr Khan had vowed not to seek International Monetary Fund (IMF) help but ended up negotiating a \$6bn rescue bailout to address a balance of payments crisis.

The fact remains that Mr Khan struggled for years to turn popular support into electoral gains. He launched his ***Pakistan Tehreek-e-Insaf*** (PTI) in 1996 but it wasn't until the 2013 general election that it emerged as a serious player nationally. Five years later a swing of epic proportions propelled him to power. The PTI made huge gains in his rivals' Nawaz and Shahbaz Sharif's bastion, Punjab province, which held more than half of the directly-elected National Assembly seats. Mr Khan was seen as a **'candidate of CHANGE'**,

whose promise to raise a whole new class of clean politicians chimed with voters disillusioned with the old political order.

However, Mr Khan was also widely viewed as the favoured candidate of the military which - despite denials from both sides - was accused of being inquisitive to turn opinion against his rivals. Many sane observers held saying his biggest problem was that he had lost the support of the army Generals - especially the Army Chief and the ISI. Then the PTI leader found himself short of political friends. Far from cleaning up 'TWO POLITICAL DYNASTYS', he was accused of sidelining opponents, with many jailed on corruption charges during his tenure. Ultimately, his enemies got united to send him home un-ceremonially.

After seizing the premiership, Imran Khan, by contrast, proudly proclaimed he and the army were **'on one page'** when it came to policy decisions. The first few months of his rule made nervous the civil society activists, with a spate of attacks and abductions targeting journalists and commentators critical of both Mr Khan's government and the intelligence services. They both denied involvement, but no one other was ever identified. However, Mr Khan focused on improving governance, and he made some impressive expansions to the social welfare system; introducing a health insurance scheme for the poor in two provinces of the country. He pursued a more independent foreign policy seeking closer ties with countries like China, Russia while also pursuing to improve relations with India and Afghanistan – (but) against the whims of the army wishes; he ultimately had to pay for it.

The said civil-military relationship became strained in the last months of 2021 and early 2022 because of Khan's Hardline anti-west Foreign Policy. Mr Khan's ill-timed visit to Moscow had just taken place days before the no-confidence motion in the parliament against him (9th April 2022). Since his removal In April 2022, the PTI claimed that Khan was being charged in 85 cases, including sedition, corruption, and terrorism; Mr Khan though denied all the charges and accusations brought against him.

Mr Khan as the PM ignored the calls from Washington and an open letter from emissaries of the European Union when Pakistan was asked to condemn Russia's aggression in Ukraine at the UN General Assembly. He made a provoking statement **'Are we your slaves'** at a public Meeting. The European Union had been Pakistan's largest trading partner and a major source of much needed assistance for the country's faltering economy, so such statements fueled up tensions on both sides.

Once more going back, since Mr Khan's first day in saddles, he seriously faltered in some areas. **His decision to appoint an inexperienced and**

underqualified political newcomer, Usman Buzdar, as chief minister of Punjab, the country's most populous province, was widely ridiculed. At a loss to explain why Mr Khan refused to replace his appointee, Usman Buzdar, despite overwhelming criticism, rumours spread that the prime minister's wife, a spiritual guide of sorts, had warned Khan that Mr Buzdar was a good omen and - if he were to be sacked - his entire government would collapse – which ultimately collapsed due to the same goof administrator.

[Imran Khan, besides his multiple qualities suffered from certain temperamental defects which are suicidal for a politician. For a good politician, one should have a generous heart and mind, should proceed with a spirit of accommodating his political rivals, and give them due weight as long as they do not run counter to his own program, and try to take them along through the thick and thin of their political journey for the common good of their people. Unfortunately, Mr Khan publicly declared that he would not sit with the opposition party to consult and resolve important national issues. This mood alone went against the democratic working, bureaucratic norms of the status-quo ridden society and establishment's domination of the Pakistan-politics.]

As a politician Imran Khan publicly upheld liberalism, but at the same time appealed to Islamic values and anti-West sentiments. On his watch, there was a significant rise in Islamist militancy in Pakistan, and religious extremists strengthened their position. He was amply criticised as sympathetic towards the Taliban, and branded '**TALIBAN KHAN**' by opponents. *In 2020 there was an outcry after he called Osama Bin Laden a martyr.*

Imran Khan often made hasty-cum-solo decisions without deliberation or logic. This was true about his postings and transfers to fill important slots. For instance:

- The selection and posting of Usman Buzdar as the CM Punjab was very unpopular decision Mr Khan made. Mr Buzdar was neither an old PTI member nor did he have any experience of administration at any level, nor he was a public speaker, nor could face people or journalists. His decision to appoint an inexperienced and under qualified political newcomer as Chief Minister of Punjab received backlash and overwhelming criticism.

Being an introvert and inarticulate persona, he always brought embarrassment to Imran Khan's government which the latter eschewed with good humour, much to the embarrassment of his own party. Nobody on earth could ascertain the reasons for his appointment to

such a post of high responsibility except a reference to his virtuous and pious new wife. Both the PM & CM earned enough unpopularity for the regime whatsoever.

- Dr Firdous Ashiq Awan's selection as SAPM {Special Advisor to the PM} for information remained questionable throughout her stay in the PTI government.
- Mehmud Khan's appointment as CM Khyber PK, instead of much experienced Perwaiz Khatak, was another derogatory choice. Mehmud Khan couldn't deliver at all and Mr Khatak remained unconcerned with the PTI's manifesto & state-performance due to grudge and inner bad feelings.

PM Khan's other political blunders also included the removal of Asad Omer from his finance portfolio. Filing a presidential reference for the removal of Supreme Court's Justice Qazi Faez Isa was another negative point. This reference forced Justice Isa and his wife to face unjust inquiries about the means of their wealth. Mr Khan later confessed that he was misled but by whom – no one else but his religious mentor – his wife.

Under Khan's premiership, Pakistan - a longtime ally of the West, however continued strengthening ties with China. Tense relations with neighbouring India, Pakistan's historic rival, did not improve during his tenure.

KHAN vs ARMY - FACTS ON FILE:

Till mid-2021, Imran Khan enjoyed full covert support and backing of the 'Establishment' but then the things started deteriorating. The dynamics changed dramatically in ending of that year; the army began to grow increasingly frustrated with Mr Khan's failure to deliver good governance, particularly in Punjab, and perhaps at how they were being publicly blamed for bringing him into power by the opposition. Most crucially, a rift began to appear between Gen Bajwa and Lt Gen Faiz Hameed, who was widely seen as hoping to become the next army chief. Lt Gen Hameed was apparently so confident of his prospects that he had even told officials in neighbouring Afghanistan he would be the next man in charge of the army.

{However, the retired military Generals had the opinion that while Lt Gen Hameed was seen as someone who could handle 'dirty jobs' effectively, a reference to manipulating politicians or silencing critics,

he was not seen as someone fit 'to lead the institution'; BBC News dated 9th April 2022 is referred.}

The tension between the two powerful figures was noticed during a private interaction with influential commentators in summer 2021. One journalist asked a question, only to be told by the head of the ISI that time had run out. *"I'm the chief,"* interjected Gen Bajwa curtly, *"and I'll decide when we're done,"* before proceeding to take the question and answer it at leisure.

As said earlier, Imran Khan suffered from certain temperamental defects, which were suicidal for a Pakistani politician. His initial promises after he assumed power were that he would create 10 million jobs, and make five million homes, but throughout his tenure of nearly four years, he failed to give them a single job or home. Instead, he created more instability and millions of people were laid off due to the economic instability.

- *Mr Khan had declared with a fanfare that he would rather commit suicide than go asking other nations for aid, but later he went to every single country with the same begging bowl in his hand and yet could not muster the requisite funding as had been expected by him.*

In October 2021, the dispute with Gen Bajwa and his team escalated and enveloped PM Khan. Gen Bajwa was understood to want a new man in charge of the intelligence services, and the army announced a change in roles. Till that time Mr Khan had developed a close relationship with Lt Gen Faiz Hameed, thus resisted, apparently wanting him to stay on until elections had taken place - assuming that Lt Gen Hameed could once again help ensure Mr Khan's victory. He held off issuing a formal notification approving the change of posting for nearly three weeks before eventually relenting.

The then visible cracks between the military and Imran Khan's government emboldened the opposition. When the opposition began plotting a vote of no confidence, and sounding out potential defectors from within his party and coalition allies, the military made clear that they were going to be **'neutral on the occasion'**. One defecting member of Mr Khan's party told the **BBC News** [ref: date cited above]:

'....he and other parliamentarians used to receive "calls" from the intelligence services, directing them on what to do'. "We used to be manhandled," he said indignantly. However, once Lt Gen Faiz Hameed left office, the "calls" stopped. "Now the army is not interfering"..... that the military had been involved in "managing" Imran Khan's allies and slim majority in government. "Once that support was missing, his downfall was inevitable."

Further differences have emerged between Mr Khan and the army, too, notably on foreign policy. Although he defended visiting Moscow on the day Russian troops crossed into Ukraine and abruptly rejected attempts by Western officials to issue a condemnation of President Vladimir Putin's behaviour, Gen Bajwa said a week after that **"...the (Russian) invasion must be stopped immediately"**.

Mr Khan, however, repeatedly indicated he would not give up the fight. He alleged he was the victim of a US-led attempt to affect **'regime change in Pakistan'**, because of the anti-Western tilt in his foreign policy, which had included criticism of America's war in Afghanistan. Most analysts, however, had dismissed this plea as a deliberate exaggeration of a diplomatic cable sent by the Pakistani ambassador in Washington. Basically, it was a narrative that appeared to be resonating with Mr Khan's supporters, tapping into a reservoir of anti-Americanism in Pakistan. After a short while, his opponents were seen becoming increasingly vocal in their opposition to the military, naming the army chief, Gen Bajwa, and the head of the intelligence services (ISI), Lt Gen Faiz Hameed, as being responsible for *'selecting'* Imran Khan to office.

Imran Khan was elected just three years before (in July 2018) for promises of fighting corruption and fix the economy but those pledges went unmet and Pakistan landed in financial crisis immediately after. Just under four years after being elected, he was ousted as prime minister by his opponents in the parliament. Mr Khan spent his time out of power addressing large rallies of supporters angry at his removal from office.

Politically, PM Khan, in all his speeches and interviews, had lambasted ***the opposition leaders as 'dacoits and thieves'*** who looted the wealth of this country and stacked their assets in foreign countries. ***This allegation could be true, but its too much repetition by the PM, while doing nothing to prosecute them, was likely to cause defamation on the integrity and impartiality of the premiership.*** Moreover, the assertion of Mr Khan that he would force them to vomit their hidden wealth, was another example of his political innocence. Not a single penny was recovered. His chosen Chief Minister Punjab, Usman Buzdar, couldn't even investigate the so-called bogus medical reports of that **'corrupt former PM'** and FIRST TIME IN THE HISTORY OF PAKISTAN that a convicted person got released on bail with Mr Khan's special permission to fly abroad.

In fact, Mr Khan's Government itself had strengthened his rivals to come together by targeting their top leadership, through the cases they had in the National Accountability Bureau [NAB]. To achieve the common goal of ousting Imran Khan from premiership through constitutional means, PMLN and

PPP formed an alliance in which they also included the joint opposition Fazul-Rehman's Jamiat-Ulema-e-Islam [JUI] and other smaller parties to threaten his survival in the office. At this point Khan knew what was coming next but he couldn't react calmly, thus suffered more loss.

Imran Khan had hoped for a full five-year term, something no other prime minister had ever done in Pakistan due to their own corrupt practices of one kind or the other. The Pak-Army had to interfere to save the people from mismanagements, poor economic agendas and poor governance; see the history of coups and military rules in Pakistan. But by late March 2022, a series of defections had deprived Mr Khan of his parliamentary majority and the opposition ambushed, tabling a motion of no confidence which met success by 2 votes only.

Imran Khan sought to circumvent the move by having parliament dissolved and calling immediate elections, but the Supreme Court of Pakistan [SCP] ruled this was in breach of the constitution. He had claimed that his political opponents were colluding with the US to bring about regime change because of his policies on Afghanistan, Russia and China – commonly known as **CYPHER CASE**; Washington strongly denied any foreign interference and he couldn't provide any cogent evidence in that regard.

Here are the achievements which could be attributed to Mr Khan. Pakistan's Covid record had been the best in South Asia, and a poverty-alleviation program making progress. He also provided universal healthcare in two provinces, Punjab & Khyber PK - perhaps his most notable achievement. While this could help Mr Khan in elections then due nearby, all eyes were on the pseudo-corruption allegations against him. A simple conviction, even declared false later, was enough to disqualify him from running for public office.

On a positive tone, when he won a thumping victory in the by-elections on 17th July 2022, the people had re-asserted his popularity as their saviour, obviously with high expectations of overcoming their on-going problems, for which he could face grave challenges in the future. Since Imran Khan's dismissal, a large population of the public rallied behind Mr Khan (***famous rally of MARCH TOWARDS ISLAMABAD on 25th May 2022 is especially referred***); Khan's anti-corruption message and promises of reform resonated with many Pakistanis especially the youth. His emphasis on the need for greater social justice including poverty and improving access to education (*though nothing done significantly in this field*) and healthcare was translated into effective policy, while gaining popular support from the people.

The road ahead was very tough. Mr Khan and the PTI was expected to seriously analyze their defects and weaknesses and resolve that the same mistakes would not be repeated again. However, his arrest on 9th May 2023, and an un-precedential burden of pseudo type revengeful criminal cases, remotely controlled by his opponent political parties - marching up with the ECP hand-in-hand - didn't allow him to appear or showing face in the next general elections.

One of the history's prime light-givers in politics, Socrates, became the most hated person in Athens because of his questions. This great teacher (guides & leaders included) taught us the art of doubt and forced us to think. He exposed corrupt politicians and false scholars who propagated fake truths. Before that, questioning and the pursuit of intelligence were considered dangerous.

These are the lessons we learn from the trial of Socrates. The seed of curiosity that Socrates planted nourishes wisdom. A true teacher nurtures this seed of curiosity rather than roasting it.

The historians would judge from Imran Khan's stint of 3.5 years rule that where he stands.

KHAN NEVER TOUCHED HIS AGENDA / PROMISES:

See a post having comments about Imran Khan's capacity, capabilities and leadership patterns – placed on most media pages just after his departure in 2022:

- ***He could improve the quality of life of his voters by fixing water systems and innovating agriculture; but he ignored manifestly.***
- ***He could generate cheap electricity by building small dams, installing turbines on canals (in fact he started some projects in KPK) – but couldn't show up meaningful results.***
- ***He could reduce his junta's problems, and of course, could reduce country's foreign debts by taking cheap oil and gas from Iran; but he didn't.***

- ***He could fix law and order situations in the whole country by getting passed appropriate legislation from the parliament; but he ignored this primary aspect of better governance.***
- ***He could increase per capita income by improving tourism in KPK and Sindh provinces and establishing it as the best sources of income for local residents; but he knowingly ignored the strategic economic demands.***
- ***He could make the nation count among the civilized nations by bringing a better and standard education system; but he didn't bother at all.***
- ***He could eradicate poverty and ignorance by transforming the mosques into standard primary & high schools and make the state prosperous; but he couldn't.***

Why couldn't he do that – because his team members had no vision to encompass the achievements made by other nations around Pakistan (see the gulf states for instance); perhaps it was not their purpose. Their aim was only to attract or gather poor masses around them to show off his or his party's popularity. Some of them also accumulated unnecessary wealth. For which it was necessary to keep the people at daily bread's need. They kept the populace as slaves as they were before - thus they are all imprisoned – and prisoners are not given their coded rights even.

BUT, why to blame only Imran Khan's three and a half years stay, other political parties, like PMLN & PPP and military rulers for instance, of this country had 3-3 tenures in saddles – what had they done attending the above issues for the people – nothing. They had left the same types stories of running the state like family businesses meddled with corruption and inefficiency.

Why Pakistan is just lagging behind? No leadership since 75 years – only opportunists and family dynasties were seen – all looting the people in the name of DEMOCRACY – general populace continued suffering with inherent fault of running all development projects through corrupt files wrapped with golden ribbons of democracy; yes, nepotism and discrimination were made its accepted tools. In Pakistan, with the exception of Z A Bhutto's movement (that too devoid of sincerity), so far no mass movement including independence movement could take off to mobilise masses against old social and economic disorders based on sectarian black-mailing, feudalism, elitism, rental economy & religious bigotry.

Pakistani society has no chance of recovery from such humanitarian bankruptcy as it is not conscious of the said disorder - and top of all no remorse for it!

Scenario 263**CM USMAN BUZDAR FACTOR**

On 17th August 2018; a day before Imran Khan was sworn in as Pakistan's prime minister, he made an announcement that left his followers stunned, deepening the factionalism in his Pakistan Tehreek-i-Insaf (PTI). Mr Khan announced that he had picked his candidate for the office of chief minister of Punjab — the most politically important province of the country. Mr Khan told the rationale for the selection saying:

"I have nominated Sardar Usman as Punjab chief minister and I want to tell you the reason for doing so....."

He belongs to an area of Punjab that is the most backward. People there have no water or electricity or hospital. The special thing about Sardar Usman is that he is well acquainted with how people live in those areas and secondly, he is aware of how the poor lead their lives. When he will assume the office of the chief minister he will know the nature of the plight that faces the under-privileged people of Pakistan....."

[**Barthi in Jhandi Tribal Area**, Buzdar's remote town on the outskirts of *Taunsa Sharif* along Punjab's border with Balochistan, had no access to basic civic facilities; health facilities were so poor that the local women suffered from night blindness due to malnutrition and in the early '80s, leprosy was diagnosed amongst most residents there.]

Nominated CM Usman Buzdar — the son of a three-time former MPA - had triumphed in the 2018 general elections from PP-286 [Dera Ghazi Khan (DGK)-II] by securing 26,897 votes. He was a *tehsil nazim* of a mountainous tribal area of DGK during president Gen Musharraf's era.

Designated CM Buzdar was a member of the PMLQ from 2002 to 2011. Later, he left the party to join the PMLN. In 2013, he ran for provincial assembly seat on PMLN ticket but was defeated by a PPP contestant. Before the 2018 general elections, Buzdar joined the ***Janoobi Punjab Suba Mahaz***, which

then merged with the PTI, thus making him a member of Khan's party. Buzdar has a bachelor's degree in law and master's degree in political science.

Curiously, Mr Khan was going to nominate Usman Buzdar, but his choice clearly did not sit well with many in the party — especially those who had financed PTI's campaigns for years and were expecting some experienced head in Punjab.

The incredulity over Buzdar's selection was so rampant within the party that Imran Khan had to take to Twitter the morning after taking his oath; while defending his decision, saying:

"I want to make it clear [that] I stand by our nominee Usman Buzdar for Chief Minister Punjab. I have done my due diligence over the past two weeks and have found him to be an honest man. He has integrity and stands by my vision and ideology of Naya Pakistan."

But the tweet did little to appease party stalwarts from the province, as well as its newly elected members of the provincial assembly, who were still in disbelief. Many believed that '**Usman Buzdar was picked up on the instructions of his new wife Bushra Bibi who had got some spiritual guidance from.....**'.

DARK CHAPTER OF PUNJAB's HISTORY:

PTI's elected MsPA did not know anything about Buzdar, except what Imran Khan had told them in a video message and later through his tweets. Few, if any, believed that Buzdar could effectively run the government in the stronghold of the Sharifs, which they had just snatched from them — with much difficulty and might be 'accidently'.

On 10th April 2022: A long-drawn-out political drama was over in Pakistan; Prime Minister Imran Khan was removed from office following a vote of no confidence in the Parliament. Next day, the opposition leader Shahbaz Sharif sworn in as new prime minister of the country. However, it was not an end of political turmoil in Pakistan, a country of about 240 million inhabitants. After various attempts to stay in power, Imran Khan was finally voted out - more than 100 members of Parliament loyal to Khan had resigned and walked out of Parliament in protest.

The basic, BUT the MOST PROJECTING, charge against Imran Khan was his mismanagement, especially in Punjab where he had appointed one ***Usman Buzdar as (dummy) Chief Minister***. He knew that CM Buzdar would not be able to deliver but he allowed him to continue – perhaps Imran Khan wanted to make all pivotal decisions for Punjab from his Banni Gala residence in Islamabad. CM Buzdar was only the rubber stamp. However, the scheme didn't work and here was the first point of difference between the Army Chief Gen Bajwa; his die-heart companions like Shah Mahmood Qureshi and Jehangir Treen were also amongst the silent dissidents.

Imran Khan assumed power in mid-2018 promising a '***New Pakistan***' and an end to the corruption that was for decades been part of Pakistan's politics; but he failed to live up to that promise. Even his chosen CM Buzdar was accused of widespread corruption, taking bribes for making bureaucratic appointments. Even members of Khan's Pakistan Tehreek-e-Insaf (PTI), had raised fingers over this menace. On top of this, Khan was vastly criticized for his handling of everything from the pandemic to soaring inflation in the country.

Shahbaz Sharif for a long time had been chief minister of Punjab, and the general perception prevailed that he was an effective administrator there. His brother Nawaz Sharif served as prime minister of Pakistan on three separate occasions - but had been convicted of corruption and was banned from public office. Shahbaz had also faced allegations of cronyism and corruption - but this has been a usual practice in Pakistan.

Imran Khan fell back on a tried-and-tested tactic in Pakistani politics: Blame America. He claimed to have been unseated by a foreign conspiracy aimed at forcing him from power. And it was America, Khan said, that was really behind the no-confidence motion filed by opposition lawmakers. He accused US Assistant Secretary of State Donald Lu of being involved in the plot to overthrow his government, suggesting that Lu had warned Pakistan's ambassador in Washington that there would be implications if Khan survived the no-confidence vote. However, The US dismissed this claim.

Khan also said, the Pakistani military was (still) overwhelmingly depending on the US, and as such Pakistan's Generals would want to maintain some semblance of good relations with Washington. But at the top level in politics it was fair to say relations with the US were not good – '***terrible***' was the word Khan used in his 2021's interview.

Imran Khan certainly had a base of support that was very loyal, but doubtful factor was - whether it would outweigh that of the other parties put together – or a coalition of about 13 opposition parties could gain enough seats to

oust Khan in the next election. The media analysts held that Khan never governed with a large mandate, too – his party did not win a majority of seats in Parliament thus required the support of smaller parties. However, many people in Pakistan bought the conspiracy that it was the US that toppled Khan. The fact remained that it was very difficult to win Punjab given the mismanagement through his beloved choice of Usman Buzdar as CM for which he was blamed for - and without Punjab, there would be ashes in the Pakistan's governance basket; for more details see **Prof Ayesha Jalal's** (Tufts University...) analysis on media pages of 13th April 2022.

No doubt, in a nation that had been comforted into political apathy, Imran Khan awakened the masses and brought their attention to the widespread corruption, institutional conflicts, and economic distress in Pakistan; Khan remained an important piece at the country's political chessboard. But, Confucius had said: '**By three methods we may learn wisdom. First, by reflection, which is noblest; second, by imitation, which is easiest; and third by experience, which is the bitterest**'. History is the biggest source of wisdom where mistakes and their stark consequences lie bare. Now see Imran Khan's scenario of 3.5 years' rule over Pakistan in the light of above maxim. [*Mir Adnan Aziz's* article in **daily DAWN** of 5th August 2022 is referred for more details]

- Pakistan's decades-long abysmal and unaccountable governance has left on us an equally checkered institutional history. The military rule too but mostly autocratic civilian regimes have always harboured ambitions and actively worked towards having a subservient and submissive judiciary and similar state organs – a proven fact that all top-level institutional appointments are based on self-interest or personal whims of rulers or on monetary calculations. This policy has been pursued invariably by country's political elite belonging to two families; military rulers however, made selection of their buddy subordinates in uniform – not their family members – but the consequences were monumental disasters and tragedies.

Subsequent history proved that the ruling coalition [PDM]'s constant emphasis on the integrity of a few honorable SC judges was in no way their newfound love for honesty and professionalism; see Imran Khan's cases in that perspective. In 1997, the military leadership ignored President Leghari's advice to provide security to Chief Justice Sajjad Shah who was hearing contempt and corruption cases against Nawaz Sharif. Pakistan and the people still bear the terrible consequences of the unchallenged and ignominious storming of the Supreme Court and the subsequent eviction of Sajjad Shah as the Chief Justice of Pakistan. ***Can that episode be taken as medal for the democracy in Pakistan?***

- That PMLN affront saw no justice as it continued its brand of democracy with renewed immunity.

More vigorously, the ECP, mandated to keep an annual check and balance on party funding, remained mum about the means of funding of all the ruling political parties. It also remained a mute spectator as those embroiled in corruption and money laundering had taken over the highest offices of this country – surely the ECP was and still is the most powerful civil institution BUT it behaved as a ruler family's servant-room.

The history witnessed that in Pakistan, convicts and absconders dictated governing policies to the political elite. PTI leadership held that theirs was the only political party in Pakistan's history that had always declared their funding and the proceeds audited by known accountancy firms – but the ECP and courts went unilaterally against the PTI.

History proves that it is not hostile military might but poverty that has subdued many nations into fragmentation or slavery. Ruling a nation requires honesty, wisdom and far-sightedness. What could be a greater mockery than being in power, the legitimate authority, yet blatantly misusing it for personal gains as has been the norm in Pakistan. In any election, general or '*zimni*', the whole numbers of votes are not in love for any particular name or leader – but for people's hatred for corruption and dishonest politicians which are tested and testified through their past policies for their own family benefits or for public at large.

On 8th April 2023; Maliha Baig's analysis on the media pages attracted the intelligentsia for **Corruption & Terrorism Charges**, Imran Khan was accused of:

- Members of the ruling party PMLN filed a case against Mr Khan contending that he had failed to disclose the assets in declarations submitted to the Election Commission of Pakistan [ECP].
- Illegally selling \$2m unique antique watch, gold pen, ring and cufflinks given to him by the Saudi Crown Prince, Muhammad Bin Salman.
- The sale of state gifts by Mr Khan, known as **Tosha Khana Case**, became a national political scandal, and the ECP suspended Mr Khan from the parliament accusing him of corrupt practices.
-
- The opposition parties alleged that Imran Khan and his wife, Bushra Bibi, misappropriated AL-QADIR TRUST funds. As per report by Geo

News, the charges against Khan and the others showed that the accused allegedly adjusted Rs: 50 billion — 190 million pounds at the time — sent by Britain's National Crime Agency (NCA) to the government of Pakistan.

-
- In another high-profile case Khan was charged with **"terrorism"** by the police, a day after thousands of PTI supporters allegedly clashed with security forces; dozens of party workers and senior leaders were named and arrested for committing that unique type of terrorism.

Imran Khan's reasons for handpicking Buzdar from obscurity were simply discarded by the PTI voters, at least on the face of it that Mr Buzdar was from one of the most backward areas of Punjab — and that Buzdar was the only member of the Punjab assembly who did not have electricity at home. Mr Khan repeatedly assured his party members saying he fully backed Buzdar all the way. Since the first day of his office as the CM Punjab, Usman Buzdar had been firefighting rumours of his early departure. Despite growing unease within the PTI's ranks about his effectiveness, he continued to bank on the support of PM Imran Khan.

When Buzdar's critics painted him as a failure with nothing tangible to show, PM Khan predictably turned to cricket comparisons. **'He will prove to be Wasim Akram Plus,'** the PTI leader said on multiple occasions.

PTI's most members ridiculed at the idea that Imran Khan selected Buzdar for the position solely because he was from an underdeveloped region that did not have electricity, water and a hospital. One PTI MPA often pointed out that the region did not have these facilities **'in spite of the fact that Buzdar's father had been in active politics since the early 1980s and was thrice returned to the provincial assembly between 1985 and 2002.'**

See one Lahorite MPA's arguable comments:

"The man we were ordered to elect as the Leader of the House had made it to the provincial assembly for the first time and had no prior administrative experience to handle the Punjabi bureaucracy. Who would entrust such a man with such a huge responsibility of running the country's most populous and politically most important province? He may be a good man but he was NOT THE RIGHT PERSON FOR THIS JOB he had been given. Time has proved us right."

The cynicism about Buzdar's ability to match his restless predecessor, PMLN's Shahbaz Sharif's abilities wasn't the only factor that caused an outrage

among the PTI old guard. Buzdar was not only an unknown commodity in the political arena but his ties with the party were also rather recent. He had contested and lost the 2013 election for a provincial seat on PMLN's ticket, a party he had joined after quitting PMLQ. He quit PMLN only a couple of months before the 2018 elections to join the ***Junoobi Punjab Sooba Mahaz*** (The Southern Punjab Province Front), which was formed by PMLN 'dissidents' led by Makhdum Khusró Bakhtiar, who was later the national food security minister. The *Mahaz* opted to merge with PTI after dissolution of the previous assemblies (2013-18).

The fact remains that Buzdar was chosen for the same reasons that made him ineffective; unlike his other major rivals for his job, he lacked an independent power base and that made it easier for PM Khan to control Buzdar and rule the Punjab province indirectly from *Bani Gala*.

Buzdar was also aware that his opposition from within the PTI, especially from Lahore through MPA Aleem Khan and from Multan via Shah Mahmood Qureshi, would prove to be major challenges for him during his tenure. Hence, when he rose from his seat after his election as the chief executive of the province, to thank the House, he decided to first shut up his detractors — not from the opposition benches, but from the treasury benches of his own PTI.

PTI's inner circles knew that Buzdar's background was not the only reason for his elevation to CM's office; his wife was close to Mr Khan's isolated spouse, Bushra Bibi. Others, such as well-known TV journalist Sohail Warraich, contended that the premier was told by his wife to pick a man whose name begins with the Urdu letter '*aer*'; further explaining:

"There were only two people elected to the provincial assembly in 2018 whose name started with that letter. One of them died, leaving Usman Buzdar as the only choice for Imran."

Hasan Javid, an associate professor at the Lahore University of Management Science (LUMS), argued that PM Khan had also been trying to balance the factional conflict within the PTI by choosing a 'neutral' candidate. PM Khan was also operating under the [mistaken] belief that he himself would be able to ensure effective governance in Punjab through Buzdar. But it was not the first time a party leader tried to control Punjab remotely. In the 1970s, Zulfikar Ali Bhutto had changed four chief ministers — Mustafa Khar, Hanif Ramay, Sadiq Hussain Qureshi and Meraj Khalid — in Punjab. Mr Bhutto kept changing his CMs in Punjab so that none of them could grow ambitions to challenge his authority.

MEDIA's HARSH CRITICISM ON BUZDAR:

On 18th November 2019: Chief Minister Usman Buzdar faced a volley of criticisms from party MPAs at a PTI parliamentary party meeting as they expressed dissatisfaction over the performance of the Punjab government during the past 15 months; **TV news** of that day are referred.

The parliamentary party meeting, called ahead of the Punjab Assembly session, was meant to take party MPAs into confidence with regard to plans for holding the local government elections in March 2020. In the meeting the MPAs complained that the bureaucracy was not cooperating with them and even their genuine issues were not being resolved. Unbridled price hikes and unemployment or facing salary cuts were also discussed; thus, PTI's popularity had hit an all-time low.

[In Pakistan, the parliamentary party meetings are usually called to allow the party MPAs to vent their anger in a closed-door meeting instead of expressing resentment in the assembly session and bring embarrassment for the government.]

Referring to an essay published in the daily '**DAWN**' dated 9th February 2020:

"Apparently, PTI party leaders fear similarly that the success of their proxies in governing Punjab efficiently could eclipse their own performance and create a threat to them.

Even Nawaz Sharif never trusted anyone except his younger brother for this office. The only time he agreed to give the job to someone outside the family was in 1990, when he selected Ghulam Haider Wyne. But that was meant to keep Pervaiz Elahi out — a step that sowed the seeds of an unbridgeable rift between the Sharifs and the Chaudhrys from Gujrat."

CM Buzdar was seen as an unassuming, modest and quiet person; was often felt knowledge-less and ineffective in comparison with his predecessor Shahbaz Sharif of the PMLN. Buzdar had always been at the center of media speculations about his looming departure. A senior Lahore-based journalist pointed out that PM Khan had intentionally not groomed anyone from his party for the Punjab CM's slot.

"His party [PTI] didn't promote any specific candidate who could replace Shahbaz during its campaign for power in 2013 and 2018. In my view, Imran Khan realized that the day he announced his candidate for the post of Punjab's chief minister, the party would lose all its popular momentum and might as well break up. Thus, he deliberately kept his options open until his ascension to power."

In fact, none of the PTI leaders such as Aleem Khan, Shah Mahmood Qureshi and Aslam Iqbal — who were often discussed by the media as potential candidates for the coveted position — were ever given any signal by Imran Khan; they were mostly wild guesses by the media. Buzdar represented a new experiment in Punjab. It was after almost 45 years that Punjab had a chief minister hailing from South Punjab and the first who didn't have any links with the urban industrial business community and the middle class from central Punjab. Also, he was the first chief minister who was not groomed politically under military rulers.

PM Khan's relentless support for CM Buzdar notwithstanding, he remained under clouds ever since his election as the 26th chief executive of the province. One TV anchor after another and one columnist after another predicted Buzdar's imminent downfall. His own party colleagues were not happy with him and considered him an ineffective manager, ill-equipped to handle the Punjab's earlier chief ministers did. He had not only survived this onslaught of speculative attacks but also managed to throw out key-people like his media adviser Shahbaz Gill (Mr Gill had tried to exercise his boss's executive powers).

CM Buzdar kept rival Aleem Khan, who could prove a threat to him, out of his cabinet; of course, it could be a direction from the top boss, PM Khan. A number of PTI leaders believed that CM Buzdar would be the main factor if the party's popularity declined in Punjab - an eventual downfall. Governor Punjab Ch Sarwar had been often accused of supporting efforts to oust Buzdar, or at least bring him under his wing.

Aleem Khan was believed to be nursing a grudge against Buzdar for refusing to re-induct him in the cabinet. After all, ***Aleem Khan had generously financed the party's campaign for power in the province and he could have been in Buzdar's place***, but the National Accountability Bureau (NAB) cases against him were the main hinderance.

Some of Buzdar's cabinet ministers also kept on nurturing hopes of one day replacing him; yet he was there despite all the loud media speculation, which peaked in ending year 2019 when 20 PTI MPAs from south and central Pun-

jab formed a pressure group to secure development funds for their constituencies. Some reports suggested that the group was created at Buzdar's own behest to thwart his opponents campaigning with PM Khan for **'odd changes in Punjab scenario'**.

During CM Buzdar's times, most political analysts agreed that the then **'political crisis in Punjab'** was mainly linked to factional fighting within the PTI government as well as to the popular perceptions about Buzdar's incompetence. It was clear that Buzdar's appointment had always been an issue for the PTI governing figures. From the beginning, the Punjab government had to deal with competing centers of power; thinking about Jahangir Tareen, Pervaiz Elahi and, to a lesser extent, Aleem Khan and even Shah Mahmood Qureshi — initially all were vying for the [Buzdar's] position, with their own agendas and interests.

The attacks repeatedly mounted against Buzdar by his detractors who always focused on underscoring poor governance and ineffective administration under CM Buzdar. No one ever accused him of corruption, apart from giving a few jobs to his relatives and friends and diverting huge development funds to his home constituency. One of his critics asked from his own party that:

"Who needs corruption charges to bring him down? His incompetence and poor governance are enough to topple him whenever his opponents get the signal from the right quarters."

Throughout CM Buzdar's governance, there had been signs of visible decline across the province: stalled infrastructure projects, erosion of projects, such as dengue control and garbage collection in Lahore, that were previously seen to work well. All of this, coupled with the wheat flour shortages and delayed actions to fight smog in the cities had harmed his image. On top of that, the federal government's own problems with the economy, growing inflation and bureaucratic slowdown in fear of NAB cases, had reinforced the idea that the Punjab government remained weak and ineffective for the period CM Buzdar remained in saddles.

A compromised CM, Buzdar had always been perceived as weak and, thus, an easy target for his critics, precisely because he lacked a credible base of his own. In a context where the Punjab government was existing with a razor-thin majority, it was not difficult to see how PMLQ, the main ally of PTI in the province, for example, could tighten the screws in the hopes of gaining more concessions and control at a time of perceived weakness. This was where the governance issues popped in.

Under PMLQ and PMLN since 2002, Punjab was governed by strongmen — Pervaiz Elahi and Shahbaz Sharif — who, despite their many failings, had delivered in tangible, if not necessarily optimal, ways. See a media comment here:

"A lot is made of how a disproportionate amount of attention was paid to Lahore and, it was, as can be seen when comparing Lahore's infrastructure with any other Pakistani city. But both PMLQ and PMLN invested heavily in developing the entire province's road network, upgrading sanitation and, less successfully, uplifting schools and hospitals.

Traditional patronage politics also continued under them, but visible signs of improved service delivery like roads and sewers supplemented the thana-kuchehri [police station and court] politics as a basis for the support enjoyed by their governments. Under PTI, there is less visible evidence of service delivery. While the government talks about health insurance, etc., the effects of such initiatives are too diffused to be seen by the electorate."

In later months, there were signs of visible decline across the province in various organizations. Sohail Warraich, a top journalist and widely respected person, broadly agreed with the analysis but said the uproar over Buzdar's ineffectiveness was never the objective of the so-called pressure group of PTI MPAs to blackmail him or get him replaced. Further he commented that:

*"They had come together to support the chief minister and help him take back some administrative powers over the bureaucracy and the police from **Imran Khan, who has directly and remotely controlled the province from Islamabad**. The federal interference in the province's administration increased to a new high after whole-sale changes in the provincial bureaucracy and police with both the new Chief Secretary and Inspector General of Police directly reporting to the prime minister."*

The fact remained that even PMLQ didn't want Buzdar to go. It didn't suit their interests, they wanted Buzdar to be a strong chief executive so that they could share power in the province with him in exchange for their support in the assembly. This was a major bone of contention between Imran Khan and the Chaudhrys of Gujrat, in fact.

There had been strong indications that CM Buzdar's poor governance was also a concern for the establishment, as Punjab was the key to governing Pakistan and anything that could undermine PTI's credibility in Punjab would

weaken their backers as well. Many times, there were disturbing posts on social media that ***the first line of difference amongst PM Imran Khan and Gen Bajwa [the then Army Chief of Pakistan], drawn during ending 2018, was about the removal of an ineffective administrator named CM Usman Buzdar which suggestion was turned down by PM Khan very cold bloodedly and without any discussion on merits of the advice.*** An Islamabad-based political analyst and a think tank said:

"The establishment is a major stakeholder in the new political system that has emerged in Pakistan after the 2018 elections. But I don't think it is involved in day-to-day politicking. [though] they will not mind using the allegations of poor governance in Punjab as an excuse to control or replace PTI, [if and when] they need."

Federal Railways Minister Sh Rasheed contended that the real target of the campaign against Buzdar was his leader, Imran Khan, and not the chief minister himself. According to him: ***'... once Buzdar is shown the door, Imran Khan's opponents will come after him'.***

Journalist Sohail Warraich affirmed that:

"There is a lot of truth in Sh Rasheed's claim. Those who are pursuing Buzdar are actually after the prime minister, there is no doubt about it. But it is true to the extent of opposition parties and not for those who aren't in any way linked to the PTI-led coalition in the province or in Islamabad."

For PMLN and other opponents, weakness in Punjab — particularly in terms of governance — created the opportunity to attack the government and build support. At a time when there were rumours of an understanding being reached between the establishment and Shahbaz Sharif, a change in Punjab was in fact a cogent precursor to bigger changes in Islamabad. The establishment always wanted to keep civilians off-balance by not allowing any single party to consolidate its support. They cut PMLN down to size and did the same with PTI in April 2022; No Confidence Move is referred.

Many still believe that the establishment managed to avert the crisis of legitimacy that had initially emerged from the persisted crisis of governance in Punjab. Instead of getting a change in Punjab, they got the whole table turned in Islamabad, PM Khan sent home; it was done through creation of forward blocs in PTI and the resurgence of PMLQ and PMLN.

PMLN played its own game. It wanted the cracks in the coalition and within PTI to bring down the governments in Punjab and then in the Centre - while

watching the game from the sidelines. The infighting ultimately pulled down the PTI-led administration in Punjab through its bureaucracy – and then they aspired to jump in higher stakes. PMLN came in a good position to capitalise on PTI's weakness in next elections. The rumours of a rapprochement between the establishment and Shahbaz Sharif came true and the political scenario started changing in March 2022 with full fervor.

It was extremely unlikely that Buzdar's removal could lead to the fall of the PTI government in Punjab at that time. But the PMLN succeeded in creating a small forward bloc defecting from PTI in the Punjab and National Assemblies both. History tells us it was not a difficult task — with the right signals from Rawalpindi — so it was dramatically launched in early 2022 to pack the luggage of PTI and also for PM Khan.

Despite all odds, CM Buzdar was indeed a lucky man; his future was closely tied to the first lady Bushra Bibi and in turn with PM Imran Khan because his dismissal could be taken as a big defeat for the prime minister, who kept on refusing to relent in the face of pressure from his party. Ultimately, Buzdar's incompetence dragged his leader with him.

WASIM AKRAM PLUS (?) - The fact remained that whenever Buzdar's critics painted him as a failure with nothing tangible to show, Imran Khan mostly turned to cricket comparisons. *'He will prove to be Wasim Akram Plus'*; the PTI leader said on multiple occasions, comparing Buzdar to another legend in Pakistan cricket, Wasim Akram, whom he had picked from relative anonymity as Pakistan's cricket team captain. But many compare Buzdar's selection from Barhi with another cricketer, Mansoor Akhtar, in whose abilities the *Kaptaan* also had full faith but often failed.

BUZDAR QUILTS THE PTI:

Since taking office as Punjab chief minister in 2018, Usman Buzdar had been firefighting rumours of his early departure. Despite growing unease within the PTI's ranks about his effectiveness, he continued to bank on the support of the man who picked him, Imran Khan.

... But he was amongst the first lot of politicians who had ditched Imran Khan keeping the knife inside his back; see the details here.

On 2nd June 2023: Former Punjab Chief Minister Usman Buzdar announced that he would be going to quit politics. Addressing a press conference in Lahore, Buzdar, who did not specify if he was also leaving the party, said, ***'Keeping in view the situation in the country — we have always done the politics of virtue and encourage it. But in the present political situation, I have decided to quit politics'.***

Condemning the violent incidents of 9th May instant — when civil and military installations were vandalised by enraged protestors — he asserted that he always stood with the Pakistan Army and would keep on doing so. Commenting on the ongoing political crises in the country, Buzdar said that all the stakeholders to set aside their ego, [think beyond] their parties and work for a better future of Pakistan. He also extended his best wishes to everyone. Referring to the countrywide arrests made against those allegedly involved in 9th May incidents, Buzdar wanted that relief should be provided to all the innocent citizens who were in jails and called for their immediate release.

The announcement came as several PTI leaders, including Shireen Mazari and Ali Haider Zaidi, had quit politics altogether while also separating their paths from the PTI over the said 9th May incidents. Other PTI leaders Aamer Mehmood Kiani, Barrister Maleeka Bokhari, Imran Ismail, Murad Raas and Malik Amin Aslam had also left the party while Asad Umar and Pervez Khattak had resigned from their party positions but stayed in the party. Buzdar's decision to quit politics had come a day after Khattak, former KP chief minister, resigned from his party positions.

Buzdar's critics and the media mostly painted Buzdar — who had 'survived' many speculations, mostly originating from within his own party, of his early departure from the chief minister's office — as an "inept and ineffective" administrator. See a daily newspaper's EDITORIAL dated 30th March 2022, published much before this political-quit:

"After an abrupt exit from office, Usman Buzdar is likely to fade into forgetfulness, three and a half years after Prime Minister Imran Khan handpicked him to head the PTI government in the country's politically most important province of Punjab.

- *[About 10 days before NO-CONFIDENCE VOTE, the ruling PTI had announced PMLQ leader Ch Pervaiz Elahi as its candidate for Punjab chief minister after incumbent Usman Buzdar presented his resignation to the prime minister.]*

After backing him every step of the way — at the cost of alienating many PTI lawmakers — the embattled PM has been forced to dump Mr Buzdar as he tries to save his government in Punjab and Islamabad in the face of the fierce political challenge mounted against him by the opposition as well as PTI rebels.

*Mr Khan's stated reasons for choosing the then politically unknown Usman Buzdar were simple: he came from one of Punjab's most backward areas.... At least that was the explanation given by the PTI chief to his party members who preferred a strong administrator.....Yet many suspected, with reason, that Mr Khan had selected the soft-spoken Mr Buzdar to avert factional fights within the PTI and **also to control Punjab remotely from the centre since the outgoing chief minister lacked political clout in the party....***

*His critics and the media have mostly painted Mr Buzdar — as an inept and ineffective administrator. Indeed, the criticism is not totally out of place. Yet, for a small-town politician constrained by his total inexperience in the affairs of the state, a lack of connections in the Punjab bureaucracy, and deep economic turmoil, he leaves behind a mixed legacy....His sins of omission and commission as provincial chief executive aside, he represents **a new experiment in Punjab that went wrong both because of his own limitations and the failings of his leader. Few will mourn his exit."***

In June 2022, Buzdar (the ex-PTI leader) and his family also had corruption cases registered against them for 'unlawful and illegal misappropriation of state land in Dera Ghazi Khan'. Earlier that month, a Lahore accountability court had extended his interim pre-arrest bail in an inquiry of illegal assets by the National Accountability Bureau (NAB) with a warning to him to join the investigation without fail.

On 2nd August 2023: The PTI cancelled the basic membership of 22 party leaders from South Punjab, including former Punjab chief minister Usman Buzdar and ex-federal minister Khusro Bakhtiar for violating the party policy. These leaders were warned of legal action in case they use the party's name or their designation. PTI Secretary General Omar Ayub Khan issued a termination notice to them while immediately suspending their party membership.

A number of PTI stalwarts including Buzdar and Khusro Bakhtiar, had waved good-bye to the party after its alleged involvement in the riots that took place in the wake of party chief Imran Khan's arrest by the paramilitary Rangers from the Islamabad High Court premises on 9th May 2023.

Scenario 264**THE CYPHER CASE AGAINST KHAN**

On 7th March 2022: The US State Department encouraged the Pakistani government in a meeting to remove Imran Khan as prime minister over his neutrality on the Russian invasion of Ukraine; a classified Pakistani government document obtained by 'The Intercept org' noted; **THE INTERCEPT** dated 9th August 2023 is referred.

This meeting was held in Washington between the Pakistani ambassador in the US and two State Department officials. Later it became the subject of scrutiny and controversy in Pakistan after PM Khan's removal when members of Mr Khan's political party [PTI] and his military & civilian opponents made it a power-test. One month after the meeting with US officials, a no-confidence vote was held in Pakistan's Parliament, leading to Khan's removal from power; the leakage of the said '**meeting's cypher**' was quoted as one of the charges against Mr Khan. Thus, a cold-war between Khan and his supporters with the military and its civilian allies started. BUT it remains a fact that it was the Pak-military that had managed the political chess-game to bring up Imran Khan in power in 2018.

THE CYPHER

(Original Transcription) dated 7th March 2022:

[NOTE: *The body of the cable below, published by THE INTERCEPT.COM, correcting minor typos in the text because such details could be used to watermark documents and track their dissemination. The Intercept removed classification markings and numerical elements that could be used for tracking purposes. Labeled SECRET, the cable included an account of the meeting between State Department officials, including Assistant Secretary of State for the Bureau of South and Central Asian Affairs Donald Lu, and Asad Majeed Khan, the then Pakistan's ambassador to the US.]*

I had a luncheon meeting today with Assistant Secretary of State for South and Central Asia, Donald Lu. He was accompanied by Deputy Assistant Secretary of State Les Viguerie. DCM, DA and Counsellor Qasim joined me.

At the outset, Don referred to Pakistan's position on the Ukraine crisis and said that: "people here and in Europe are quite concerned about why Pakistan is taking such an aggressively neutral position (on Ukraine), if such a position is even possible. It does not seem such a neutral stand to us."

He shared that in his discussions with the NSC, "it seems quite clear that this is the Prime Minister's policy." He continued that he was of the view that: "this was tied to the current political dramas in Islamabad that he (Prime Minister) needs and is trying to show a public face." I replied that this was not a correct reading of the situation as Pakistan's position on Ukraine was a result of intense interagency consultations. Pakistan had never resorted to conducting diplomacy in public sphere. The Prime Minister's remarks during a political rally were in reaction to the public letter by European Ambassadors in Islamabad which was against diplomatic etiquette and protocol. Any political leader, whether in Pakistan or the U.S., would be constrained to give a public reply in such a situation.

I asked Don if the reason for a strong U.S. reaction was Pakistan's abstention in the voting in the UNGA. He categorically replied in the negative and said that it was due to the Prime Minister's visit to Moscow. He said that: "I think if the no-confidence vote against the Prime Minister succeeds, all will be forgiven in Washington because the Russia visit is being looked at as a decision by the Prime Minister. Otherwise, I think it will be tough going ahead." He paused and then said: "I cannot tell how this will be seen by Europe but I suspect their reaction will be similar." He then said that: "honestly I think isolation of the Prime Minister will become very strong from Europe and the United States." Don further commented that it seemed that the Prime Minister's visit to Moscow was planned during the Beijing Olympics and there was an attempt by the Prime Minister to meet Putin which was not successful and then this idea was hatched that he would go to Moscow.

I told Don that this was a completely misinformed and wrong perception. The visit to Moscow had been in the

works for at least few years and was the result of a deliberative institutional process. I stressed that when the Prime Minister was flying to Moscow, Russian invasion of Ukraine had not started and there was still hope for a peaceful resolution. I also pointed out that leaders of European countries were also traveling to Moscow around the same time. Don interjected that: *“those visits were specifically for seeking resolution of the Ukraine standoff while the Prime Minister’s visit was for bilateral economic reasons.”* I drew his attention to the fact that the Prime Minister clearly regretted the situation while being in Moscow and had hoped for diplomacy to work. The Prime Minister’s visit, I stressed, was purely in the bilateral context and should not be seen either as a condonation or endorsement of Russia’s action against Ukraine. I said that our position is dictated by our desire to keep the channels of communication with all sides open. Our subsequent statements at the UN and by our Spokesperson spelled that out clearly, while reaffirming our commitment to the principle of UN Charter, non-use or threat of use of force, sovereignty and territorial integrity of States, and pacific settlement of disputes.

I also told Don that Pakistan was worried of how the Ukraine crisis would play out in the context of Afghanistan. We had paid a very high price due to the long-term impact of this conflict. Our priority was to have peace and stability in Afghanistan, for which it was imperative to have cooperation and coordination with all major powers, including Russia. From this perspective as well, keeping the channels of communication open was essential. This factor was also dictating our position on the Ukraine crisis. On my reference to the upcoming Extended Troika meeting in Beijing, Don replied that there were still ongoing discussions in Washington on whether the U.S. should attend the Extended Troika meeting or the upcoming Antalya meeting on Afghanistan with Russian representatives in attendance, as the U.S. focus right now was to discuss only Ukraine with Russia. I replied that this was exactly what we were afraid of. We did not want the Ukraine crisis to divert focus away from Afghanistan. Don did not comment.

I told Don that just like him, I would also convey our perspective in a forthright manner. I said that over the past one year, we had been consistently sensing reluctance on the part of the U.S. leadership to engage with our leadership. This reluctance had created a perception in Pakistan that we were being ignored and even taken for granted. There was also a feeling that while the U.S. expected Pakistan's support on all issues that were important to the U.S., it did not reciprocate and we do not see much U.S. support on issues of concern for Pakistan, particularly on Kashmir. I said that it was extremely important to have functioning channels of communication at the highest level to remove such perception. I also said that we were surprised that if our position on the Ukraine crisis was so important for the U.S., why the U.S. had not engaged with us at the top leadership level prior to the Moscow visit and even when the UN was scheduled to vote. *(The State Department had raised it at the DCM level.)* Pakistan valued continued high-level engagement and for this reason the Foreign Minister sought to speak with Secretary Blinken to personally explain Pakistan's position and perspective on the Ukraine crisis. The call has not materialized yet. Don replied that the thinking in Washington was that given the current political turmoil in Pakistan, this was not the right time for such engagement and it could wait till the political situation in Pakistan settled down.

I reiterated our position that countries should not be made to choose sides in a complex situation like the Ukraine crisis and stressed the need for having active bilateral communications at the political leadership level. Don replied that: ***"you have conveyed your position clearly and I will take it back to my leadership."***

I also told Don that we had seen his defence of the Indian position on the Ukraine crisis during the recently held Senate Sub-Committee hearing on U.S.-India relations. It seemed that the U.S. was applying different criteria for India and Pakistan. Don responded that the U.S. lawmakers' strong feelings about India's abstentions in the UNSC and UNGA came out clearly during the hearing. I said that from the hearing, it

appeared that the U.S. expected more from India than Pakistan, yet it appeared to be more concerned about Pakistan's position. Don was evasive and responded that Washington looked at the U.S.-India relationship very much through the lens of what was happening in China. He added that: "...while India had a close relationship with Moscow, I think we will actually see a change in India's policy once all Indian students are out of Ukraine."

I expressed the hope that the issue of the Prime Minister's visit to Russia will not impact our bilateral ties.

Don replied that: "I would argue that it has already created a dent in the relationship from our perspective. Let us wait for a few days to see whether the political situation changes, which would mean that we would not have a big disagreement about this issue and the dent would go away very quickly. Otherwise, we will have to confront this issue head on and decide how to manage it."

We also discussed Afghanistan and other issues pertaining to bilateral ties. A separate communication follows on that part of our conversation.

Assessment

Don could not have conveyed such a strong demarche without the express approval of the White House, to which he referred repeatedly. Clearly, Don spoke out of turn on Pakistan's internal political process. We need to seriously reflect on this and consider making an appropriate demarche to the U.S. Cd' A a.i in Islamabad.

ARGUMENTS DEVELOPED, BOTH SIDES:

The text of the Pakistani cable, produced from the meeting by the ambassador and transmitted to Pakistan, was not previously published due to provisions of '**Pakistan Secret Act**'. The cable, known internally as a **cypher**, revealed both the carrots and the sticks that the State Department allegedly deployed in its push against Mr Khan, promising warmer relations if Khan was removed. That (so called?) SECRET document was basically an account of the meeting between State Department officials, including Assistant Secretary of State Mr Donald Lu and Asad Majeed Khan, the then Pakistan's ambassador in Washington. The **Intercept** claimed that the said cypher was

provided to the organization by an anonymous source in the Pakistani military.

The dynamics of the relationship between Pakistan and the US described in the cable were subsequently proved by events. In the cable, the US objected to the then prime minister's foreign policy on the Ukraine war. Those positions were quickly reversed after his removal, which was followed, as promised in the meeting, by a warming between the US and Pakistan. The diplomatic meeting came two weeks after the Russian invasion of Ukraine - launched as Imran Khan was en-route to Moscow, a visit that had infuriated Washington.

Filed through Barrister Salman Safdar, a petition before the Supreme Court of Pakistan (SCP) named the state as a respondent and alleged that the cypher case had been filed against Imran Khan **'with malafide intentions'** and termed it of bogus nature. The plea stated that the only remedy available to avoid unjustified, illegal and straightaway arrest was by invoking Article 10 (safeguards as to arrest and detention) of the Constitution.

{Earlier, **on 2nd March 2022**; just days before the meeting, Lu had been questioned at a Senate Foreign Relations Committee hearing over the neutrality of India, Sri Lanka, and Pakistan in the Ukraine conflict. In response to a question from Sen. Chris Van Hollen, about the decision by Pakistan to abstain from a UN resolution condemning Russia's role in the conflict, Lu said: **"Prime Minister Khan has recently visited Moscow, and so I think we are trying to figure out how to engage specifically with the Prime Minister following that decision."**}

During last days of March 2022, Imran Khan addressed a rally, thundered to the crowd and responded directly to European calls that Pakistan could rally behind Ukraine; see the tone:

"Are we your slaves? - What do you think of us? That we are your slaves and that we will do whatever you ask of us? We are friends of Russia, and we are also friends of the United States. We are friends of China and Europe. We are not part of any alliance."

The document said that in the meeting Lu spoke in forthright terms about Washington's displeasure with Pakistan's stance in the conflict while saying:

"People here and in Europe are quite concerned about why Pakistan is taking such an aggressively neutral position (on Ukraine), if such a position is even possible. It does not seem such a neutral stand to us. Also, that he had held internal discussions with the US National Security Council and that it seems quite clear that this is the Prime Minister's policy."

Referring to the daily **DAWN** dated 22nd March 2022, Prime Minister Imran Khan claimed that the opposition's no-trust move was part of an alleged **"foreign-funded conspiracy"** hatched against his government over his refusal to have Pakistan's foreign policy be influenced from abroad. He made these allegations at his party's power show titled *Amr Bil Maroof* (enjoin the good) and billed as a historic event at Parade Ground in Islamabad. PTI leaders, their party workers and supporters had assembled at his call. His speech lasted almost two hours; the climax of his speech was:

"Attempts are being made to influence our foreign policy from abroad. We have been aware of this conspiracy for months. We also know about those who have assembled these people (the opposition parties) but the time has changed. This is not the era of Zulfikar Ali Bhutto.

This is the era of social media. Nothing can be hidden. We will not accept anyone's dictation. We will have friendships with everyone but we will not submit ourselves to anyone. Attempts are being made through foreign money to change the government in Pakistan. Our people are being used, mostly inadvertently....."

PM Khan had claimed to be in possession of evidence (and said):

"— a letter — that would prove my point. I am placing the case of Pakistan's independence before you.....we have to decide for how long we will have to live like this. We are getting threats. There are many things about foreign conspiracy which will be shared very soon.

The nation wants to know who the man sitting in London is meeting with and whose directions the characters based in Pakistan are following? I am revealing the proofs we have. I cannot talk more in detail because I have to protect the interest of my country....

[in the last he said] First of all, I thank my nation. The way you turned up on my call I also pay tribute to my team of parliamentarians as you were offered money and attempts were made to bribe you but you made me happy and I am proud of you."

Earlier, Shah Mehmood Qureshi had said in his speech that there was an external interference in Pakistan ... but would speak about it later. Firstly, you must understand that we wouldn't become a nation until we stand by our core ideology.

PM Imran Khan then listed a series of policy decisions taken by his government which he said benefited the country greatly and would continue to do so in future. He urged TV anchors to invite economic experts on their shows and conduct a comparison of his government's performance with the previous ones. At the same occasion, PTI leader Murad Saeed addressed the

crowd and said that: *'Rally's message is not just for opposition but also for foreign powers.'*

On 27th March 2022; tens of thousands of activists from Pakistan's ruling party and opposition groups descended on the capital, Islamabad, ahead of a parliamentary vote seeking to topple the government of Prime Minister Imran Khan. PTI leaders expected more than a million people to attend the rally, even though some say the venue was not spacious enough to accommodate more than 30,000. Addressing the rally Mr Khan said that:

"A foreign conspiracy was behind the no-confidence motion and that funding was being channeled into Pakistan from abroad. We have been threatened in writing but we will not compromise on national interests (providing no details or evidence)."

However, the PTI faced criticism for not allowing media cameras at that rally, citing security reasons. Outside the parade ground, a number of stalls were set up overnight. Among them was a 40-year-old vendor from Karachi, came to sell T-shirts printed with 'ABSOLUTELY NOT' – Khan's response on giving Pakistani bases to the United States for Afghanistan operations after the Taliban's takeover in Kabul. Most held the opinion that: *'Khan will defeat the looters [opposition groups] and we have come to support him irrespective of his shortcomings'.*

Also, see an immediate media comment:

"[Khan] has the courage and ability to withstand foreign pressures and have an independent foreign policy but the PTI, which has a razor-thin majority in the National Assembly, has been losing allies – with a number of defections ahead of the confidence vote."

The intelligentsia held that Mr Khan was correct in understanding the CY-PHER LANGUAGE but, might be, it was not a justified moment to openly confront with America through public meetings – especially when the establishment was trying to calm down the situation. Recall the minutes of the meeting dated **7th March 2022** in US between the Pak-Ambassador and the US policy makers; as given above in Cypher communication. Then, Baloch leader Shahzain Bugti was probably the first to announce his resignation as a PTI minister and joined the opposition. Simultaneously, America's Donald Lu bluntly raised the issue of a no-confidence vote, as quoted in above paragraphs about Cypher:

"I think if the no-confidence vote against the Prime Minister succeeds, all will be forgiven in Washington because the Russia's visit is being looked at as a decision by the Prime Minister - Otherwise, I think it will be tough going ahead,.....I cannot tell how this will be seen by Europe but I suspect their reaction will be similar. Imran Khan could face isolation by Europe and the US should he remain in office."

When State Department spokesperson Matthew Miller was asked about quotes from Lu in the Pakistani cable, he said he would not comment on private diplomatic discussions. However, the Pakistani ambassador responded by expressing frustration with the lack of engagement from US leadership while saying:

"This reluctance had created a perception in Pakistan that we were being ignored or even taken for granted. There was also a feeling that while the US expected Pakistan's support on all issues that were important to the US, it did not reciprocate."

The discussion concluded; Lu told the Pak-Ambassador that the damage was real but not fatal, and with Khan gone, the relationship could go back to normal. *'Let us wait for a few days to see whether the political situation changes, which would mean that we would not have a big disagreement about this issue and the dent would go away very quickly. Otherwise, we will have to confront this issue head on and decide how to manage it'* - Mr Lu emphasized.

On 8th March 2022, Khan's opponents in Parliament moved forward with a key procedural step toward the no-confidence vote. Evidently, Mr Khan's fate was NOT sealed at the time when that meeting took place, but the Biden administration was sending a message to the people – also messaging to Pakistan's real rulers that things would be better if he [Mr Khan] be removed from power.

GEN BAJWA DEPARTED:

On 27th March 2022: exactly 20 days after the meeting described in the cable, and just days before Khan was removed from office, the then-Pakistan army chief Gen Bajwa publicly broke with Khan's neutrality and gave a speech calling the Russian invasion a 'huge tragedy' and criticizing Russia; **VOA** dated 2nd April 2022 is referred.

The military's remarks aligned the public picture with Lu's private observation, recorded in the cable that Pakistan's neutrality was the policy of Mr Khan only - not of the Pak-Army. Thus, Pakistan's foreign policy changed significantly since Mr Khan's removal, with Pakistan tilting more clearly toward the US side. Abandoning its posture of neutrality, Pakistan then emerged as a supplier of arms to the Ukrainian military; images of Pak-made shells and ammunition regularly turned up on battlefield footage.

The fact remained that US President Mr Biden was personally angry with former PM Imran Khan. In a brief **assessment section** at the bottom of the report, the document states:

"Don could not have conveyed such a strong demarche without the express approval of the White House, to which he referred repeatedly. Clearly, Don spoke out of turn on Pakistan's internal political process. (...recommended) to seriously reflect on this and consider making an appropriate demarche to the US Cd' A a.i in Islamabad"

A diplomatic protest was later issued by Khan's government. On 8th March 2022, Foreign Office Islamabad had handed a demarche to the American Embassy, telling them that the US had interfered in the no-confidence vote; the former Prime Minister Mr Khan had got delivered the diplomatic note to the US Embassy in Islamabad. No media report on record that what happened in Pakistan-US communications during the weeks that followed the meeting reported in the cable. However, the political winds shifted and on 10th April 2022, Mr Khan was ousted in a no-confidence vote in the parliament.

It has been an open secret that Imran Khan was brought in power in 2018 by the military establishment. Mr Khan's removal from power in April 2022, after falling out with the COAS Gen Bajwa, the same institution had thrown him out to end political and economic turmoil; see an article of Murtaza Hussain published in foreign media pages on 12th February 2023:

"This is a country of 220 million people, with nuclear weapons and serious internal conflicts and divisions..... If the economy remains in a moribund state, and there are shortages of goods and energy leading to a political crisis on the streets of major cities, that would also allow the Pakistani Taliban and other terrorist groups to begin hitting at the government more directly. We could see a significant weakening of the state and its capacity to impose order."

Protests against Khan's dismissal and suppression of his party had swept the country and paralyzed its institutions, while Pakistan's leadership struggled to confront an economic crisis triggered in part by the impact of the Russian invasion of Ukraine on global energy prices. The chaos resulted in staggering rates of inflation and capital flight from the country.

Referring to **Ryan Grim** & others' media report published in INTERCEPT.COM dated 2nd June 2023:

*"The Pakistani military invited the owners of the country's major media organizations to Islamabad this week for a secret meeting to discuss coverage of the ongoing political and constitutional crisis, Pakistani journalists familiar with the gathering told The Intercept. The invitation was not one that could be refused, and the message was equally direct: **Cease all kinds of coverage of Imran Khan vs the military.**"*

Following the meeting... top editors at news organizations across Pakistan issued directives to their journalists to pause coverage of

Khan.... An inspection of Pakistani media sites reveals a stark change – he (Mr Khan) has been effectively vanished from the news. The ban was confirmed by more than a half-dozen Pakistani journalists.”

Pakistan’s new Prime Minister, Shahbaz Sharif, eventually confirmed the **existence of the cable and acknowledged that some of the message conveyed by Lu was inappropriate**. See a little detail - speaking in National Assembly, the (new) prime minister – for the first time – acknowledged that:

“...the threat letter from the US was genuine, but ‘where was this element of conspiracy and treason conjured from.’

The then ambassador of Pakistan to the US himself admitted that threatening language was used in the letter but where this element of conspiracy and treason appeared.

The PTI chairman’s comments [against State institutions] are very dangerous and terrifying...he has directly linked Pakistan’s institutions to Mir Jafar and Mir Sadiq.

The poison he (Mr Khan) spewed about the institution yesterday is a conspiracy against it and Pakistan. If this is not stopped through the law and the Constitution, God forbid! This country will become a hideous reflection of Syria and Libya where cities present scenes of graveyards today.”

AMERICA’S INNOCENCE (?)

On 8th April 2022: After Khan alleged there was a cable proving his claim of US interference, State Department spokesperson Jalina Porter said: *‘Let me just say very bluntly there is absolutely no truth to these allegations,’* The State Department had previously and on repeated occasions denied that Lu urged the Pakistani government to oust the prime minister. However, the wording of the Cypher (given in the initial pages of this chapter) clearly indicated that it was a THREAT to Mr Khan’s survival in the government then.

*[Later, in early June 2023, Mr Khan, in an interview with **The Intercept**, again repeated the allegation and the State Department replied while referring to their previous denials - at least three times in press conferences referring to the claims as ‘**propaganda, misinformation, and disinformation.**’]*

As per international media reports, while the drama over the cable was played out in public and in the press, the Pakistani opposition leadership and media had successfully launched an assault on Pakistani civil society to silence whatever dissent and free expression had previously existed in the

country. In later months, allegedly the military-sponsored PDM government cracked down not just on dissidents but also on suspected leakers inside its own bunkers, passing a law that authorized warrantless searches and lengthy jail terms for whistleblowers.

Allegedly '*shaken by the public display of support*' for Mr Khan — expressed in a series of mass protests and riots [*CBSnews.com* dated 10th May 2023 is referred] — the military successfully expanded the institution's role in the country's economy, and gave its leadership a permanent significant veto over political and civil affairs — because the politicians, belonging to both PDM and the PTI had collectively pushed the country into the disaster and adversity.

Thus, in addition to the worsening situation for ordinary citizens, allegedly a regime of extreme censorship was also put in place, with news outlets effectively barred from even mentioning Khan's name, Thousands of members of civil society, mostly supporters of Khan, were detained by civil administration and judiciary for illogical and unprecedented penal actions. The crackdown was intensified after Khan was arrested and held in custody for endless time opening new police files every day. Credible foreign reports had emerged of party workers' torture by police, with reports of several deaths in custody but never substantiated. The crackdown on Pakistan's once-robust media and press had taken a dark turn, in short.

YOU TOO – BRUTUS

Principal Secretary Azam Khan betrayed(?):

In June 2023, amid the PDM vs PTI tussles, Khan's former top bureaucrat, Principal Secretary Azam Khan, was arrested and detained for a month. While in detention, Azam Khan reportedly issued a statement recorded with a member of the judiciary saying that the cable was indeed real, but that *the former prime minister had exaggerated its contents for political gain.*

Referring to THE EXPRESS TRIBUNE dated 19th July 2023:

*"The Cypher saga suddenly changed its colour and complexion when an ostensible '**confessional statement**' attributed to ex-principal secretary Azam Khan landed on the political landscape of Pakistan with a bump, prompting the government to seize on what it called a 'charge sheet' as the rationale for immediate criminal proceedings against PTI chief Imran Khan. Following leak of supposed confession, Azam Khan had returned home after having been missing for over a month."*

Secretary Azam Khan, in his confessional statement, accused his former boss of using the Cypher from Pakistan's mission in the US to gain political mileage and build an '*anti-establishment narrative*' on the back of the confidential

document. The alleged 'disclosures' from the former bureaucrat were quickly followed by a presser of Interior Minister Rana Sanaullah, who said the government would open criminal proceedings against former PM Imran Khan on charges of exposing official secrets.

[The unmarked statement attributed to Azam Khan stated that:

'On 8th March 2022: *[the] foreign secretary approached Mohammad Azam Khan and informed [him] regarding [the] cipher... [and] that [then] foreign minister Shah Mehmood Qureshi had already discussed the cipher with the Imran Khan...*

Imran Khan was allegedly 'euphoric' after seeing the cipher and decided to use it to build an 'anti-establishment narrative' on the back of a 'blunder' committed by the US. The Cypher-copy was retained by Imran Khan and the next day (March 10) when he asked for it, Imran Khan replied that he has misplaced it; that the PTI chief did not return that cipher-copy, despite repeated requests. ... that the former PS to the PM had advised his boss not to disclose the contents of the cipher since it was a confidential document.']

Interestingly, the development was picked up by the Lahore High Court which allowed FIA after it withdrew a stay order against the call-up notice to Mr Khan by the agency in an inquiry into an audio leak relating to the cypher controversy. The court recalled the stay, allowing an appeal of the federal government challenging the stay secured by the former PM. Federal Interior Minister Sanaullah told that the statement got recorded by Azam Khan before a judicial magistrate under Section 164 of the Code of Criminal Procedure (CrPC) and Section 161 of the CrPC on the notices issued to him by the Federal Investigation Agency [FIA]; the agency summoned the ex-PM on 25th July 2023.

The statement said that a US diplomatic encrypted letter was manipulated by Imran Khan in March 2022 to serve his political goals; the principal secretary also testified that Imran Khan told him he had lost the copy of the letter when he was asked for its return. The Interior Minister urged before the media that:

'It is a crime to expose an official secret; the state will be filing the charges in the court against Imran. I don't think he lost the copy. He still has it. It has to be recovered from him. He didn't believe his former secretary could testify against him. I will not accept it as long as I don't hear it from him directly.'

The interior minister said a case would be registered against Imran and his accomplice former foreign minister Shah Mehmood Qureshi under the Official Secrets Act for making a classified document public. Eventually he would have to appear before the court as his case would be tried in the special

court. The minister shared with the media that Azam Khan reportedly admitted that he had told Imran Khan that using a classified document for political gains was a criminal act under the Official Secrets Act.

The Interior Minister indicated that cypher was still in his custody and he would remain a criminal until the classified document is returned or recovered by an investigation agency from him. The 9th May 2023 incidents were also in the continuity of the PTI chief's conspiracy against Pakistan and its institutions as it had been proved that the group led by him was involved in anti-state activities.

Later, the PTI chief shifted the blame from the US to the former army chief Gen Bajwa, saying he wished to mend fences with the former. Meanwhile, a petition seeking the recovery of Azam Khan was also pending before the IHC. However, the circumstances were such that for the PTI chairman, the said confession was hard to digest. The statement of the bureaucrat was reportedly recorded under Section 164 CrPC before a magistrate.

[In Pakistan, a witness, an aggrieved person, or an accused records such a statement under oath and before a magistrate – called statement under 164 CrPC. While, under Section 161 CrPC, the investigation officer records the statement of a witness, which does not even require the signature of the witness.]

After the statement went public, the interior minister held that this case was similar to the proceedings initiated against former US President Donald Trump for mishandling classified documents. The minister further alleged that:

"While Imran told Azam that the cipher had gone missing, my assessment is that he (Imran) still has it. ...So the cypher is with him. He has not just committed the crime of making it public, but he continues to be guilty of a crime by keeping it in his possession until he is arrested in this case and the cipher is recovered.

*The law department's opinion would be the final [decision] on this, but I think the Official Secrets Act is more relevant [in this case]. The case would also be referred to a 'special court' as others being conducted under the Official Secrets Act;" Daily **DAWN** dated 20th July 2023 is referred.*

The former PM Imran Khan, however, claimed he would share *uncensored details* of how this conspiracy unfolded to overthrow his government; adding that the National Security Committee (NSC) had twice authenticated the message given in the cipher in its two meetings held under his premiership and Shahbaz Sharif. **The NSC comprising civil and military leadership had termed the cipher an 'interference into Pakistan's internal matters'** and the US was handed a demarche. The federal cabinet had also reviewed

the cipher ahead of the NSC meeting and declared it as a declassified document.

CYPHER-COPY's DILEMMA:

Referring to the '***The Intercept***' dated 9th August 2023 again:

"The disclosure of the full body of the cable, over a year after Khan was deposed and following his arrest in May 2023, finally allowed the competing claims to be evaluated. On balance, the text of the cypher strongly suggests that the US encouraged Khan's removal.

...while Lu did not directly order Khan to be taken out of office, he said that Pakistan would suffer severe consequences, including international isolation if Khan were to stay on as prime minister; while simultaneously hinting at rewards for his removal. The remarks appear to have been taken as a signal for the Pakistani military to act."

However, it was also a reality that Mr Khan himself continued to be targeted over the handling of the secret cable by the new government. The new regime had to announce that Mr Khan would be prosecuted under the Official Secrets Act in connection with the cable. Mr Khan had perhaps hatched a conspiracy against the state's interests and a case could be initiated against him on behalf of the state for the violation of the Official Secrets Act by exposing a confidential cipher communication from America – Pakistan's God-father.

Referring to the Daily **DAWN** dated 10th August 2023; this daily's team and some other media persons were unable to independently verify whether the contents of the cable reported by the US-based publication THE INTERCEPT were indeed authentic. Pakistan's Foreign Office didn't comment; PMLN's Information Minister Marriyum Aurangzeb and Planning Minister Ahsan Iqbal didn't respond to media requests for comment. However, the US State Department — while refraining from commenting on the veracity of the published cable — said its contents didn't show the US taking a position on who the leader of Pakistan should be.

As per the PDM's Interior Minister's version, the contents of the cable, the US had objected to Imran Khan's foreign policy regarding the Ukraine war. Donald Lu referred to Pakistan's position on the Ukraine crisis and said that: "people here and in Europe are quite concerned about why Pakistan is taking such an aggressively neutral position (on Ukraine), if such a position is even possible. It does not seem such a neutral stand to us. (In his discussions with the NSC) It seems quite clear that this is the prime minister's policy."

However, the most disturbing part of the said Cypher for Imran Khan was the words Mr Lu had said 'I think if the no-confidence vote against the Prime Minister succeeds, all will be forgiven in Washington because the Russia visit

is being looked at as a decision by the Prime Minister. Otherwise, I think it will be tough going ahead.'

The intelligentsia could understand that it was a direct threat in fact AND for a US top official to use these words was unacceptable – especially that **'all will be forgiven if the vote of no confidence succeeds'**. Moreover, Pakistan's envoy in Washington had tried to dispel the impression that Mr Khan's visit to the Russia was anything but a bilateral one that shouldn't be seen as an endorsement of Moscow's action against Ukraine.

Pakistan's envoy had correctly assessed that:

'Mr Lu spoke out of turn on Pakistan's internal political process. We need to seriously reflect on this and consider making an appropriate demarche to the US charge de-affairs in Islamabad'.

The timing of the PTI Chief's trial was quite significant, as it was hyped in the wake of the imprisonment of Imran Khan over charges of graft in the *Tosha-khana* case.

[On 5th August 2023; former PM Imran Khan was declared guilty of corrupt practices by the competent court for hiding the benefits he accrued from the national exchequer willfully and intentionally. He cheated while providing information of gifts he obtained from Tosha-khana which later proved to be false and inaccurate. The court held that his dishonesty had been established beyond doubt.

The PTI chief was convicted under Section 174 (Offence of corrupt practices) of the Election Act and sentenced to three years in prison.]

As per protocol, only a handful of key officials had access to the confidential Cypher with the foreign office. These included the foreign minister, the prime minister and the army chief. After the document's existence was first revealed by Mr Khan in a public meeting in Islamabad, a meeting of the National Security Committee was held on 31st March 2022 in which the Cypher's contents were shared with the participants.

It was also a fact that a copy of the cipher was provided to the former Prime Minister, NOT the actual Cypher. According to his former principal secretary Azam Khan, Mr Khan had 'misplaced' that copy of the Cypher, something the former PM also admitted. However, Mr Khan claimed in subsequent interviews that there was no question of such a sensitive document being misplaced, and that the Cypher was safe and sound at the Foreign Office. Later, US State Department spokesperson Matthew Miller confirmed that Washington did express concern privately to the government of Pakistan and then did the same publicly [when] the then PM Khan [went] to Moscow on that very day of Russia's invasion of Ukraine. To a media question he also explained that:

"The allegations that the United States has interfered in internal decisions about the leadership of Pakistan are false, as we have stated they were false. They were always false and they remain false. I think a number of people have taken them out of context to use them in political process."

SHAH MAHMOOD QURESHI ARRESTED:

On 19th August 2023: The ongoing investigation into the cipher case took a dramatic turn when PTI Vice Chairman Shah Mahmood Qureshi was picked up soon after he demanded that a level playing field be provided to the embattled party during the upcoming elections. The arrest was made in connection with an FIR registered on 15th August under the Official Secrets Act against PTI Chairman Imran Khan and the former foreign minister Mr Qureshi. The said case was registered after an American news outlet *The Intercept* had published the Cypher given in the earlier paragraphs. Mr Qureshi was arrested by a heavy contingent of police from his residence and transferred to the FIA headquarters.

[...see the media news dated 17th August 2023: *The Federal Investigation Agency (FIA) interrogated PTI Chairman Imran Khan in Attock Jail a day before in a case related to the diplomatic cable that reportedly went missing from his custody. On 25th July instant, Mr Khan had appeared before a joint investigation team (JIT). It was presumed that Mr Khan himself had leaked the said Cypher to the US outlet **The Intercept**. The timing of the purported cable's publication was quite significant, as it came in the wake of Imran Khan's imprisonment over graft charges in the Tosha-khana case.*

*The FIA was initially investigating Mr Khan for revealing the contents of the confidential diplomatic cable and for keeping it in his possession. However, after the **disclosure of former principal secretary Azam Khan** that the cipher went missing from the custody of Imran Khan, the investigation agency also started looking into this aspect. Azam Khan had handed over the Cypher to the ex-PM, who later told him he had misplaced it and did not return it to the state.]*

Addressing a news conference at National Press Club minutes before his arrest, Mr Qureshi called for the caretaker government, Chief Justice of Pakistan (CJP) and Election Commission of Pakistan (ECP) to allow to contact its supporters during the elections. Ever since 9th May riots, the PTI vice chairman Mr Qureshi had been arrested and re-arrested several times; was eventually released **on 6th June 2023** after the Lahore High Court set aside his detention orders.

Differences within PTI? At the presser, Mr Qureshi regretted that one of the media houses had tried to create a controversy about the party's core

committee by alleging that there was a division within the committee and a struggle was going on to control the party. He said:

"It is a deliberate attempt to create uncertainty and decrease the trust of people in the party. A number of things were linked to Secretary General Omer Ayub and me to create such impression. Mr Khan is the founding chairman of PTI and core committee has already passed a unanimous resolution that the ex-PM will remain the chairman as there cannot be any substitute to him. It is being said that elections would be delayed because of delimitation;" media reports dated 20th August 2023 are referred.

Referring to the daily **THE PAKISTAN TODAY** dated 23rd November 2023: A special court, hearing Cypher Case ordered the authorities to produce PTI Chairman and former foreign minister Shah Mahmood Qureshi in court at the Federal Judicial Complex [FJC] in Islamabad five days after. Special Court Judge Abual Hasnat Zulqarnain presided over the hearing and wrapped it up within minutes. Following the Islamabad High Court [IHC] orders, the Cypher Case hearing had taken place at the Judicial Complex in G-11 instead of *Adiala* jail. He further ordered that the trial would begin from the position prior to 29th August 2023. *The former premier and his aide Shah Mahmood Qureshi, who was also behind bars, were indicted in the case **on 23rd October 2023**. Both had pleaded not guilty.*

The trial was being held at *Adiala* Jail and four witnesses had already recorded their statements, with the fifth being cross-examined when the IHC division bench had termed the government's notification for jail trial 'erroneous' and scrapped the entire proceedings. **Point to remember:** that on 29th August 2023, the IHC had suspended the PTI chief's sentence in the *Tosha-khana* case, but a special court established under the Official Secrets Act had directed jail authorities to keep Imran in 'judicial lockup' in the Cypher Case.

A notification issued by Pakistan's federal law ministry the same day had stated that the Law and Justice Division had **'no objection to Mr Khan's trial in the Cypher Case being held at Attock jail'**. In September 2023, Imran Khan was shifted to *Adiala* jail. However, in its order of 21st November 2023, the IHC said the jail trial **'vitiating the entire proceedings in the case'**. While declaring the proceedings void, the bench had said notifications issued for conducting the trial in jail were against the law and had spoiled the proceedings, including Imran Khan and Qureshi's indictment and the testimonies of four witnesses.

As a result of the high court judgment, the Special Court had to start a fresh trial while the prosecution moved a fresh application to conduct the trial in jail.

Referring to the **SAMAA TV** dated 13th December 2023; Former prime minister Imran Khan and former foreign minister Shah Mahmood Qureshi were

indicted in the Cypher Case; the proceedings in the said case against the two suspects were held in Adiala Jail, Rawalpindi, under the Official Secrets Act. Judge Abul Hasnat Zulqarnain read out the two-page charge sheet. The accused denied the charges, and the court summoned the prosecution's evidence. The charge-sheet included:

- The accused violated the Official Secrets Act as the prime minister and foreign minister. They waved the classified document in a public rally **on 27th March 2022**.
- They deliberately used the Cypher for personal gains.
- The move damaged national identity, security, and foreign affairs.
- As prime minister, you got the Cypher, which was not sent back to the Ministry of Foreign Affairs till today.

Shah Mahmood Qureshi denied the charges out-rightly in the court; Imran Khan, meanwhile, had a dialogue with Judge Zulqarnain. Mr Khan claimed he had exposed the national and foreign establishment, and that this 'cruelty' should also be included as his crime. He said on one hand their government was overthrown, and on the other, they were also accused of the crime. **'How is it possible that someone whose government has been overthrown is also the accused?'** Imran Khan questioned the judge.

The court reprimanded Mr Khan, saying he should not say incorrect things and that his tone was not appropriate. The court silenced Imran Khan for speaking repeatedly despite being stopped.

On 8th January 2024: The special court issued release orders for the PTI's Imran Khan after his bail was confirmed by the Supreme Court of Pakistan in the Cypher Case. However, **the truth remained** that PTI's founding chairman remained in Adiala Jail despite bail as he had been arrested in *Tosha-khana* and in a 190 million pounds (AL-QADIR TRUST) Case.

IMRAN KHAN SENTENCED:

On 30th January 2024: Former PM and PTI Chairman Imran Khan and Vice Chairman Shah Mahmood Qureshi were sentenced in the Cypher Case. The special court established under the Official Secrets Act awarded the two top figures of the PTI 10 year's imprisonment in the high-profile cypher case. The court, presided by Judge Abul Hasanat Zulqarnain, announced the verdict during the hearing held within the premises of Rawalpindi's Adiala jail.

Before sentencing Imran Khan, the judge asked the former premier one last time where the (original) cypher was. *"I have mentioned in my statement that the Prime Minister House's security was not my responsibility. I don't have the cypher,"* he stated.

The judge also provided the two PTI leaders with copies of the statement and the questionnaire under Section 342 and both accused were asked to record their replies in the questionnaire. After Imran and Qureshi recorded their statements, the court announced its verdict. Judge Abul Hasnat Zulqarnain, stated the main issues in the case as follows:

"Whether cypher was received by the accused and retained un-authorizedly? Whether cypher was dealt with negligently? Whether its contents were communicated to un-authorized persons for the benefit of which directly or indirectly caused foreign powers? Whether the co-accused abated the commission of offence?"

The prosecution has proved its case beyond any shadow of doubt and both Khan and Qureshi are found guilty. It's confirmed that the cypher Khan presented at the 2022 rally was passed from Asad Majeed PW, to the then-Ambassador of Pakistan Noman PW, to SPM Azam Khan PW, who then handed the cypher to the former PM. The court also found that Azam Khan very rightly demanded the copy of cypher back, but Imran Khan refused to do so. He subsequently wrongly misused the cypher at his rally in a well-planned manipulative lie aimed at rousing populist sentiments in the masses with no regard of its consequences."

The judge further held that Khan's actions damaged Pakistan's **"integrity, sovereignty and security"** as well as the country's relationship and trust with the US. He stated that in misusing the cypher, Khan *"compromised Pakistan's international standing, the credibility and standing of our diplomats and diplomacy with adverse implications for our future diplomatic reporting culture."* The judge also highlighted that Khan breached his duty as a PM by misusing the cypher, as the Constitution of Pakistan requires the Prime Minister to *"refrain from doing anything which undermines interests of Pakistan."*

In response to the judgment, Khan's legal team accused the court of breaching the Constitution by not allowing Khan and Qureshi's lawyers raised their defenses in court and cross examine witnesses during trial. However, the judgment stated that both representatives were given such opportunity and chose not to take advantage of them during trial. The judge stated: **"[P]roper and due time was given to the defense to cross-examine the witnesses, but that the lawyers voluntarily deprived themselves from [this] valuable right."**

Furthermore, the judge criticized Khan and Qureshi's conduct in the build up to this trial. He accused them *of wasting time by playing hide and seek and filing different applications just in order to protract these proceedings.* The trial was delayed multiple times in November (2023) due to safety issues over having an open trial.

PTI Chairman Barrister Gohar Ali Khan said that the '**reality of the bogus cases**' could not be denied even if Imran and Qureshi were sentenced to death; it was an abrupt verdict. He urged PTI supporters to remain calm and peaceful.

PTI counsel Hamid Khan claimed that during the proceedings in the court, the party lawyers were taken to a small room where '*weapons were pointed at them*' – (also) that this is the worst example of justice being denied in history.

The Pakistan Tehreek-e-Insaf (PTI), reacted to the verdict by the special court and urged that '*such sham trials have their future written in dustbin*'. The verdict was a "*complete disgusting mockery of law*"; the fake cypher case would not last long, and the nation must not lose hope. The PTI founder then challenged the jail proceedings and the appointment of state defence counsel in the Islamabad High Court (IHC). The petition argued that the special court's January 26 order to appoint state counsels against Imran and Qureshi must be annulled. Party counsel Hamid Khan, while speaking to the media, opined that '**since the IHC had nullified the cypher jail trial, (so) all subsequent proceedings against the PTI leaders are illegal**'.

The JURIST dated 2nd February 2024 noted that:

"A Pakistani court found that as a result of the actions of Khan and Vice President of Pakistan Tehreek-e-Insaf (PTI) Shah Mahmood Qureshi, Pakistan has faced serious economic, diplomatic and political consequences.

*The case concerned the actions of Khan and Qureshi following Khan's removal as PM in 2022. Khan held a rally shortly before his removal, during which he made a speech and held up a document which he claimed proved his removal was orchestrated by a foreign power, alluded to be the US. As a result, Pakistani authorities arrested Khan and Qureshi and charged the two with communication of information to the public contained in a secret classified document sent by Pakistani Embassy in the US to the Pakistani Ministry of Foreign Affairs. Both were charged under section 5 of the Official States Secret Act 1923, which states, **Cypher or any information which is sensitive and secret in nature cannot be shared to anyone.**"*

However, at the same time, the western media noted that the political struggle in Pakistan escalated when Khan was sentenced to three years in prison on corruption charges in *Tosha-Khana* Case and taken into custody for the second time since his ouster. Apparently, this move of '*sentencing*' was to block Pakistan's then popular politician, from contesting coming general elections (of 2024) in Pakistan. Following the ex-premier's first arrest, widespread violent protests had erupted across the country, leading the govern-

ment to approve the establishment of military courts to try protesters involved in anti-state activities. During the protests, at least 10 people had died and more than 4,000 were arrested on charges of vandalism and rioting – against whom still the criminal cases are being heard in various courts.

US-PAKISTAN: CYPHER CONTROVERSY:

On 20th March 2024: US Assistant Secretary of State Donald Lu rubbished PTI's and Imran Khan's 'conspiracy theory' that the America supported the then-opposition's no-trust motion to topple his government in April 2022. Testifying before a Congressional panel, the top US diplomat said: *'I wanna be very clear on this point [that] this conspiracy theory is a lie [and] it is a complete falsehood.'*

The hearing titled 'Pakistan After the elections: Examining the future of Democracy in Pakistan and the US Pakistan relationship,' was announced by the House Foreign Affairs Subcommittee where the assistant secretary was the key witness.

When asked about the allegations of the former prime minister, the US assistant secretary said he viewed the media reports regarding the alleged leaked cipher that Khan claimed contained the threat issued by Lu in a meeting with then-Pakistan's ambassador Asad Majeed in Washington in 2022 days before the ouster of the PTI-led government. However, ***'At no point does it accuse the United States government or me personally of taking steps against Imran Khan. We respect the sovereignty of Pakistan; we respect the principle that Pakistani people should be the only ones to choose their leader through democratic process.'***

On the very next day, **on 21st March 2024:** PTI's Chairman Barrister Gohar termed the US assistant secretary of state's statement on the diplomatic cable '*controversy*' a lie, and demanded reopening an inquiry – into the fact that the US had engineered his ouster from power by supporting the then opposition's no-confidence motion in April 2022.

See a post appeared on media pages of the same day, titled as: ***Conspiracy or intervention, Donald Lou's lies****

[In last evening's Congressional hearing (on 20th March 2024), Asst. Secretary of State Lu claimed that there was no conspiracy to the regime-change in Pakistan in April 2022. The fact is that Ambassador ***Asad Majid's cypher*** was discussed at two meetings of the National Security Council (NSC) that, among others were attended by three services chiefs, including Gen Bajwa & the Chairman, JCSC. The first meeting was chaired by the IK, while the 2nd, the beneficiary of the regime-change, Shahbaz. ***The first meeting termed Lu's threat as intervention in the internal affairs of Pakistan.***

NSC, therefore, decided to make a demarche on the US government, both in Washington & its embassy in Islamabad. The demarche was made at both places. A formal protest was launched.

We need to understand that a '**conspiracy always precedes intervention**'. An act follows a thought, a concept. Therefore, the act of intervention was based on a conspiracy. The former didn't come out of the blue. It was a well-orchestrated operation, initiated by Gen Bajwa with the blessings of Biden administration.

Shahbaz altogether denied the existence of the cypher as did apprentice Bilawal. Crown Princess Maryam announced that following this controversy, the 'other countries' had given up sending cyphers to Pakistan. Little did she know that the Inter-governmental communications are not done by cyphers. This is an exclusive system of secret communication between Foreign Ministries & their Embassies abroad. Obviously, she needed better schooling.

Hence, the consummation of the regime-change operation. US is as much guilty of a criminal act as are its local collaborators in Pakistan.]

IMRAN KHAN & QURESHI ACQUITTED:

On 3rd June 2024: in a major relief for the PTI, the Islamabad High Court acquitted PTI's Chief Imran Khan and his close aide, Shah Mahmood Qureshi, in the cypher case — a decision that lawyers termed as a **logical solution**. The short verdict, announced by Islamabad High Court (IHC)'s Chief Justice Aamer Farooq and Justice Miangul Hassan Aurangzeb, came as the court took up Khan and Qureshi's appeals against their convictions in the case. The PTI leaders were, however, not expected to be set free due to incarceration in other cases.

The two politicians couldn't be released from prison due to Imran's sentence in the **Iddat Case** while Qureshi was arrested in cases related with 9th May 2023 events. The Iddat Case was transferred to another judge on the same day while Qureshi was on physical remand till 5th June 2024.

- *A special court, established under the Official Secrets Act, had handed both Imran and Qureshi 10-year jail sentences each in the case in January (2024) after Judge Abul Hasnat Zulqarnain appointed a state counsel for them. It was Imran Khan's second conviction as he was also convicted in the Tosha-khana case on August*

5, and sentenced to three years' imprisonment. The IHC had suspended his sentence BUT a division bench later rejected Khan's petition seeking the suspension of the conviction.

- Imran Khan was later convicted in a separate Tosha-khana case in January 2024 but the 14-year sentence was suspended by the IHC in April 2024. He was convicted in the **Iddat Case** and sentenced to seven years in jail in February 2024.

The Cypher Case pertained to a diplomatic document; the Federal Investigation Agency's (FIA) charge sheet alleged that the cypher was never returned by the then-PM Imran Khan, who long held that the document contained a threat from the US to topple his government. Leader of the Opposition in the National Assembly Omar Ayub and other PTI stalwarts held that:

"A big day for the leader and the party. A fake, frivolous and fraudulent case is sent packing by IHC. The nation saw today that the just verdict came and the banner of justice was held high and that baseless case was eliminated in which Imran Khan spent around 10 months in jail and for which he was kept in jail all the time. Today is a day of happiness ... very soon the nation will see that Imran Khan will be outside."

... that the verdict is a victory for justice, even if it was delayed due to the prosecution's tactics. The decision is as per justice and the government should seek forgiveness from Imran Khan for imprisoning him in jail for an illegal and wrong case".

In fact, the state had badly failed in proving its case and even its prosecutors had abandoned the case; hats off to the honourable judges. The two leaders showed their patience and forbearance in the case and for not pestering the legal team about questions of release. The high court (IHC) declared that **'there was no traitor here whose case was being heard. Whatever Imran Khan did was in the national interest.'**

What's happening?: While speaking to *Geo News*, senior journalist Hamid Mir, when asked where the government stands in this whole equation, said that the government does not stand anywhere and *"doesn't even know what's happening"*.

Questioned about the case proceedings and how they were handed, Mir said: *"The fact is that so many cases were piled up against Imran, that even the three or four correct cases against him also lost their credibility. The government's weak strategy of having too many cases against Imran proved beneficial to him and that's why he was acquitted today."*

Scenario 265

IMRAN KHAN'S AZADI MARCH; MAY 2022

In Pakistan, long marches and sit-ins in the federal capital have been in vogue for decades. The idea of a long march was initially picked up not only by politicians but also by civilians who occasionally preferred marches for various causes – but mostly insignificant ones. Until 2014, the most famous marches were led by Benazir Bhutto and Nawaz Sharif. Following this, the PTI set a precedent after holding the longest SIT-IN (*dharna*) at D-Chouk Islamabad in 2014, followed by the Faizabad Interchange SIT-IN, a spot which developed as an effective venue for many groups in later years.

Since coming to power in 2018, the then PTI government witnessed several demonstrations against it. The culmination of these marches was seen in the protests of Democratic Movement (PDM) launched in 2020 against the PTI government. The opposition rallied both in the streets and in parliament to oust Imran Khan and his government, the success of which was witnessed in April 2022, with the passing of the no-confidence motion. However, following the vote of no-confidence, the situation changed dramatically with his narrative resonating with large sections of the population that held deep-rooted anti-American sentiments, feelings and opinions.

Talking about Imran Khan's protest of 25th May 2022, unlike during the PTI rule, the PDM government launched a serious crackdown on not only the PTI's protesters but also its leaders and party's key-figures. This unprecedented crackdown could result in the march taking on a violent turn as was evident from the clashes with the police. ***The crackdown came as a surprise because until 23rd May the PDM government had decided to let Imran Khan's long march on Islamabad go ahead***, only to take a complete U-turn on the matter after a meeting held by PM Shahbaz Sharif with Nawaz Sharif. Following this, the PMLN decided that an early election would not be '*dictated*' by Imran Khan and thus, authorised Interior Minister Rana Sanaullah to 'deal' sternly with the PTI marchers. Additionally, the PDM government had got okayed backing of the 'establishment' to help it address the situation.

FURTHER DETAILS OF AZADI MARCH...

On 25th May 2022; *Pakistan Tehreek-e-Insaf* (PTI) Chairman Imran Khan, along with other party workers made their way towards Islamabad and marched towards D-Chowk pushing aside containers and confronting tear gas shelling. Before entering Islamabad Imran Khan said: *'This nation does not accept this imported government'*. He called on the people to come out for what he termed as a **'jihad for true freedom'**. Further, he called the incumbent government a group of thieves, claiming that they were the most corrupt people in the country and said that they were afraid of the masses which was why they had placed containers in marchers' way. The main demands for the march to the capital were the immediate dissolution of the National Assembly and a date for the next general election.

That **2022 Azadi March** (Freedom March) was a party rally against the then PDM government headed by Khan's successor, PM Shahbaz Sharif. On 24th May 2022, Khan announced that long march towards Islamabad starting next day. Khan led the march from Peshawar, the capital of Khyber PK, where his provincial government helped him. Senior PTI members lead the march from Lahore, the capital of Punjab. Khan asked people to reach the Srinagar Highway in Islamabad to support his demands for early elections.

[Background: *On 10th April 2022;* Mr Khan was ousted as prime minister by a No Confidence Motion (NCM), which he called **a conspiracy of regime change** initiated by the then US government, the proof Imran Khan alleged was a 'Cypher' which after about a year was allegedly trickled by an anonymous Pakistani secret source to a US based News organization **'The Intercept'**.

*In his first interview with international media following his ouster, on CNN with Becky Anderson, Imran Khan accused members of his party for Jumping Ship by being offered millions of dollars by US officials at the Embassy of the United States, Islamabad, thus weakening his Coalition Government in the National Assembly of Pakistan which mostly consisted of MNA's from Pakistan Tehreek-e-Insaf (PTI - Imran Khan's Party) and other independent candidates and allied parties. Consequently, this made the NCM successful though by only 2 votes - 174 combined votes of the then Opposition parties in the National Assembly of Pakistan in favor of the NCM; Wikipedia pages on the topic AND **Scenario 261 of this author's earlier book** are referred; for complete details see:*

**RISE & FALL OF IMRAN KHAN: 13TH VOLUME OF THE CON-
TEMPORARY HISTORY OF PAKISTAN, pp456 (2024) pub-
lished by GHP Surrey UK]**

The PTI declared 25th May 2022 as the darkest day in the country's political history, alleging that on that day, the state unleashed its full fury on peaceful marchers led by PTI Chairman Imran Khan, subjecting them to tear gas, rubber bullets, and batons for hours.

TEMPO OF THE AZADI MARCH:

Imran Khan had launched a ***Haqiqi Azadi*** (real freedom) movement and took out a peaceful rally, aiming to establish supremacy of the Constitution and rule of law in the country. The state's fascist tendencies peaked on 25th May 2022, when the participants of Azadi March were brutally treated and subjected to a reign of terror and torture, in clear violation of the Constitution and laws in Pakistan.

"On 24th May 2022; Imran Khan announced a long march to Islamabad, which was set to begin next day. He led the march from Peshawar, but the protesters were stopped in Attock, preventing them from reaching Islamabad, the capital. Party moved IHC against CDA's raid on its central secretariat also. Media alleged that on that day, human rights were violated nationwide, homes were raided, women and children were harassed, and PTI leaders and workers were arrested and taken away. Two PTI workers were martyred, and dozens injured; besides, their properties were destroyed and homes ransacked. The state machinery tried its best to push the country towards a civil war; however, it was Imran Khan who, despite facing and enduring all the state atrocities, held high the flag of peace and saved the country from internal turmoil and chaos;"

.... daily **DAWN** of dated 26th May 2024 is referred.

Though the formal call of Azadi March was given on 24th May 2022 but the matter remained under discussion within the party leadership for many days. On 21st May 2022, scores of tents were installed at Bani-gala near the residence of former PM Imran Khan for workers and activists of the PTI coming to the capital from different areas; however, no official security cover was demanded by the PTI nor was provided by the state. The former minister for Kashmir Affairs and Gilgit-Baltistan Ali Amin Gandapur had brought over 250 people from KP to Bani-gala. They reached there in a cavalcade of cars,

sports utility vehicles, including single and double cabin pickups and motor-cycles. About 60 tents connected with each other were installed on Kuri Road in Bani-gala where they were staying; besides, 50 toilets were established for them.

The protestors had brought bedding and clothes with them which suggested they were to stay there long if needed. A group of Insaf Student Federation (ISF) also reached Bani-gala. Workers of PTI and ISF had mounted surveillance and put security in place in and around the area; no direction had been received for deployment of state police there. Meals were being arranged for them from a catering service at G-9. Moreover, 200 to 250 ISF activists also reached KP House Islamabad; the number of PTI workers and activists arriving in the capital was increasing gradually and they were moving to Bani-gala straightaway to get further guidance from Mr Khan.

Imran Khan's workers were to stay in Islamabad from 25th May onwards; for their only demand would be to give a date for clean and transparent general elections and to dissolve assemblies. Addressing the bureaucracy and the police, Khan said it would be illegal for them to take any action against the said **peaceful protesters**. Addressing the Pak-Army he said: **'if you are neutral then be neutral too'**. The protest-gathering involved around 2 million workers marching to Islamabad and that they were to remain there until the election was declared. The protesters, led by Imran Khan, aimed to hold a sit-in at D-Chowk, an open space in front of the parliamentary buildings, in Islamabad until the date for the dissolution of assemblies and a date for new general elections was announced.

In a video message, Imran Khan asked **all Pakistanis to take to the streets in their respective cities** and said people heading to Islamabad must reach D-Chowk. He also appealed to women and children to come out of their homes for real independence. *'Your collective presence will send a message across Pakistan that the nation has rejected this imported government'*; his message was clear.

At around 6pm, the main convoy from Khyber PK, which was being headed by Imran Khan in person, was able to enter Punjab from Attock after successfully removing barricades placed by the Punjab government at the Attock Bridge to stop marchers from entering the province. Some prominent PTI leaders, including Fawad Chaudhry and Shireen Mazari, also urged supporters to make their way to the capital's D-Chowk, saying that all containers and blockades on their way had been removed by other PTI youth workers.

{Imran Khan had arrived at the Wali Interchange in Khyber PK by helicopter. Later, he departed for Islamabad from the Wali

Interchange, from where the PTI tweeted a photo of him waving to supporters atop a truck adorned with party colours. Khan also urged protesters to carry the Pakistani flag, calling that day's march a defining moment for Pakistan.}

Shelling at KP-Punjab border: Punjab police fired tear gas at protesters near the *Chacch* Interchange in Hazro town of Attock district. All media reports confirmed that the PTI's protesters had brought a crane and were attempting to remove the containers that were blocking the main roads. TV footage from the scene showed protesters covering their faces and running from the scene as smoke billowed in the background after police fired tear gas shells in an attempt to disperse the peacefully moving mobs. Separately, the PTI tweeted that 'the party's south KP convoy, led by Ali Amin Gandapur, is well on its way towards Islamabad after the blockades faced at the Punjab-KP border are crossed successfully'.

Before his departure, Imran Khan called on all of Pakistan to join his freedom march; he also released a video statement:

"I will lead the Azadi March caravan from there and God willing we will head to Islamabad from there. I want each and every one to leave because this is a defining moment."

On the said day of 25th May 2022, Pakistani police fired teargas fearlessly, baton-charged and detained supporters of former PM Imran Khan to stop them from reaching the capital Islamabad to demand fresh elections, officials and witnesses held. Clashes between Khan's supporters and police were reported in multiple cities. Islamabad's entry and exit routes were blocked, as well as important civic sites. Entry and exit points were also blocked to and from all major cities in Punjab province and on the Grand Trunk Road (GT Road). The government said Khan's march was illegal and accused him of seeking to bring protesters to Islamabad with evil intentions.

A day earlier, Pakistan's government banned the planned protest march by former PM Imran Khan, who was demanding fresh elections on immediate basis then. The ban was announced by Interior Minister Rana Sanaullah at a news briefing hours allegedly after *a policeman was shot and killed during a crackdown on Khan's supporters* across the country. The Interior Minister held that Khan and his aides had termed it a bloody march, which could not be allowed following a sit-in that Khan held in 2014 for over four months that had paralyzed the country. At that time, Khan had rallied thousands to protest alleged rigging of an election in 2013, and his supporters had attacked police and threatened to storm the parliament and prime minister's house –

'Now, they're coming to Islamabad with evil designs again,' the interior minister said, citing intelligence reports about the march.

Meanwhile, admin authorities in Islamabad had started putting up blockades at roads leading to important installations, and heavy contingents of police and paramilitary troops were being deployed. Khan had urged his supporters to march on Islamabad, saying: *'You try to stop us if you could - a peaceful protest was his right that could not be denied'*. Khan, instead of condemning the policeman's killing, defended the shooting by his party official, a retired army officer, asking *what someone should do if police barged into their home*.

There were reports of intense shelling in Islamabad's Blue Area, with television footage showing smoke rising from the ground and fires in the green belts adjacent to main roads. The government claimed that the PTI supporters had set the fires whereas the claim from the PTI camp was that the fires were a result of police shelling. Neither claim could be independently verified.

Khan's supporters were also blocked and beaten by security forces in other major cities, including the southern port city of Karachi and the eastern city of Lahore. A mob torched a prison van in Karachi after clashing with police, and another group of protesters set fire to several trees near and around D-Chowk in Islamabad; the political violence had compounded uncertainty in the country.

A day earlier, Section 144 was invoked in Islamabad, Punjab and Sindh. The PDM government started arresting all the key-position holders of the PTI everywhere. Punjab police attempted to arrest PTI's former minister Ham-mad Azhar in Lahore. Footage showed scuffles between supporters and police as they tried to arrest Azhar. After 1:50pm, the police resumed shelling and fired tear gas near the *Aiwan-e-Adal*. Four lawyers were also arrested, while 10 to 12 cars were damaged.

Media reports confirmed that another PTI leader, Jamshed Iqbal Cheema, was arrested in Lahore and was moved to an undisclosed location. In a brief video message, he said *'they were living in a country of 220 million people and all of them would exercise their democratic rights'*. Dr Yasmeen Rashid and Andaleeb Abbas were also arrested from Ravi Road but subsequently released. One media footage emerged of police personnel charging at march-ers at Lahore's Bhati Chowk; ten people were arrested. Other footage of clashes and scuffles between the protesters and the policemen as activists converged in the area to begin their march on Islamabad. The videos showed policemen stopping PTI supporters from moving forward everywhere.

According to the PTI's official Twitter account, marchers were also stopped at the *Shahdara* area in Lahore, a key point in the outskirts of Lahore to catch motorways towards Islamabad. In a later tweet, the party said the shipping container placed in Shahdara were successfully removed by the PTI workers. At the Niazi Chowk too, PTI workers removed impediments and marched forward. Another PTI caravan led by Hammad Azhar managed to get across the obstacles; it was on GT Road on his way to Islamabad.

Later in the evening, PTI's one leader shared a video of himself on Twitter with a cut on his eyebrow. He said that instead of firing tear gas shells into the air, police officials were throwing them at their faces direct. Earlier in the day, when he was in Lahore, the impediments and containers at Bhati Chowk, Ravi Bridge and Shahdara had been removed and the roads had been cleared by the general public by themselves.

At Kala Shah Kaku, an industrial town on the motorway towards Islamabad, about 11km north of Ravi Bridge, the protesters faced heavy shelling. PTI's rally had reached Muridke while the caravan led by PTI's Shafqat Mahmood had been stuck to cross the Bhati Chowk. In Lahore old-city, the police also baton-charged protesters and forced them to disperse around in the streets. Clashes between the police and protesters were also reported in other areas of Lahore such as Islampura, Karim Park, Mohni road and Badami Bagh.

Later in the night, PTI protesters, including families and children, had gathered at Lahore's Liberty Chowk for a peaceful demonstration but police fired tear gas at them; distressing footage shared on social media, showed children and ladies crying and running away from the tear gas and desperately searching for their kids and kins. It was pity as no one lady or children were going to Islamabad from there. Meanwhile, other PTI leaders departed from their respective locations **from Lahore**, while Shahid Khattak departed **from Karak**. PTI's Fayyazul Hasan Chohan was seen on television footage departing for Islamabad on a motorcycle.

In the meantime, the Lahore High Court (LHC) ordered police to release all detained people after obtaining an undertaking from them assuring they would not indulge in any illegal activity or violate the law. CJ LHC Muhammad Ameer Bhatti issued the order while hearing a petition of PTI Senator Ejaz Chaudhry and six others against the detention of party leaders; the Senator was released after the court took notice of his arrest. The CJ remarked that the release of detained people was more important than the politics; the police had been deployed for the protection of the public.

At **Gujranwala** a confrontation was reported between PTI supporters and the police when the latter tried to stop them with barricades near *Khanki*

Head-works. However, the marchers forced their way through the obstructions and move ahead. The caravan, led by local PTI leadership, was on its way to Islamabad; but 150 people from the caravan were taken into custody. Simultaneously, PTI district president Ali Asjad Malhi left **Daska** with supporters in a caravan. The local police raided Malhi's house (where party leaders had also gathered) and arrested him under Section 144. Aside from Gujranwala, Sadhoke, Chenab Bridge, Khanki Headway and the city area were completely blocked by the PDM government.

In Faisalabad; PTI supporters and the police also clashed at the Kamalpur Interchange. The marchers, however, advanced after breaking through the outer wall of the Faisalabad Development Authority (FDA) premises. Police officers also tried to stop the party workers near the motorway where a scuffle broke out between both – but the marchers made their way through and left for Islamabad.

At 1:32pm, PTI leader Fawad Chaudhry tweeted that after shelling on marchers, a shot had been fired on them **in Mangla** — a village situated on the border of Kashmir and Jhelum — some 120km from Islamabad. In a video displayed at media channels, Chaudhry, who was stuck on the Mangla Bridge, said that three PTI workers had suffered severe injuries due to shelling by the police. Several cars had suffered damage too; the Jhelum (Punjab) police entered the jurisdiction of Kashmir and shelled the PTI marchers. More people from road-side villages & towns were joining the moving processions towards Islamabad.

In Islamabad; Police blocked the Niazi Chowk in Bani-gala, a few kilometres away from Imran's residence. The Islamabad police established a check post while approximately 2,000 Punjab police officers were posted there.

In Karachi; PTI supporters started gathering near the *Numaish Chowranghi* to register their demand for immediate, free & fair elections - Karachi made its own Azadi Square as the caravan from Karachi couldn't join Imran Khan at Islamabad being at about 1500 km distance. On another place, police fired tear gas and baton-charged PTI protesters at the *Chowranghi* after hundreds of them gathered there. Scores of protesters were dispersed following police action and were forced to seek shelter in nearby lanes. However, the protest continued at its pace. Corridor 3 had been closed for traffic from the PPP Chowranghi side; and Karachi traffic police had also blocked the MA Jinnah Road from Capri Cinema towards *Numaish Chowranghi* for security reasons.

AZADI-MARCH HANDLED HARSHLY:

With foreign reserves falling to \$10.3 billion - lower than two months of import bills - a fast-crashing Pakistani rupee and a double-digit inflation, the political turmoil had then compounded economic volatility in the country. PM Shahbaz Sharif, who had replaced Khan a month earlier, was not taking bold steps towards putting the economy back on track. Talks were going on in Doha between the government and the International Monetary Fund (IMF) to resume a \$6 billion rescue package agreed in 2019, and were due to conclude those days. PM Shahbaz Sharif said his government was trying to clear up an economic mess and he blamed Khan for: *'You've handed over a sinking economy to us, and now you're planning sit-ins and protests. We are trying to energize this weak economy.'*

Coming back to the day of protest, live local TV footage showed police fighting with Khan's supporters, beating them and in some places breaking their vehicles' windcreens and bundling them into police vans. Interior Minister Rana Sanaullah later said police had carried out a total of 4,417 raids on supporters' homes of Imran Khan, PTI offices and on protest rallies and arrested nearly 1,700 people; of those, 250 were later freed. Khan had got a rally of more than two million people in Islamabad. Rana Sana held that: *'We haven't stopped anyone from exercising their constitutional and legal right to hold a rally or take part in democratic politics, but we can't allow anyone to sow violence and chaos.'*

As per **AL-JAZEERA's report** of that day (25th May 2022), clashes were reported from big cities of Rawalpindi and Lahore after authorities blocked roads leading to Islamabad, where the former PM Imran Khan's party was planning to hold a grand rally to demand the removal of the government and immediate general elections. Police fired tear gas in several districts of Punjab as supporters of Khan's PTI party tried to remove roadblocks on highways leading to Islamabad. In the northeastern city of Lahore, police fired tear gas shells to disperse hundreds of PTI members who gathered at different points for the protest march. Angry protesters pelted stones and threw tear gas shells back at the police before scores of them were arrested. The PTI claimed that more than 1,000 PTI members were arrested in overnight raids across the northeastern Punjab province in an attempt to foil the march.

Footage aired on local news channels showed stick-wielding PTI supporters removing barbed wire to move forward with the march. Authorities had placed dozens of shipping containers on major roads leading to the capital Islamabad. They had also deployed additional police and paramilitary troops on highways and at cross-roads inside Islamabad to stop the rally, with tractor-trailers parked across both lanes of traffic in several areas. As said earlier, Khan began the march from northwestern Khyber PK province, which was being governed by his party. The former leader urged supporters, especially

young people, **to remove the barricades to reach Islamabad at any cost.** Khan also urged everyone to carry the Pakistan flag with them; **'this is a defining moment,'** the 69-year-old leader tweeted which was picked up by social media to spread all over the country within seconds.

Khan had already massed PTI leaders and thousands of his supporters in Peshawar, the capital of Khyber PK, from there, his followers had to cross a bridge at the province's border that the PDM's government had blocked, before assembling on the outskirts of Islamabad. Interior Minister Rana Sanaullah threatened that Imran Khan would be arrested if the rally came ahead. Reporting from Islamabad, Al Jazeera's Kamal Hyder confirmed:

".... he saw dozens of PTI workers being arrested just outside our office. There are reports of scuffles in many Punjab cities between the police, despite the fact that the Pakistani constitution allows for peaceful protests, which is the fundamental right of the citizens. But the government it seems has panicked and is overreacting despite the fact that there were court orders not to arrest or harass workers."

Meanwhile, Pakistan's Supreme Court was about to hear a petition to remove the blockades in and around Islamabad. Authorities said that if Khan agreed to confine himself to a public park, the government would consider lifting its ban. The cricket legend-turned-politician was demanding the dissolution of parliament and announcement of new elections, which were otherwise due in 2023. The government had rejected his demands. That day's march had raised fears of major violence between Khan's supporters and security forces in a nation already battling an economic crisis. The PDM govt alleged that Khan lost power in part due to his failure to rectify Pakistan's dire economic situation, including its mounting debt, shrinking foreign currency reserves and soaring inflation – though the later statistics proved that in PDM era, the economic graphs touched mountain-like heights.

During the then few days, the Punjab Police, under specific directions of the then Chief Minister Hamza Shahbaz (son of PM Shahbaz Sharif) initiated a crackdown on members of the PTI party and other popular figures in the country who stood by Imran Khan. Justice Nasira Iqbal's (daughter-in-law of Allama Iqbal) house was raided by 8 Punjab policemen at 02:00am. The police jumped over the walls to enter her house without any warrant to arrest her son Walid Iqbal (PTI Senator). She was quoted as saying that: **'This happens where anarchists are in power.'**

Hundreds of potential marchers were arrested in that crackdown by the new PDM govt. To prevent protestors from reaching the Srinagar Highway, Red Zone (Islamabad) and entering the capital, hundreds of containers were

given to the Islamabad Police and a ban was placed on gatherings under Section 144 of the Local Law. The entrance towards the D-Chowk (Islamabad) was blocked by hundreds of personnel from the Capital Territory Police not allowing protestors to come close by launching tear gas shells at the protestors mostly the women, children, and families.

DAY OF POLICE BRUTALITY:

Lahore Police treatment meted out to PTI leader Dr Yasmin Rashid particularly raised strong uproar and condemnation from all walks of the society. Condemnation followed from all sections of civilized people in Pakistan on Police actions on Azadi March day to contain and impede the PTI's long march to Islamabad. Tensions in Punjab rose after police made use of tear gas and arrested several PTI marchers in cities across the province as supporters attempted to remove big shipping containers blocking routes to Islamabad. The police baton-charged protesters near Lahore's *Aiwan-e-Adal*. Clashes between the police and protesters were also reported in other areas of Lahore such as Islampura, Karim Park, Mohni road and Badami Bagh areas. See below the reactions of the civil society against the said atrocities:

Senior journalist Mazhar Abbas deplored: ***".... the (PDM) government had hurt itself through the use of force. Another sad day in the charred democratic history of Pakistan."***

- Journalist Cyril Almeida termed the day's events as an ***"ugly overreaction on the government's part."***
- Pakistan's correspondent for the *New York Times*, Salman Masood, remarked: ***"... the government had used ham-handed tactics to contain the PTI in Punjab."***
- Veteran journalist Mubashir Zaidi seemingly expressed scepticism on the Punjab government's claims of recovering weapons from the PTI earlier that day and said: ***"Our police are adept at retrieving such weapons on their own after placing them. Who knows this better than we people of Karachi?"***
- The Human Rights Commission of Pakistan said: ***"... it was deeply concerned at the high-handedness displayed by law enforcement agencies; the state's overreaction had triggered more violence than it had prevented."***
- Tania Aidrus, former special adviser to the prime minister on Digital Pakistan, criticised the reports of internet services being curtailed and said: ***"Turning off the internet for a nation of 220 million people is the single worst thing a government can do."***

The treatment extended to PTI's female leader **Dr Yasmin Rashid** invited particularly strong uproar and criticism. TV clips and footage showed police stopping Rashid's vehicle in Lahore. An exchange of words could also be seen after police attempted to yank out the key of the vehicle she was travelling in. Video showed police landing blows on Yasmeen's vehicle as it tried to pass through a cordon at Bhati Chowk. A non-uniformed individual with his face covered could also be seen in the footage, hitting the vehicle forcefully. Later, the PTI tweeted a video of the vehicle with its windshield broken as Yasmeen Rashid was in the driver's seat. She faced difficulty in leaving the area, but later left for Islamabad while uttering: *'This government has lost its senses. I am an 80-year-old woman. Why are they threatened of me? How is stopping a peaceful protest democratic?'*

Lawyer and activist Jibran Nasir said Yasmeen Rashid had always been *a symbol of courage* while Interior Minister Rana Sananullah was *a symbol of tyranny and terror when in power*. He added that she was attacked in **"typical Gullu Butt fashion"** that day — alluding to Shahid Aziz, the infamous baton-wielding man who was caught vandalising property during violence in Lahore's Model Town in 2014. Dr Yasmin Rashid's car was beaten with hard iron-like sticks. Luckily, she was able to escape by rushing the car forward. The car seated 3 women and Dr Yasmin Rashid was the driver since her driver had been arrested earlier.

Dr Yasmeen Rashid, who herself has been a cancer survivor, added that despite everything, the enthusiasm of the workers was at its peak. Then her entourage had reached the Ravi Road interchange, some 362km from Islamabad. All media channels were continuously showing roadblocks in Faisalabad, Gujranwala and other cities of Punjab, with shelling on PTI supporters trying to cross the barriers and containers.

PAK-ARMY DEPLOYED IN CITIES:

PTI supporters who were awaiting party chief Imran Khan's arrival at D-Chowk in Islamabad since Wednesday (the 25th May 2022) afternoon, entered the Red Zone in early hours (mid-night) of 26th May, it was Thursday morning then. The protesters were being stopped by police, Rangers and other law enforcers with patience, the government held. Islamabad's Inspector General of Police Dr Akbar Nasir Khan was himself present at the site and protesters were being instructed to leave the Red Zone. Media was able to confirm that the activists had entered the Red Zone, but remained peaceful. It was the next calendar-day, the 26th May 2022; the Pakistan Army had

already been deployed in Islamabad for that march. Azadi March's processions from other cities had also arrived and nearly occupied the capital city – loudly raising their slogans for fresh polls. The Army had got explicit instructions from the PDM government; an order from Pakistan's Interior Minister said:

'Pursuant to the law & order situation in the Islamabad Capital Territory, the Federal Government, in the exercise of powers conferred under Article 245 of the Constitution of the Islamic Republic of Pakistan, authorizes deployment of sufficient strength of troops of Pakistan Army in Red Zone in ICT. The forces have been deployed to protect government buildings including the Supreme Court, Parliament, and Prime Minister's Office.'

Among the buildings to be protected were the Supreme Court, Parliament House, Prime Minister House, Presidency, Pakistan Secretariat premises and Diplomatic enclaves; the state-notification had said. As per police reports, eight personnel of the Islamabad police and seven of the Rangers were injured as protesters resorted to occasional stone pelting but were dispersed from the area after negotiations. Meanwhile, the PTI Chairman Imran Khan addressed the protesters at Islamabad's 9th Avenue on 26th May's early morning hours and announced a six-day deadline to the government for declaring elections and dissolving assemblies. 'No amount of state oppression and fascism by this imported govt can stop or deter our march,' Imran Khan had tweeted simultaneously.

The media held that tensions had soared across the country, with the police resorting to the use of tear gas in the various cities and towns of Punjab province. Several members of PTI were also arrested as they attempted to remove obstacles, such as containers installed by the PDM government on all key-roads to halt their steps. There were reports of intense shelling in Islamabad's Blue Area too, with television footage showing smoke rising from all around; the government claimed that the PTI supporters had set the fires at various places whereas the claim from the PTI camp was that the fires were a result of police shelling.

This came after the Pakistan Supreme Court on 25th May 2022 had restrained the incumbent PDM government from arresting Khan and allowed PTI to hold a sit-in protest at the H-9 ground area of Islamabad. The PTI's march towards the D-Chowk and arrests and use of force by the police took place despite the Supreme Court directives. Meanwhile, internet disruptions were also reported across Pakistan in the evening, as said earlier. Imran Khan addressed the protesters at Islamabad's 9th Avenue and gave a six-day

deadline to the government for announcing elections and dissolving assemblies and warned that he would return to the capital with the entire nation otherwise. *'But of what I have seen in the past 24 hours, they (govt) are taking the nation towards anarchy'*; he said. (Also claiming) that the government was also trying to create a divide between the people and police and the army. Further, Khan said there was a **'huge responsibility on SC judges'**; claiming that five PTI protesters were killed in clashes after the PTI's march. Addressing the SC, he roared:

"What crime were we committing? He wants justice for the people of Pakistan from Supreme Court judges and the lawyers' community. I am again asking the judiciary to save your FIA (Federal Investigation Agency). In the future, no FIA officer will investigate the powerful if he will meet the same end as of Dr Rizwan and Mr Asghar (who were mysteriously assassinated earlier in their respective residences – terming their cause of death 'SUICIDES'). He and the entire nation is looking to the judiciary after what has happened during the past 48 hours all over the country."

Imran Khan then lauded female PTI protesters for participating in the struggle for real freedom; also the protesters for their stamina and patriotism. After speech, Khan departed for an unknown destination. *Members of the PDM government, however, were quick to declare victory*, with Railways Minister Kh Saad Rafique saying: **'Imran ran away after spreading disorder & confusion'**. Kh Saad later tweeted also that the government fulfilled its responsibility to prevent rebellion. Adding further that: *'The nation is watching how saboteurs and their masterminds who take undue advantage of court orders are treated? I have heard that justice is blind.'*

In Karachi, PTI protesters holding a demonstration at Karachi's *Numaish* had dispersed peacefully, following Imran's announcement. Later, the PTI lauded the bravery of marchers who stayed despite shelling and tear gas attacks. Interior Minister Mr Rana, meanwhile, said in a statement posted on PMLN's official Twitter account:

".... he had been personally monitoring the security situation. Imran Niazi entered the city after getting permission from the Supreme Court to hold a rally at a designated place in Islamabad and broke his promise by announcing plans to go to D-Chowk.

.... that metro bus stations and trees were set on fire. Under the cover of the Supreme Court's decision, the mob continued to light fires all night; throughout the night Imran Khan kept committing contempt of court from the container."

While Imran Khan's convoy, which began the journey from Swabi's Wali Interchange, was en-route to D-Chowk via the Srinagar Highway, batches of his party workers and supporters were already present at planned destinations. The PTI leader claimed that when his caravan would reach its destination, the police would come to realise that his mission was about jihad and not politics. Later, a video shared on PTI's official account showed police waving and welcoming Imran's caravan on its way to D-Chowk.

The PDM government and the ICT admin held that PTI's march towards the D-Chowk and the shelling of teargas by police took place despite the Supreme Court's directives for the former to hold its protest in Islamabad's H-9 area and orders for the government not to make arrests or use force in connection with the march. However, eight personnel of police and seven of Rangers were reportedly injured as protesters hurled stones. Imran maintained that staging a protest was the party's right, adding that he would unite the country and make it a nation. Further, he once again reiterated:

"This nation does not accept this imported government – and has come out at jihad for true freedom; all Pakistanis, women, children, families, youth, lawyers, retired army officers, everyone has to come out for real independence."

In the meantime, internet disruptions were reported across the whole country in the evening hours. After reaching Swabi, Imran Khan, holding a Pakistan flag, delivered a speech to supporters saying that we are going to D-Chowk and no one would stop us and the crowd cheered. He, once more, reiterated loudly that the incumbent government was a **group of thieves**; also the most corrupt people in the country. Addressing politicians of the ruling coalition, Imran said that the PTI government had not barred any of them from staging protests – **'why they fear the people'**.

RUMOURS ABOUT DEALS:

In the meantime, government spokesperson Mariyum Aurangzeb and Imran Khan rubbished news reports of a deal among the two parties. News of negotiations and agreement between the government and PTI were declared baseless from both sides. Khan termed the rumours as **'deliberate disinformation - Absolutely not'**; he said *'...the (PTI) party was moving towards Islamabad and would remain in the capital until dates for dissolution of assemblies and elections are given'*.

Another minor development surfaced; the PDM government formed a negotiation team in light of the Supreme Court order on a petition filed by the PTI earlier that day. The PTI had already formed its team led by Dr Babar Awan. The situation in Punjab, Balochistan and Sindh was relatively peaceful; it was just Khyber PK from where protesters were moving towards Islamabad amidst loud slogans. The govt was keen to abide by the court's order for upholding law & order situation in the city, more particularly in Red Zone. However, the fact remained that the police had carried out a total of 4,417 swoops on PTI supporters' homes, offices and on protesting rallies and had arrested nearly 1,700 people. Of those, 250 were freed after they submitted affidavits that they had nothing to do with the protest march.

Meanwhile, PMLN Vice President Maryam Nawaz claimed that the PTI had approached the government twice for talks; PTI leaders Pervez Khattak and Fawad Chaudhry had come up to the government yesterday and Shah Mahmood Qureshi, Asad Umar and Khattak today at 10am. Addressing a press conference in Lahore, she claimed *'the PTI had asked for an election date to save face and get a safe exit since the people hadn't responded to the march's call as per the PTI's expectations'*. Maryam claimed that the turnout for the PTI's march was low and also alleged that Imran was trying to create division and discord in the army. However, Maryam's claim of PTI approaching the government for talks was swiftly rejected by PTI's Fawad Chaudhry, who said ***'she is a liar - there will be no negotiations now, just a showdown'***.

WHY AZADI MARCH ENDED ABRUPTLY?

.....however, the end of the whole exercise, the Azadi March, the pronouncement of JIHAD, the jam-packed procession, was hopeless for many.

At dawn, on 26th May 2022, Imran Khan called off the March just 2.10 miles away from The Blue Area where the Police stood firing tear gas shells. In a later interview he said that the reason he called off the March was to avoid bloodshed since the people were ready to fight against the police, soldiers and thus the state.

After an intense build-up of the said march and repeatedly urging his supporters to reach D-Chowk in Islamabad in order to push the government towards new elections, Imran Khan had, during the initial hours of 26th May 2022 bounced a surprise by retreating and calling off the march abruptly.

Referring to daily **DAWN** dated 27th May 2022: PTI Chairman Imran Khan dispelled reports that he had struck a deal in exchange for ending the party's Azadi March, saying that he did so in order to avoid bloodshed. He expressed the views while addressing a press conference in Peshawar on 27th May 2022, adding that he would take to the streets again if early elections were not announced. He regretted how police officials attacked the participants of the march, blaming the government for hand-picking officers to target the PTI.

"Our workers asked why we did not stage a sit-in. I am the man who staged a sit-in for 126 days. It was not difficult for me, but by the time I reached I became aware of the extent of the situation [...] I knew that day that there would be bloodshed."

PTI Chairman Imran Khan, while repeatedly explaining why he ended the Azadi March of 25th May 2022, said '**... he feared that bloodshed was imminent as some of his party workers were also armed and could have retaliated in the face of the authorities' hours-long shelling and heavy-handed tactics.**'

In an interview with TV journalist Moeed Pirzada for **92News TV Channel** on 30th May 2022, once more the PTI chairman reiterated his reasoning for doing so, saying that Prime Minister Shahbaz Sharif-led government could have been the ultimate beneficiary of any ensuing chaos and violence. He explained further:

"The hatred against police had already intensified and seeing me [at D-Chowk] would have further stoked the sentiments of my workers. I was 100 per cent sure that bullets will be fired. People from our side were also ready as some of them were carrying pistols. It would have led to further hatred against the police and the army and caused divisions within the country...."

"I was hundred per cent sure the country would have headed towards anarchy in this situation. The situation gave me the impression as if Interior Minister Rana Sanaullah and PM Shehbaz Sharif had asked the Pakistan Army to let them handle the situation so the government could teach a lesson to the protesters."

Imran said his party (PTI) would approach the Supreme Court and ask whether or not holding a '*peaceful protest was permissible in the country*' - this could be the trial of the Supreme Court; he was going to opt for different strategy if marchers couldn't get SC's protection. Imran Khan, while addressing a lawyers' convention in Peshawar earlier the same day, had said that if the Supreme Court would not provide his party protection from police action

for the next round of their protest, he would opt for a different strategy wherein his supporters would be prepared to deal with the situation.

However, there were contrary versions, too.

The Hindustan Times and the **Times of India** of dates 27th – 30th May 2022 perpetually wrote at news and in articles that during early hours of 26th May, THREE GENTLEMEN – one retired justice, one retired General of the Pak-Army and one big business tycoon - met Imran Khan together and assured him that if he could call off the march, the dates for elections within 90 days would be got announced through the superior courts. Khan got convinced and announced for the protesters to halt and go back. Six days warning for come-back mantra was coined immediately and March was called off.

The second version was disclosed by **Senator Faisal Wada in Nadeem Malik's live TV show** in April 2024 on which another live show was conducted by anchor Alina Farooq at **GEO NEWS TV** on 26th April 2024 with three intellectual media anchors to comment on. As per Faisal Wada's disclosure (after two years of the actual event), Imran Khan had called off the protest on assurance of the two then sitting judges of the Supreme Court of Pakistan. Further, that PTI's THREE other leaders (Asad Umar, Zulfi Bokhari & Murad Saeed) were also consulted by Imran Khan before announcement of his decision to end the protesters' further movement.

In the live program, media guru Aizaz Syed told as an eye-witness that some serving and some retired senior justices like J Amir Bhatti - the then Chief Justice of the Lahore High Court, J Ejaz ul Ahsan and J Mazahir Naqvi, the then serving judges of the Supreme Court AND retired CJP Saqib Nisar remained constantly in touch with Imran Khan in person during his premiership. They might have kept their contacts with Mr Khan even after his departure from the government in April 2022. Further, that CJ LHC Amir Bhatti used to influence certain judges of the Islamabad High Court (IHC) for decisions in favour of the PTI and Imran Khan.

Media analyst Benazir Shah divulged that 'she doesn't trust Mr Wada's words – as he has been a proven liar in the past with ref to his dual nationality' – thus the element of TWO JUDGES influencing Imran Khan for ending the protest on that day of May 2022 couldn't be taken as authentic. However, she added that to her knowledge, ***it was the influence from the Establishment that forced Imran Khan to change his mind – they had sent a message with the indication of getting announcement of fresh elections in June 2022 (through ECP).***

Veteran media analyst Mazhar Abbas further confirmed that Imran Khan always remained tilted towards the army establishment. During his premiership, he had deep relationship with the then top brass AND after April 2022 he kept liaison with 'some 2nds in command' in high ranks of the Pak-Army. Mr Abbas further confirmed that analyst Benazir Shah could be right because Imran Khan had the tendency of taking advice from his friendly high-ranking Generals and believed them MORE THAN ANYONE ELSE.

- Mazhar Abbas's ending sentence was that **'... (even) setting on protest & March for 25th May (2022) was not Imran Khan's own decision – nor the decision to end it abruptly'.**

Coming back, Imran Khan's march for *haqeeqi azadi* — true freedom — was preceded by invoking of Section 144, a police measure used to curb gatherings in Pakistan. Shipping containers were put in place on major thoroughfares to block their path; but undeterred by the moves, the marchers moved on. PTI's Azam Swati had filed a police complaint seeking the registration of a first information report (FIR) against PM Shehbaz Sharif, Interior Minister Rana Sanaullah, Inspector General of Police Islamabad Dr Akbar Nasir and others over police brutality and unreasonable use of force against PTI supporters on 25th May 2022.

In his Peshawar address, Khan asserted that his party did not have a history of violence, pointing to the PTI's 126-day sit-in in Islamabad in 2014. He reiterated that he called of the sit-in on 25th May in an effort to avoid bloodshed. Khan held that he didn't want his country to be divided and for our enemies to benefit. Imran Khan asked the apex court to give a ruling providing an explanation why obstacles were placed to stop the PTI from holding the long march. He also questioned whether the SC would still allow such undemocratic moves when the PTI announces the date for its next march.

However, PTI's next round of Azadi March was NOT SEEN ON CARDS in the nearby days or weeks then – NOR there was any petition put in the higher courts for early elections.

Scenario 266

TOSHA-KHANA CASES AGAINST KHAN

In the year 2021, the Pakistan Information Commission [PIC] accepted an application of Islamabad-based journalist Rana Abrar Khalid and directed the Cabinet Division to provide the requested information about the gifts received by [then] prime minister Imran from foreign head of states, head of governments and other foreign dignitaries ... description / specification of each gift, information about the gifts taken by the PM and the Rules under which gifts thus received could be retained by him. The Cabinet Division was told to share the required information within 10 working days and upload it on the official website as well.

Subsequently, the Cabinet Division had challenged the PIC order in the Islamabad High Court [IHC], claiming that: ***'...it was illegal, (&) without lawful authority'***; on the stance that the disclosure of any information related to Tosha-khana would jeopardise the international ties. In April 2022, the IHC had directed Deputy Attorney General Arshad Kayani to ensure the implementation of the PIC order to publicize details of gifts presented to former premier Imran Khan by heads of states since he assumed office.

ECP's VERDICT – MR KHAN DISQUALIFIED

The case was filed in August 2022 by members of the Lawmakers from the Pakistan Democratic Movement [PDM] — the ruling alliance — had submitted the reference to National Assembly Speaker Raja Pervaiz Ashraf, who subsequently forwarded it to Chief Election Commissioner (CEC) Sikander Sultan Raja for further action. The reference was for Mr Khan's failure to report the details of *Tosha-khana* gifts in declarations of annual assets submitted to the ECP.

On 21st October 2022; the Election Commission of Pakistan [ECP] decided that ***'Imran Khan stands disqualified from holding office as Member of National Assembly and ordered to initiate legal proceedings against Imran Khan'***. It was a landmark decision by the ECP that disqualified Imran Khan, former prime minister of Pakistan, from holding public office for five years. The detailed judgment was announced on 6th December 2023.

On that day, the Commission concluded the inquiry and announced its final verdict in which Khan was disqualified from holding public for offences involving dishonest behaviour, fabricated information, and inaccurate declarations in the reference under Article 63(1)(p). It also ordered the reference to be sent to the trial court for the commencement of criminal proceedings. Mr Khan challenged this verdict, arguing that he obtained the gifts legally from the *Tosha-khana* and used the proceeds from their sale for public investment and development works and not for his person or family.

[The ***Tosha-khana (Pakistan)*** is a department attached to the Cabinet Division for administrative supervision. Established in 1974, it keeps gifts offered to the rulers, lawmakers, bureaucrats, military personnel and other officials by the heads of other states, governments, and international dignitaries. The *Tosha-khana's* rules state that the people to whom the rules apply must report gifts or presents to the Cabinet Division.]

When the news about the decision broke against PTI Chief Imran Khan in the said reference under Article 63(1)(p) for making '***false statements and incorrect declaration***', it triggered heavy protests in various cities of the country.

On 22nd October 2022; on the very next day Mr Khan challenged the verdict in the Islamabad High Court [IHC], arguing that he obtained the gifts legally from the *Toshakhana* and had used the revenue from the sale to repair a road leading to his house, which he said also benefited his neighbours. *He also pleaded that previous leaders such as Nawaz Sharif, Yousaf Reza Gillani, and Asif Ali Zardari had purchased expensive gifts from the Toshakhana (including vehicles, the purchase of which is not allowed) for ridiculously low prices: on occasions, less than 20% of the assessed price, with some gifts even being bought for between 5% and 7% of the assessed price.* In contrast, while Mr Khan himself had raised the retention rate to 50% of the assessed value – the same rate at which he then purchased the gifts. Khan announced the Azadi March II to protest the verdict.

The verdict against the PTI chief came as a big blow to the party (PTI) which, **on 17th October 2022's** by-elections managed to secure six out of eight National Assembly seats in the crucial by-elections, the victory brought bittersweet moments for the party as the PPP could clinch two — NA-157 Multan and NA-237 Karachi — which were bagged by the PTI in the 2018 general elections. Following up on its resounding victory in the July 2022 by-elections in Punjab — both seen as indicators of public support for the ousted former premier.

[The Pakistan Tehreek-i-Insaf [PTI] on 18th July 2022 had also routed out the PMLN by winning at least 15 seats in the crucial by-elections on 20 seats that got vacated after the disqualification of PTI members who had voted for Hamza Shahbaz for Punjab chief minister's office. Imran Khan called for general election (once more) testing the credibility of the ECP; Maryam Nawaz accepted her party's defeat – as 15 seats went to PTI, four to PMLN.]

Referring to **Iftikhar A. Khan's** essay published in Pakistani media pages on 8th September 2022: The PTI Chairman and former Prime Minister Imran Khan submitted a day earlier, reply to the ECP in the *Tosha-khana* case against him wherein he maintained that the sale of the gifts that he had procured from the state treasury after paying Rs: 21.56 million fetched about Rs: 58 million. The gifts included a highly costly wristwatch, a pair of cuff links, an expensive pen and a ring while the other three gifts included four Rolex watches.

[From July 2018 to June 2019, Imran Khan received a total of 31 gifts and paid for four as under the rules any gift below the assessed value of Rs:30,000 could be retained without any payment.

From July 2019 to June 2020, he received nine gifts and paid an amount of Rs:1.71 million for three of them. He claimed to have gifted these presents to some undisclosed individuals. One of the gifts included a box containing a gold and diamond locket, a pair of ear tops (gold and diamond) and a diamond ring. He deposited Rs:0.544 million to purchase that jewellery.

From July 2020 to June 2021, he received 12 gifts and paid an amount of Rs:12.90 million for five of these. From July 2021 to June 2022, he received six gifts and paid Rs:3.10 million for two of the presents.]

It remains a fact that national GIFTS sometimes come with a political price tag, and the change in governments during such transactions carry significant historical value.

In Mr Khan's case, the then new Prime Minister Shahbaz Sharif alleged on 16th April 2022, just after a week Mr Khan was voted out, alleged:

"...his predecessor, Imran Khan, had sold state gifts in Dubai worth Rs: 140m. The items, presented to him by rulers of foreign countries, reportedly included a wristwatch from the crown prince of Saudi Arabia."

The former information minister Fawad Chaudhry had responded then that **'selling one's own assets is not a crime'**.

...EXPLOITATION OF STATE GIFTS (?)

In 2022, six members of the National Assembly had filed a reference to NA Speaker Raja Pervaiz Asharf, claiming that the statements of assets and liabilities submitted by Imran and his wife with respect to the years 2018, 2019, 2020 and 2021 were incorrect. The speaker had referred the matter to the ECP under Article 63(2) of the Constitution.

Certainly rulers, parliamentarians and officials did have the right to acquire state gifts stored in the *Tosha-khana* — but misuse of the privilege by undervaluing the items in question was disturbing for the sane countrymen. That was the crux of a reference filed by National Accountability Bureau [NAB] in 2020 against former prime ministers Nawaz Sharif, Yousuf Raza Gilani and former president Asif Ali Zardari. FIA had also started investigating the alleged sale of a necklace, gifted to Mr Khan while he was premier, for Rs: 180m to a jeweller in Lahore in lieu of a token amount paid to the *Tosha-khana*. See the comments of a civil nationalist:

"One fails to understand the (PTI) government's insistence on keeping this information outside the public domain. The gifts have been given to the prime minister not in his personal capacity but as the representative of the people of Pakistan. In fact, according to the Tosha-khana rules, articles likely to depreciate in value if unused are to be disposed of through public auction, with the proceeds deposited in the government account.

That's also not unimportant matter of optics. How does it reflect on the former PM that after acquiring the items at a fraction of the price, he chose to sell them for profit while the nation had been asked to tighten its belts."

The PTI government had been unnecessarily wary when asked to provide details of gifts presented to Mr Khan since 2018, resorting to the implausible argument that such disclosure would jeopardize international ties. Allegedly, the PTI didn't cooperate fully with the investigation, which also included the aspect that how the value of the gifts was determined before their sale to Mr Khan on reduced rates.

As per Mr Khan's statement, as many as 329 gifts were received by different functionaries during his tenure; out of which 58 gifts, including vases, art pieces, lockets, and decorative items, were presented to him and his spouse Bushra Bibi between 1st August 2018, and 31st December 2021. Out of all those gifts, there were only 14 items worth more than Rs:30,000, which he bought by paying money as per the procedure then in vogue.

Barrister Ali Zafar, while representing the PTI Chief, urged the five-member ECP bench to quash the reference against the former premier as he termed it a 'misleading case based on mala fide intentions and political motives'. During the hearing, Mr Zafar told that the disqualification case was to be made under Article 63(2), while in the reference sent to the ECP, Imran Khan's disqualification had been sought under Article 62(1)(f). He emphasised that the ECP was not the forum to hear the case under Article 62(1)(f) in proceedings of Article 63, adding that Article 62(1)(f) could only be applied by a court, not by the (ECP) Commission.

The ECP decided the matter on 21st October 2022, disqualifying Khan under Article 63(1)(p) of the Constitution read with sections 137, 167 & 173 of the Elections Act 2017. From Mr Khan, the reply responded to the earlier narrated allegations was that:

"The four gifts were sold during the 2018-19 financial year and the respondent did not have owned those gifts by 30th June 2019. Therefore, those were not mentioned by name in the statement of assets filed on Dec 31, 2019. The sale amount was received in [a] Bank Alfalah account and that amount was duly mentioned. Moreover, the total cost of gifts standing at Rs:21,226,000 was paid by the respondent and declared in the tax-return for the year 2019.

Also, that the reference is not competent in the first place as no reference under Article 63(2) of the Constitution could be referred to the commission unless one or more of the 'sixteen questions' are involved. Those 'questions' are contained in Article 63(1)(a) to Article 63(1)(p).

Since none of those questions are involved and not even barely referred to in the titled reference; therefore, the reference is utterly baseless and misconceived; the ECP is asked to dismiss the case."

The said reference against Mr Khan was filed by MNA Barrister Mohsin Nawaz Ranjha carrying signatures of lawmakers Agha Hassan Baloch, Salahudin Ayubi, Ali Gohar Khan, Syed Rafiullah Agha and Saad Waseem Sheikh and it was subsequently forwarded to the ECP including documentary evidence to

corroborate their claims against Khan seeking his disqualification under Sections 2 and 3 of Article 63 of the Constitution, read with Article 62(1)(f).

[Article 62(1)(f) says: *"A person shall not be qualified to be elected or chosen as a member of Majlis-e-Shoora (Parliament) unless [...] he is sagacious, righteous and non-profligate, honest and ameen, there being no declaration to the contrary by a court of law."*

Article 63(2) says: *"If any question arises whether a member of Majlis-e-Shoora (Parliament) has become disqualified from being a member, the Speaker or, as the case may be, the Chairman shall, unless he decides that no such question has arisen, refer the question to the Election Commission within thirty days and should he fail to do so within the aforesaid period it shall be deemed to have been referred to the Election Commission."*

While, Article 63(3) reads: *"The Election Commission shall decide the question within ninety days from its receipt or deemed to have been received and if it is of the opinion that the member has become disqualified, he shall cease to be a member and his seat shall become vacant."*

In February 2018, the Supreme Court had ruled that an individual disqualified under Articles 62 and 63 of the Constitution could not serve as head of a political party.

The apex court's verdict was in response to petitions challenging the Elections Act 2017, which had been bulldozed through parliament to pave the way for Nawaz Sharif's return to the PMLN's helm as party president after he had been deemed unfit to hold public office in the Panama Papers judgment for not being 'honest' and 'truthful' in discharging his obligations as a lawmaker — both necessary conditions to hold public office under Article 62(1)(f).]

CASE SENT TO COURT FOR CRIMINAL TRIAL:

In the light of its findings, Khan's admission and the petitioner's evidence, the ECP saved the decision in the **Tosha-khana Reference**. Next day, the ECP announced its saved decision applying to the present term of the National Assembly and disqualified Khan for allegedly engaging in unethical behaviour, making false assertions, and making erroneous declarations in the

reference under Article 63(1)(p). It also ordered the reference to be sent to the trial court to initiate criminal proceedings.

A four-member bench, headed by Chief Election Commissioner (CEC) Sikander Sultan Raja, announced the verdict at the ECP Secretariat in Islamabad. The decision was taken by the five-member bench. However, the member from Punjab was not present for today's announcement.

On 21st November 2022; the ECP sent the trial court a reference regarding the *Tosha-khana case* for the commencement of criminal proceedings against Mr Khan. In accordance with Sections 137, 170, and 167 of the Election Act, the District and Sessions Judge received the reference. The written decision stated that Khan had intentionally and deliberately broken the laws outlined in sections 137, 167, and 173 of the Elections Act of 2017 by providing a false statement and incorrect declaration to the ECP in the details of his assets and liabilities filed by him for the financial year 2020–21.

The ECP alleged Khan engaged in corrupt acts, as described in Sections 167 and 173 of the Elections Act of 2017, which is criminal under Section 174 of the same law, by making false statements and erroneous declarations. In accordance with Section 190(2) of the Elections Act, the Commission had ordered criminal charges be brought against Khan for making a false declaration.

On 27th December 2022: On a petition from the PTI, the *Islamabad High Court [IHC]* instructed the *Cabinet Division to report the specifics of gifts obtained from Tosha-khana since 1947*. Khawaja Haris was hired by Khan's party, the PTI, as its lawyer for the said case.

[Fact remains that the Cabinet Division NEVER bothered to submit that report till today – and would NEVER come up in future.]

Hearing conducted **on 10th May 2023;** *in fact a mockery of 250 years old judicial system still prevailing in Pakistan*, the questions discussed were whether the complaint was filed on behalf of the ECP by a duly authorised person, whether the ECP's decision was a valid authorisation to any officer of ECP to file a complaint, and whether the question of authorisation was a question of fact and evidence and could be ratified subsequently during the course of proceedings.

On the other hand, the criminal proceedings in the Session Courts had taken start on the reference against Imran Khan sent by the ECP. Hearings resumed **on 8th June 2023**. Mr Khan was indicted by Additional Sessions

Judge Humayun Dilawar, who did not agree to objections on the case's sensibility.

On 4th July 2023, the IHC Chief Justice Aamer Farooq presiding, asked Judge Dilawar to re-evaluate Khan's application to dismiss the criminal proceedings in seven days. The Islamabad High Court (IHC) accepted PTI Chairman Imran Khan's petition, seeking dismissal of a criminal complaint filed against him in a trial court by the Election Commission of Pakistan (ECP) with regard to the Tosha-khana Case.

Remanding the matter back to the court of Islamabad's additional Session's judge, the IHC directed the judge to decide the matter afresh within seven days. An eight-page order authored by IHC Chief Justice Aamer Farooq said:

"It is reiterated that [the] learned trial court has left the issues undecided and has dismissed the application of the petitioner with scanty reasons which left the main legal issues undecided or unresolved.

It would be only proper for the learned trial court to decide the application afresh after hearing the parties with detailed reasons keeping in view the provisions of Article 10-A of the Constitution as the foremost consideration."

The ECP also initiated proceedings against Imran Khan under Section 190(2) of the Elections Act, 2017 and filed a criminal complaint in the Islamabad Sessions court against the PTI chief on 7th November 2022 for allegedly making a false declaration about his assets and liabilities.

The court, after recording cursory statements and examination of the documents, issued summons / notices to the PTI chief. Imran Khan on 13th March 2023 moved an application in the court for dismissal of the complaint. The former premier took the stance that the ECP had filed the criminal complaint without due authorisation and that the same was also barred by limitation in the light of law—Section 137(4) of the Elections Act, 2017, which says such criminal proceedings can only be started within 120-days on the submission of statement of assets and liabilities.

On 5th May 2023; Imran Khan filed another application for rejection of the complaint as being in violation of Section 193 of the Code of Criminal Procedure (CrPC). However, the court rejected both the applications through a consolidated order on the same day. Imran later approached the IHC, assailing the trial court's order to the extent of dismissal of the ECP complaint on the basis of '*limitation and authorisation*' pleas.

On 23rd May 2023; Mr Khan's arrest warrants were cancelled after Khan officially marked his appearance at the court. Khan's car reached the gate of the court building during confrontations between police and supporters of his party PTI. Allegedly the police had used brutal force against the PTI supporters. There were clashes between police and PTI supporters when former PM Khan arrived at the Judicial Complex in Islamabad because the PTI workers had thrown stones at police without any provocation; the police responded with tear gas. One senior police officer commented:

"PTI chief Imran Khan's journey so far was peaceful and pleasant. Police continued to show restraint, but as soon as his convoy came close to the court, stones were pelted at the police and other security personnel."

However, the party wrote on its Twitter account in Urdu: '*Islamabad Police are shelling the vehicle and caravan of Tehreek-e-Insaf Chairman Imran Khan unprovoked. The aim is to create chaos and prevent Imran Khan from appearing in court.*' In an audio message shared by his team later was:

"Khan said he was not allowed to enter the court. I've been outside the court for 15 minutes. I'm trying my best to enter, but the police have fired tear gas, placed obstacles and containers. It seems they don't want me to enter the court."

Quite difficult to sort out the truth in the above given situation. More importantly, Pakistan's Electronic Media Regulatory Authority [PEMRA] issued orders to restrict live coverage of events outside the Islamabad Judicial Complex, where Khan's court hearing had taken place.

On the same day, during earlier hours, police in Lahore had stormed Mr Khan's residence using heavy machinery and water cannon, breaking down the entrance gate to gain access as officers clashed with PTI supporters; 60 of them were arrested. Concerned state authorities completed a search and allegedly recovered weapons, including Kalashnikovs and rifles etc.

Finally, **on 9th July 2023**, ADSJ Dilawar while ruling that the reference was maintainable, revived the stalled proceedings and summoned the witnesses for testimony. The decision was subsequently challenged in the IHC.

On 2nd August 2023, Judge Dilawar had ruled that Imran's legal team failed to prove the relevance of his witnesses. He had warned the defence counsel to conclude the arguments, or else the court would reserve an order. The IHC then gave a short breather to Imran, asking the judge to re-examine the jurisdiction and any procedural lapse in the filing of the complaint by the ECP.

However, just a day later, the trial court convicted the ex-premier.

IMRAN KHAN SENTENCED 3 YEARS+...

On 5th August 2023, the Islamabad trial court of the Additional Sessions Judge declared Imran Khan guilty of corrupt practices under Section 174 of the Election Act in the said *Tosha-khana* Case and sentenced him to three years in prison along with a fine of Rs.100,000. Additional District and Sessions Judge (ADSJ) Humayun Dilawar said in his short order:

"The court finds it's more than convincing that the complainant (ECP) had provided confidence-inspiring, well-knitted and corroborated evidence, and so the charge against the accused as successfully been proven that the accused has committed offence of corrupt practices by making and publishing false statements / declaration in respect of assets acquired by way of gifts from Tosha-khana and disposed of during years 2018-2019 and 2019-2020.

Khan also provided an 'incorrect declaration' in the Form-B — the statement of assets and liabilities — submitted to the ECP for the year 2020-2021. He has been found guilty of corrupt practices by hiding the benefits he accrued from the national exchequer wilfully and intentionally. He cheated while providing information of gifts he obtained from Toshakhana which later proved to be false and inaccurate. His dishonesty has been established beyond doubt."

During the hearing that day — which commenced at 8:30am — the judge repeatedly expressed displeasure over the absence of Khan's lawyers. He gave multiple chances to the defence counsel to appear in court but reserved the verdict at noon due to the lawyers' continued absence. The key points remained:

- Islamabad Session Court ruled ***'Imran Khan's dishonesty has been established beyond doubt'***
- PTI chief's lawyer took the verdict as ***'a murder of justice'***; party announced country-wide protests
- Imran Khan urged supporters to continue peaceful protests; arrests reported from Lahore, Karachi and most parts of the Khyber PK
- Imran Khan technically stood disqualified from holding any public office for five years under Article 63(1)(h) of the Constitution of Pakistan.

Mr Khan was taken into custody and jailed the same day, while his legal team filed an appeal against the conviction **on 8th August 2023**.

Next day, **on 9th August**, a two-member bench of the IHC suspended Khan's conviction and three-year prison sentence. The bench also ordered his release on bail. However, a special court, then established to hear cases under the **Official Secrets Act**, directed Attock Jail authorities — where the former premier was imprisoned — to keep Imran Khan in judicial lockup and produce him next day in connection with the **Cypher Case** (*details are cited elsewhere in this book*).

Later, a notification issued by the law ministry said the interior ministry had conveyed security concerns to it in a letter. The Law and Justice Division had "no objection" to Imran Khan's trial in the cypher case being held at Attock jail tomorrow. Some media reports held that the ex-premier was arrested [in the cypher case] prior to today's court ruling. The exact date of his arrest remained unclear. Khan's legal team was intentionally left uninformed and kept in the dark; some termed it as manipulation of justice.

Later, the much-anticipated order in the *Tosha-khana* Case was announced by an IHC division bench comprising Chief Justice Aamer Farooq and Justice Tariq Mehmood Jahangiri on the former prime minister's appeal against his prison term. In the order issued in the evening, the court noted that:

"...the three-year jail term awarded to Imran Khan 'qualifies as a short sentence'.

The arguments raised by both sides as to the jurisdiction and other issues involve a deeper appreciation of the matter which at the stage is not warranted, especially, where the sentence is a short one [...]. Even though long arguments were presented by both sides, such questions were left to be decided at the stage when the appeal was taken up for adjudication.

*For the above reasons, the instant application is allowed and the sentence awarded by the trial court dated **5th August 2023** is suspended; consequently, the applicant is ordered to be released on bail in the instant matter subject to furnishing bail bonds in the sum of Rs: 100,000 with one surety in the like amount to the satisfaction of the deputy registrar (judicial) of this court."*

Pending with a trial court all set to reserve its order in the *Tosha-khana* Case, the Islamabad High Court (IHC) gave a short breather to PTI Chairman Imran Khan, asking the judge to re-examine the jurisdiction and any procedural

lapse in the filing of the complaint by the Election Commission of Pakistan [ECP]. A day earlier, CJ IHC Aamer Farooq decided four petitions of Mr Khan against jurisdiction, alleged defective filing of the complaint, and transfer of the case from the court of Additional Sessions Judge Humayun Dilawar and the controversial Facebook posts of the trial court judge.

The counsel for Mr Khan, Kh Haris, contended that the IHC had remanded the matter to the trial court by framing different questions about the legal issues involved and granted a seven-day time. But even before the lapse of seven days, the matter was decided without providing an opportunity of hearing to the petitioner and dismissed the application. CJ Aamer Farooq observed that:

"The matter needs to be probed further and inquiry is to be made by involving all those persons who without verifying the authenticity of the posts used the same to malign a senior judicial officer of Islamabad judiciary, especially, when there is a categorical denial on his part that the referred posts are not from his account."

The IHC chief justice also ruled that:

"The case from a court could only be transferred in exceptional circumstances where the ground urged or is based on strong reasons or evidence. If the transfer is made in routine or casual manner that would destroy the dignity of the court and would be a ploy by a party to drag the matter and malign the Judiciary."

Separately, the Supreme Court of Pakistan (SCP) disposed of Mr Khan's plea, after he withdrew the petition moved to seek delaying the trial proceedings in the *Tosha-khana* reference. At the last hearing **on 2nd August 2023**, the SC had turned down the applicant's plea to stay the trial in the said reference proceeding at the court of ASJ Humayun Dilawar. **On 4th August 2023**, the ECP counsel Amjed Pervez conceded before the SC that under Section 526(8) of the Criminal Procedure Code [CrPC], *'the trial court cannot announce its verdict on the Tosha-khana reference until it decides the application regarding the transfer of the case first'*.

[On 5th August 2023, Imran Khan filed an appeal in the high court against his conviction. He had also approached the Supreme Court (SC) against the IHC's decision to remand the case back to the trial court judge who had convicted him. Earlier, in the last week, however, the SC had acknowledged 'procedural defects in Imran's conviction' but had opted to wait for the IHC decision on Imran's plea.]

Speaking to *Geo News*, PTI Barrister Ali Zafar said:

"The high court has fulfilled the requirements of justice. I'll tell you why: Aside from the merits of the Tosha-khana Case — which are baseless — the trial judge did not allow Imran to submit witnesses in his defense. If witnesses in one's defense are not allowed, there is no greater [example of a] mistrial."

In a post on X a night before, former interior minister Rana Sanaullah said: *"He [Imran] will not come outside [of the jail] — release is not possible, [he] will have to face the prosecution in other cases!"*

IMRAN KHAN'S FRESH CALL FOR MARCH:

PTI Chairman Imran Khan, shortly after an Islamabad trial court declared him **'guilty of corrupt practices'** in the Toshakhana case and sentenced him to three years in prison; but the court sentenced Imran Khan — who was NOT present in the court. He was arrested by Punjab police on the same afternoon from his Zaman Park residence in Lahore and transferred to the capital — for onward dispatch to Attock jail.

In a pre-recorded message shared on his Twitter page a few hours after arrest, Imran said:

"By the time this message reaches you, I will be in jail. In the wake of my arrest, I want you to continue peaceful protests and not to sit quietly inside your houses. My movement is not for myself, but for you, for the future of your children - recalling that Pakistan too was found on the concept of freedom.

If you will not stand up for your rights, you will live a life that is of slaves and slaves have no life. Slaves are similar to how ants are — on the ground — they do not fly high.

This is a battle for your rights and freedom ... you have to continue peaceful protests until you get your rights, which is seeing a government elected by you and not a qabza mafia."

In a handout issued after its emergency core committee meeting, the party said it discussed the future plan of action and legal measures to secure Imran's release. The party called for peaceful protests across the country within

the ambit of law and the Constitution and also appealed to the Supreme Court to hear its review petition — filed earlier in the day against the maintainability of the Tosha-khana case. The party also shared a video, saying its supporters had started gathering outside Pakistan High Commission in London to protest Khan's arrest.

Television footage showed PTI supporters, including lawyers, protesting Imran's arrest outside his Zaman park residence in Lahore. Protesters also came out in Khyber PK with party flags. 20 PTI supporters were arrested when they tried to protest outside Zaman Park. He said 48 more were arrested in Civil Lines. There were reports of multiple arrests in Karachi as well including PTI's Sindh chapter, Rizwan Khanzada. PTI tehsil chairman Abdul Maula Khan was arrested by Shangla police during a protest in Aloch (an area in Shangla).

Following the verdict, Khan's lawyer Barrister Gohar Khan PTI Lawyer Shoaib Shaheen expressed their disappointment and said:

"I was very disappointed and disheartened - Justice was murdered. We weren't even given a chance. We weren't even allowed to cross [question], to say anything in defence or conduct our arguments. I haven't seen this kind of injustice in my life before.

.....their witnesses were not allowed in the court. Presenting witnesses was a fundamental right and the PTI was not given a fair trial. Justice is being bulldozed and buried."

Separately, the Supreme Court Bar Association (SCBA) expressed **'serious reservations in relation to the legality'** of the judgment leading to Imran Khan's arrest. SCBA President Barrister Abid S. Zuberi and Secretary Muqtedir Akhtar Shabbir said in a statement:

"....the judgment was issued in a blatant violation of the Islamabad High Court's order, in which the trial court judge was asked to re-examine the jurisdiction of the ECP's complaint. It is truly unfortunate that the Court has decided the case in absolute haste and without affording the accused a fair opportunity of hearing and in the absence of the counsel for the accused, which is in blatant violation of the accused's fundamental rights as enshrined under Articles 4, 9, 10, 10A and 25 of the Constitution of Islamic Republic of Pakistan.

Such a hasty decision is against all settled principles of fairness, natural justice and due process of law and the timing of such a decision appears to be aimed at excluding political leaders from participating

in upcoming elections. (Also) that the historical trend of disqualification and ban of popular political leaders by the judiciary is against the principles of democracy and fair trial as enshrined under the Constitution."

However, addressing a press conference on the matter in Islamabad, PDM's Information Minister Marriyum Aurangzeb said the PTI chief refused to respond to the charges against him and resisted at various points whenever there were attempts to retrieve him for interrogation. There was no political motive of the government involved behind his arrest – (and) that the events also did not have anything to do with the upcoming general elections. Further that out of 40 hearings in the case Imran appeared in only three - he attempted to use every legal platform to escape from the proceedings.

Unlike previous instances, where Zaman Park was usually guarded by party supporters, Imran was taken into custody that day without any major resistance. The PTI also confirmed this in a tweet, saying that the party chief didn't resist the arrest. The PTI chairman's arrest that day came approximately three months after his first arrest on 9th May 2023 when he was detained in Islamabad from the high court's premises in the Al-Qadir Trust case. Imran's arrest that day had resulted in widespread violence and saw important military installations come under attack, on the basis of which the state had launched a severe crackdown against his party.

[While the mass exodus as well as a near-complete black-out of Imran Khan on local media had left the PTI's future uncertain in the upcoming polls, it also gave birth to a new home for most PTI deserters, Istehkam-i-Pakistan Party (IPP), hosted by Jahangir Khan Tareen.]

Going little earlier; after announcement of the judgment from the CEC, a pre-recorded message from the PTI chief had surfaced on social media wherein he urged people to **'come out'** for their rights. The message said:

*"By the time my message reaches you, I might have been put behind the bars in an unfair case; fundamental rights and democracy had been **buried** in Pakistan. It is possible that I might not be able to address you again. I've been in the public for 50 years. I have neither flouted the law of Pakistan nor have I violated the Constitution. Whatever is being done today is aimed at barring me from leading the **Haqeeqi Azadi movement**."*

There were reports of protests in Islamabad, Lahore, Peshawar and Karachi. Footage broadcast on *media* showed tyres ablaze in Peshawar, while in Islamabad, police was seen trying to rein in protesters. White mist, which appeared to be tear gas, was also seen in the city. PTI workers also blocked Murree Road with burning tyres. In Rawalpindi, PTI workers demonstrated at *Bakra Mandi Chowk* and raised slogans against the ECP's decision. However, on media news, PPP Chairman Bilawal Zardari In a tweet said:

"The ECP found Imran Khan guilty of corrupt practices. He now stands disqualified. He who would spread lies about alleged corruption of his political opponents has been caught red-handed. This is just the beginning and many such decisions will come. Imran Khan should now retire and spend the rest of his days in Bani-gala."

Strict security measures were in place at the ECP's office ahead of the ruling on that Day of Judgment; with police, Rangers and Frontier Corps personnel deployed on site in large numbers. A day earlier, the ECP sent a letter to Islamabad police, requesting fool proof security inside and outside the watchdog's premises for the full day in order to avoid any untoward incident. The ECP stressed that all necessary security arrangements be completed, particularly inside the ECP secretariat's building.

Ahead of the verdict, PTI leaders intensified their criticism of the ECP, repeating their allegations of the ECP being partial against them. Hours before the ruling, Imran's lawyer, Barrister Ali Zafar addressed a press conference in Islamabad and outlined legal points in favour of the PTI chief. He referred to a then-observation by Chief Justice of Pakistan [CJP], wherein the top judge said handing down disqualification to a lawmaker for life under Article 62(1)(f) of the Constitution could only be done through a declaration by a court of law. **"Since the ECP is not a court, it cannot issue the declaration."**

PTI Senator Ejaz Chaudhry, PTI-leader Shah Mahmood Qureshi and Barrister Ali Zafar, Imran's counsel in *Tosha-khana* reference addressed a press conference, too. Barrister Ali pointed out, if the ECP had to take any action against Imran Khan in the matter, it should have been within the set timeframe of 120 days after the PTI chief submitted the details of his assets in 2018; the ECP was bound to take action within 120 days. Alongside him, PTI leader Shah Mahmood Qureshi cited multiple instances from the past — including the ***Sindh House saga*** and the ECP's proceedings in the prohibited funding case against the PTI — as he built his case of the electoral watchdog allegedly being partial against the PTI. Moreover, referring to the PTI's win in 17th July 2022 by-polls in Punjab and then held by-elections on NA seats, Qureshi said:

"When the PTI chief's rivals failed to beat him in political battle-grounds, they were attempting to **politically eliminate him through law fare**. He expected the institution to issue a verdict in line with its constitutional obligations and responsibilities..... (it's) about **pushing forward the minus-one formula**."

Earlier, PTI leader Shireen Mazari also alleged in a tweet on the same day that the reference was all about **'political vendetta by [the] biased ECP, led by [a] quisling CEC. What [the] ECP should be pursuing is about high-price cars Asif Zardari and absconder Nawaz Sharif whisked away!'**

Meanwhile, a hashtag in Urdu, translating to **'Imran Khan our red line'** was the top trend on Twitter in Pakistan on the day the judgment was announced, with PTI leaders and followers expressing their support for Mr Khan.

What followed those high-voices was a large number of party leaders holding press conferences, condemning the 9th May riots — some also called out Imran and his politics — and disassociating themselves with the PTI. The party's dismantlement continued since then, barring some senior PTI leaders, most of whom are still behind bars.

MEDIA: 'SCALES BALANCED'(?)

Reacting to Tosha-khana's verdict, senior journalist Mazhar Abbas said that the timing of the conviction would be discussed in political circles. Adding that:

"At the same time, I did not expect PTI workers or leaders to react to the conviction. The reaction to all of this would be important on 8th February (General Elections). Would they be demoralised and stay in their homes or would they come out politically charged?"

*(Commenting on the conduct of the PTI's legal team) there appeared to be **a problem**; how several PTI lawyers had come and go, but this could also be due to professional differences."*

Senior journalist Hamir Mir opined that the verdict was not **unexpected for those in the know**; it was expected for Imran Khan to be convicted in several cases in the run-up to the general elections. The **'scales have been**

balanced now that the same judge who had convicted PMLN supremo Nawaz Sharif in 2018 had done the same to Imran Khan and the PTI supporters knew it.

One political analyst Mosharraf Zaidi said that: ***'such sentences in such cases against former premiers had been the norm in Pakistani politics. We have seen this in the past that such cases were heard against former premiers and such sentences were given, and then after a while they were released'***.

Jan Achakzai said the court decision proved that ***'no one is above the law and no one can get away with abusing the trust of people'***.

Prior to the former PM's removal from office in April 2022, Imran Riaz Khan was an ardent supporter of the Establishment and its actions against journalists, but his 'that' pro-stance reversed soon after. He was twice arrested by the authorities in July 2022 and February 2023 ***on accusations of sedition***. He was released in both cases in less than a week, and the charges were subsequently dropped. *'Reporters Without Borders'* [RSF], the global body for media freedom, condemned the abduction of Imran Riaz; saying:

"It is up to Prime Minister Shehbaz Sharif's civilian government to ensure respect for the rule of law by producing the journalist in court or ordering his release. Failing this, the Pakistani authorities will be held directly responsible for any harm that may have befallen him."

See one media account, of course, sponsored by the PTI supporters:

"Khan was convicted on flimsy charges following a trial where his defense was not even allowed to produce witnesses. He had previously survived an assassination attempt (in Nov 2022 at Wazirabad), had a journalist aligned with him murdered, and has seen thousands of his supporters imprisoned."

While the Biden administration has said that human rights will be at the forefront of their foreign policy, they are now looking away as Pakistan moves toward becoming a full-fledged military dictatorship. This is ultimately about the Pakistani military using outside forces as a means to preserve their hegemony over the country. Every time there is a grand geopolitical rivalry, whether it is the Cold War, or the war on terror, they know how to manipulate the US in their favour."

IK's REMOVAL FROM PTI MOVED:

Referring to **the 92News** dated 4th November 2022; the Lahore High Court (LHC), on that day, admitted for hearing a petition seeking the removal of PTI Chairman Imran Khan after his disqualification in the Tosha-khana reference. The LHC had reserved the verdict a day before on the maintainability of the plea, filed by one Advocate Mohammad Afaq. Justice Sajid Mehmood Sethi announced the decision and served notices to the attorney general of Pakistan and advocate general of Punjab. The court also sought replies from the respondents by 11th Nov 2022.

The petition named Imran, the Election Commission of Pakistan (ECP), the government of Pakistan, and others as respondents. The plea argued that according to the Representation of the People Act 1976 and Political Parties Order (PPO) 2002 it was a legal and constitutional requirement for party officeholders to be qualified in accordance with Articles 62 and 63 of the Constitution. The petition said that after Imran Khan's disqualification from the NA-95 constituency it was 'just' for him to be de-notified as the PTI chairman and an order should be issued to that effect.

The petitioner advocate contended that a disqualified person could not head a political party under the Political Parties Order and its rules. He argued that Imran is violating the laws by continuing to head the PTI, which was a registered party with the ECP. The lawyer requested the court to order the ECP to remove Imran as PTI chairman and issue directives for the nomination of a new party head.

A few days earlier, the Election Commission of Pakistan [ECP] had disqualified Imran Khan in the Tosha-khana reference, ruling that the former premier had made **'false statements and incorrect declarations regarding the gifts he had received'**.

According to Toshakhana rules: *'...gifts / presents and other such materials received by persons to whom these rules apply shall be reported to the Cabinet Division'*. The watchdog's order had said Imran stood disqualified under Article 63(1)(p) of the Constitution.

Referring to another article on media pages [daily DAWN] dated 6th December 2022, one Iftikhar A. Khan wrote that the PTI claimed **'... no law bars a convict from being an office-bearer'**. However, the ECP itself set into motion the process to remove Imran Khan as chairman of the PTI in light of the its own verdict in the Tosha-khana case. A notice was issued to the former prime minister and the case fixed for hearing on 13th December 2022. According to Section 5 (1) of the (defunct) Political Parties Order (PPO) 2002:

"Every citizen... shall have the right to form or be a member of a political party or be otherwise associated with a political party or take part in political activities or be elected as an office-bearer of a political party: provided that a person shall not be appointed or serve as an office-bearer of a political party if he is not qualified to be, or is disqualified from being, elected or chosen as a member of the Majlis-e-Shoora (Parliament) under Article 63 of the Constitution of the Islamic Republic of Pakistan or under any other law for the time being in force."

However, The Elections Act 2017 did not retain the provision. But, a three-member bench of the Supreme Court in February 2018, while hearing petitions against the Elections Act, ruled that a person disqualified under articles 62 and 63 of the Constitution could not head a political party. The ruling had earlier paved the way for *the removal of Nawaz Sharif as the head of the PMLN following his disqualification by the apex court under Article 62(1)(f).*

During hearing, Justice Ijazul Ahsan had remarked that:

"...if the head of the party was polluted, the entire stream would be polluted. He had said that a disqualified person should not usurp the right of others to lead the party as qualified persons should not be controlled by a disqualified person."

In the instant case, earlier mentioned petition seeking the removal of Imran Khan as the PTI chairman following his disqualification was already pending before the Lahore High Court. The petition said that according to the Representation of the People Act 1976 and Political Parties Order (PPO) 2002, it was a legal and constitutional requirement for party officeholders to be qualified in accordance with Articles 62 and 63 of the Constitution.....

TOSHA-KHANA TRIAL-II:

On 19th December 2023: NAB filed a fresh reference against PTI founder Imran Khan and his wife Bushra Bibi in an accountability court for retaining a jewelry set received from Saudi crown prince against undervalued assessment. The anti-graft watchdog alleged that during his term as prime minister, Imran Khan and his wife had received a total of 108 gifts from different heads of states and foreign dignitaries.

[Of those gifts, they allegedly retained 58 gifts against an undervalued amount. Out of these 108 gifts, the accused persons retained 58 gift boxes/sets against an undervalued amount of Rs:142.1 million as assessed by appraisers.]

The instant reference was related only with the Graff jewellery set received from Crown Prince of Saudi Arabia Mohammed bin Salman and retained against a highly undervalued assessment by the above-mentioned accused persons. It said the NAB chairman delegated the powers to authorise an inquiry on the subject matter to director general NAB, Rawalpindi, on 1st August 2022. The DG authorised an inquiry on 5th August 2022. Subsequently, the inquiry was upgraded into the investigation on 14th July 2023.

During the course of inquiry, it transpired that the gift was reported to Tosha-khana of the Cabinet Division by deputy military secretary vide letter dated 24.09.2020 but the same was not deposited in accordance with Procedure for the Acceptance and Disposal of Gifts 2018 for true and transparent assessment. The reference said further:

"As per evidence collected so far, Bushra Bibi, in connivance with Imran Khan, violated the clause-1 of the procedure by not depositing the gift at Tosha-khana prior to its retention. The accused in connivance with each other, unlawfully exerted pressure and undue influence on Sohaib Abbasi, private appraiser (approver) through Syed Inam Ullah Shah (former PS/comptroller to Imran Khan /PM Office) in order to have illegally undervalued assessment of Graff jewellery set of their own choice and illegally retained the same against payment of meager amount of Rs9.031 million (approx.) on the basis of undervalued price assessment of Rs:18, 092,000."

It was established that the assessment conducted by Sohaib Abbasi and government appraiser was highly undervalued. For the purpose of true assessment, an expert from Diamond and Jewellery industry namely Imran Bashir of Rainbow Impex FZE, Dubai, was also engaged to assist the anti-graft watchdog in investigation of the case.]

Coming back...! This was Imran Khan's third conviction, including the one in the Cypher Case a day earlier. He was already out of the race for the 8th February 2024 general elections. ***"Why are you in hurry?"*** Imran Khan asked the judge during hearing. The verdict came eight days before the 8th February general elections, which the PTI was contesting amid a state crack-down and without an electoral symbol.

According to this verdict, Imran and Bushra were barred from holding any public office for 10 years and slapped with a fine of Rs:787 million each. While the PTI founder was presented during the hearing, his wife did not appear before the court. The judge had already closed the right of cross-examination of the prosecution witnesses and asked Imran and his spouse to record their statements under Section 342 (power to examine the accused) of the Code of Criminal Procedure.

Shahbaz Khosa, PTI lawyer Latif Khosa's son, had been representing Imran Khan and Bushra in the case. However, when the stage of cross-examining the witnesses arrived, lawyer Zaheer Abbas Chaudhry appeared before the court and submitted a Power of Attorney from Imran Khan. He sought more time to prepare for the case, at which the prosecution pointed out that Chaudhry was the ninth counsel from the defence side and termed it a part of delaying tactics. During that hearing, Khan's legal team had requested the court to restore the right of cross-examination but was turned down by the judge.

Accountability Judge Mohammad Bashir conducted the hearing at Rawalpindi's Adiala Jail, where the former premier was incarcerated. After his attendance was marked, the court asked him about his statement, to which the former premier replied: **"My statement is in the [prison] room. I was only called for marking attendance."**

The court said: submit your statement immediately and **not waste the court's time**.

"Why are you in a hurry? Even yesterday, the conviction was announced in haste," the ex-prime minister said, referring to the verdict in the cipher case. "My lawyers are not here yet. I will submit the statement after showing it to them when they come," Khan said, adding that he had appeared before the court only to mark his attendance.

Mr Khan then left the courtroom, after which the court sentenced him and his wife in absentia.

Following the verdict's announcement, Bushra arrived at Adiala Jail, where the NAB team was already present, to surrender to the authorities following the court's directives. She was subsequently taken into custody by the anti-graft watchdog. A later notification by Islamabad Chief Commissioner declared Imran Khan's Bani-gala residence as a sub-jail for Bushra Bibi. The notification was issued following a request by Adiala Jail's superintendent.

Reacting to the conviction, the PTI party held that:

"It is complete destruction of every existing law in Pakistan in two days; Imran and his spouse had faced yet another kangaroo trial in which no right to defence was given to both. Like Cypher, this case has no basis to stand in any higher court. It's shameful how a complete disregard and mockery of the law is in place.

*Big question marks arise on our judicial system now. How the cypher and Toshakhana cases were conducted exposed a complete disregard of law by trial court - **the judicial system has buried itself today; the conviction was not only injustice but cruelty**".*

ONE point the media had taken that the NAB was withdrawing cases filed against a certain party but at the same time was handing over severe punishments just to make one leader happy".

Meanwhile, the PMLN's official X account said that **'fake sadiq and ameen had been proven to be a certified Tosha-khana thief in front of the world today'**.

KHAN SENTENCED IN TOSHAKHANA-II CASE

On 20th December 2025: A Special Judge Central Arjumand Shah sentenced Pakistan Tehreek-e-Insaf founder and former prime minister Imran Khan and his wife Bushra Bibi to 17 years in prison each in the Tosha-khana-II case, which was based on allegations that the couple unlawfully retained a **Bulgari jewellery set** gifted by the Saudi Crown Prince during their official visit to Saudi Arabia. However, Khan and Bushra Bibi maintained that they retained the gifts after paying half of their assessed value.

[The case: According to FIA records, the total value of the jewelry set, which included a necklace, bracelet, ring and earrings, exceeded Rs70 million. The FIA, through the Ministry of Foreign Affairs, obtained a Letter of Mutual Legal Assistance from **Bulgari in Italy** and presented a letter detailing the original price before the court.

The FIA held that the accused had the jewelry set valued at only Rs5.9 million by a private firm, while the gift was not deposited in the Tosha-khana, the state repository, as required. The valuation was carried out through one private appraiser Sohail Abbasi and later

through customs authorities. Abbasi told the court that Khan's private secretary, Inamullah Shah, exerted pressure for a lower valuation.

On 13th July 2024, the National Accountability Bureau [NAB] arrested Khan and Bushra Bibi while they were already lodged in Adiala Jail. They remained in NAB custody for 37 days. Following the Supreme Court's restoration of the NAB amendments on 9th September 2024, the Accountability Court transferred the case to an FIA court.

The trial began on 16th September 2024, with Special Judge (Central) Shahrukh Arjumand conducting the first hearing in Adiala Jail. The Islamabad High Court [IHC] granted bail to Bushra Bibi on 23rd October 2024, and she was released the following day. Khan was granted bail on 20th November 2024, while charges were formally framed on 12th December 2024. The trial continued for around a year, during which more than 80 hearings were held and 20 witnesses were presented.

Key witnesses included former military secretary Brig (retd) Muhammad Ahmed, Sohail Abbasi and Inamullah Shah. The prosecution team included Federal Prosecutor Zulfiqar Abbas Naqvi, Barrister Umair Majid Malik, Bilal Butt and Shahvez Gilani. Khan and Bushra Bibi were represented by Arshad Tabraiz, Qausain Faisal Mufti and Barrister Salman Safdar who claimed that they were not allowed to conduct the said case as Khan's attorney / lawyer before the court.]

The court announced the verdict at Adiala Jail in the presence of Imran Khan and Bushra Bibi. The written judgment said the prosecution successfully proved its case, and both accused were found guilty of the offence. The 59-page detailed judgment was issued by the Special Judge Central contained the details that the reference in the case was filed before an Accountability Court on 7th September 2024, and transferred to the court of the Special Judge Central on 9th September 2024.

- Under the verdict, Imran Khan was sentenced to 10 years' rigorous imprisonment under Section 409 of the Pakistan Penal Code and fined Rs164.25 million. He was also awarded a seven-year sentence under Section 5(2) of the Prevention of Corruption Act.
- Bushra Bibi was similarly sentenced to 10 years' imprisonment under Section 409 PPC and an additional seven years under the Prevention of Corruption Act, along with a fine of Rs164.25 million.

The judgment said that a detailed, verified report obtained from a Bulgarian company was translated into English and presented as evidence. Former military secretary Brig (retd) Muhammad Ahmed testified that he accompanied former Prime Minister Imran Khan and Bushra Bibi on an official visit to Saudi Arabia during 7th -10th May 2021. The former prime minister had got the gift from the host country BUT did not deposit the same in the Tosha-khana upon his return and retained it instead. The prosecution concluded its evidence on 6th October 2025, while both accused got recorded their statements under Section 342 of the CrPC on 9th October 2025. Both Imran Khan and Bushra Bibi pleaded innocence but did not present any evidence in their defence.

The court said it had shown leniency in sentencing, taking into account Imran Khan's advanced age and Bushra Bibi's status as a woman. The implementation of the Tosha-khana-II verdict began on the same day because both she and Khan were already serving sentences in the £190 million-Case.

PTI CRIED FOUL-PLAY: Speaking to the media outside Adiala Jail, PTI's counsel Barrister Salman Safdar complained that Mr Khan's legal team was informed at 8pm a day before – that the proceedings would take place at 9am next day (on 20th Dec). Also, that on 16th October 2025, the judge had adjourned the case to be fixed it later for arguments, not for the announcement of a verdict. The judge announced the verdict in the absence of lawyers. Raja further said it lacked substance: *'...these are frivolous cases built on the weakest testimony, they have no witness except the person whom the PTI founder himself removed'*.

Meanwhile, Khyber PK's Shafi Jan termed the case ***'concocted, fake and baseless – that Imran Khan was not being given access to his lawyers, sentencing him under these circumstances is a mockery of justice'***. PTI's MNA Asad Qaiser declared *'now we have no option left, we will come out on the streets and there will only be resistance....if anyone thinks we will be scared, they are mistaken; we want justice for the PTI founder'*.

Scenario 267**SAD EVENTS IN ENDING 2022****ARSHAD SHARIF KILLED...**

Referring to '**the guardian**' of UK dated 24th October 2022;

Arshad Sharif, 50, a prominent Pakistani journalist who had fled the country, was shot to death in Kajiado near Nairobi in Kenya under circumstances that remained disputed till today. Kenya's national police service said it regretted the killing of a Pakistani journalist who had been living in hiding in the country and was shot dead in an 'incident of mistaken identity'.

On 23rd October 2022; the Nairobi authorities held that the Pakistani journalist Arshad Sharif was travelling along with his two friends and their vehicle failed to stop at a police roadblock. In the weeks after the killing, Pakistani investigators began to describe the case as a 'planned assassination' orchestrated by Pakistani ruling elite in retaliation for Sharif's public criticism of their governance. However, despite high allegations, neither the Pakistani nor Kenyan police could officially identify the suspects.

Notably, the described failures were not so much a result of a lack of evidence, but rather seemed to be an attempt to protect their interests at the expense of the truth about Sharif's death. Soon enough in 2022, Sharif's widow and two unions of Kenyan journalists had filed a case against the Kenyan General Services Unit for their involvement in Sharif's shooting, but no evidence was there to substantiate their claims.

The analysts held that there were numerous holes in the story provided by the Kenyan police. They first maintained that Sharif's killing was a case of 'mistaken identity'; the police were tracking and attempting to stop a stolen vehicle that was being used to abduct a child, and they claimed they had mistaken Sharif's vehicle for that of the abductor. Subsequent investigations revealed that the abductor's car was a white Mercedes Sprinter 311 CDI, a utility van. Sharif's car was Toyota Land Cruiser, with a completely different number plate, and was heading in the opposite direction from the white van

the police were meant to be tracking. It was hard to believe the police had enough reason to open fire on a vehicle that did not resemble the model, number plate, or even travel-direction of their target vehicle.

Furthermore, the Kenyan police contradicted their original statement explaining how the incident took place. After originally claiming it as a case of mistaken identity, the police later asserted that shots were fired from Sharif's car, and that their own shots were defensive retaliation. Such an inconsistency called into question the credibility of the police's testimony and raised concerns of a possible collaboration between the police and those who had orchestrated Sharif's assassination from his own country.

BUT, why so big operation on foreign lands? Arshad Sharif originally had close relationships with Pakistan Army officials during his times as a journalist, but after the fall of Imran Khan's government, he started going suspicious and critical of the army's influence over Pakistan's political affairs – which was not a new thing for any media-person. As a journalist, Sharif had a ready platform to vocalize his concerns. He worked as a news anchor for Pakistan's ARY news channel, but the channel was made to cut ties with Sharif after he conducted a controversial interview with Shahbaz Gill, a close ally of Imran Khan, in which Gill directly criticized the Pakistani military.

Referring to a US magazine **THE DIPLOMAT** dated 8th February 2024:

"....transition from close military associate to strong opponent appears to mirror the case of (another) journalist Saleem Shahzad. He was originally close with several Inter-Services Intelligence (ISI) agents, but started to observe connections between ISI officers, al-Qaeda, and its affiliate the Lashkar-e-Taiba (LeT)...."

Both journalists were originally close to the military, which likely made them both more of a threat as they were more familiar with military personnel than most other journalists. Sharif had also been interviewed for a documentary just before his death called '**Behind Closed Doors**', in which he gave certain evidences of then-ongoing corruption in Pakistan.

As Sharif continued with his criticism of the ruling elite including military, sixteen (16) First Information Reports (FIRs) were filed against him, which were significant as they involved criminal investigations but the fact-finding committee was presented only six (6). Amid the filing of those charges, Sharif started receiving death threats and decided to leave the country. He fled to Dubai, but they refused to sign off on his visa and threatened to deport him back to Pakistan if he did not leave within 48 hours; thus, Arshad Sharif could not seek refuge there.

A British Pakistani businessman in Dubai put Sharif in touch with a Pakistani living in Kenya, named Waqar Ahmed, who invited Sharif to stay in an apartment building he owned with his brother, Khurram Ahmed; this sudden last-minute arrangement might have sealed Sharif's fate. Khurram was the driver of Sharif's car when it supposedly hurried past a police checkpoint, which the police said warranted the shooting. Khurram survived the incident; Sharif did not. It remained unclear why the police would have targeted a passenger in the car rather than the driver if they believed the vehicle was being used to abduct a child.

Kenyan Police on duty opened fire on the Pakistani journalist and his driver-host after they allegedly drove through a security roadblock outside the Kenyan capital. They shot at the car nine times, hitting Sharif in the head. They were on the lookout for a van, which had been linked with a child kidnapping case - but not all similar to the vehicle fired at, according to the Nairobi police. The car had not stopped and proceeded with the journey, the Police chased and opened fire during which the car flipped over. Sharif's killing raised suspicions of foul play among observers, politicians and the press.

The journalist Arshad Sharif, who was a fierce critic of the Pakistani government, had fled the country in August 2022 and his whereabouts were not publicly known. Most of his friends knew only that he had spent time in Dubai and London. Kenyan Force's use of lethal violence had drawn concerns both nationally and internationally.

As given earlier, Arshad Sharif, who was once close to the military establishment, became one of its fiercest critics that year. ARY Network, one of the largest channels in Pakistan, which Sharif worked with, was taken off air after his show was accused of fanning '*anti-military sentiment*'. The channel later announced that it was parting ways with him. A court in Islamabad had asked Pakistan's intelligence agency and police in August 2022 to stop harassing Sharif after he lodged a petition through his lawyer saying the security forces were violating his fundamental rights. But he or his lawyer had nothing in hand as evidence to convince the court.

[Pakistan has long been unsafe for journalists. It ranked ninth on the Committee to Protect Journalists' 2020 global impunity index, an annual assessment of countries where journalists are regularly killed and the assailants go free.]

FINAL VERDICTS OF VARIOUS COURTS:

Press freedom groups, including the International Federation of Journalists (IFJ), condemned the ongoing impunity nearly four years after his death, demanding tangible accountability rather than just financial compensation.

In July 2024, **the Kenyan High Court** ruled that Sharif's killing was illegal and arbitrary, rejecting police claims of mistaken identity. The state was ordered to pay 10 million Kenyan shillings (roughly USD 77,000) in compensation. However, no police officers were criminally charged.

Referring to the **daily TRIBUNE** dated 3rd February 2026: The Federal Constitutional Court (FCC) disposed of the murder case of senior journalist Arshad Sharif, explaining that the Pakistani and Kenya governments were already looking into the matter and there was no need for the court's involvement. The high-profile case, once handled by the Supreme Court (SC) under its *suo motu* jurisdiction, migrated to the FCC after the 27th Constitutional Amendment reshaped the judicial landscape, transferring authority over constitutional and *suo motu* matters to the newly minted court. A two-member bench comprising Justices Aamir Farooq and Rozi Khan Barrech conducted the proceedings.

An order, authored by Justice Farooq, noted that:

"Pakistan and Kenya had signed a mutual legal assistance agreement (MLA) and were coordinating at the diplomatic level to implement it. We are of the view that the authorities of both countries are taking appropriate action under their respective laws. Therefore, there is no need for any judicial interference in this regard when the law and investigation is taking its due course. (Thus) ... the instant suo moto action is disposed of. Accordingly, all pending applications are also disposed of."

Reacting to the verdict, Sharif's widow, Javeria Siddique, said she was disappointed by the order. *'The injustice and grief of Arshad's killing has broken me. The government's inaction and silence is deafening.'*

On 15th July 2026: Kenya's Supreme Court dismissed an appeal seeking to compel the prosecution of the officers involved in the 2022 killing of Pakistani journalist Arshad Sharif. Following a legal battle over the killing, the court ruled that prosecution decisions fall exclusively under Kenya's Director of Public Prosecutions, maintaining the current lack of accountability.

IMRAN RIAZ KHAN CASE:

A video was circulated at social media by someone on 11th May 2023, when Imran Riaz Khan was flying to Oman, after deciding to flee Pakistan when his house in Lahore was raided by the local police. He used to '*distill political affairs*' in his media videos - so he was picked up. His family was told by sources with the Punjab police that he was taken to the police station after being arrested at Sialkot airport. His younger brother named Usman, 32, told the media:

"When we inquired, the police said we released him that night. Police also claimed that he went away with a group of unknown people, and they don't know anything about him anymore. Police does not have any legal cases against him."

*However, an official complaint has been filed with police that CCTV footage from the police station showed the anchor being '**kidnapped by four to five masked men**' after being released."*

The lawyers held that despite having no grounds to keep him, the authorities were finding excuses to slow down the process and delay it; Imran Riaz's family filed an appeal then because during a court hearing on 22nd May - 11 days after he was arrested at the airport - the police repeatedly claimed that Imran Riaz Khan was not in their custody. Punjab's IGP [Inspector General of Police] told the court that he needed some days to solve the dilemma. The IGP later told that Imran Riaz Khan was not in police custody while declining to comment further since the case was ongoing with a subordinate court.

Federal Minister for Information Marriyum Aurangzeb condemned any illegal action taken against individuals, while at the same time questioning Imran Riaz Khan's journalistic credentials. While responding United Kingdom's Channel 4 News, she said:

"Imran Riaz Khan is a political party spokesperson. You must draw distinction between a journalist and those who join a political party and incite violence. Don't mix them with those journalists who do serious independent reporting for media."

It also remained a fact that the YouTuber and commentator Imran Riaz had gradually earned a controversial reputation. Through his videos and statements, he was seen to be closely aligned with former PM Imran Khan and his political party, Pakistan Tehreek-e-Insaf [PTI]. He was formally arrested after the former PM Khan was arrested on corruption charges and was granted bail in multiple cases by an anti-terrorism court in capital Islamabad.

AZADI MARCH-II PROMPTLY PLANNED:

Why it was so immediately planned and announce; see below:

On 27th October 2022: In an unexpected press conference, Lt Gen Nadeem Ahmed Anjum, the head of the Inter-Services Intelligence (ISI), joined Lt Gen Babar Iftikhar, the then DG ISPR, to discuss various topics, including the former prime minister's stance towards the military and the journalist Arshad Sharif's murder. This marked the first instance in Pakistan's history where the country's intelligence agency head addressed the media directly. He acknowledged, explaining that he was there on behalf of his institution and the officers sacrificing their lives, while saying:

"I am aware that you are surprised by my presence. As chief of this agency (ISI), I cannot remain silent when they are targeted for no reason.

*In March (2022), there had been **a lot of pressure**, but both the institution and the army chief (Gen Bajwa) made the decision to confine the military to its constitutionally defined role. (Disclosing that) in March, Gen Bajwa was presented with an attractive proposal by the government in power at the time to extend his term. It was made in front of me. He rejected it because he wanted the institution to move forward from a controversial role to a constitutional role.*

If you see him (Gen Bajwa) as a traitor, then why do you (Imran Khan) meet him through the back door? [...] Don't meet quietly at night through the back door and express your unconstitutional wishes but call [the army chief] a traitor in broad daylight. That's a big contradiction between your (Imran Khan's) words and your actions."

Next day (on 28th October 2022) Imran Khan began his much anticipated '**Haqeeqi Azadi**' march towards Islamabad with an uncompromising speech that directly criticised the country's top intelligence officers, including the head of the Inter-Services Intelligence (ISI).

Speaking in Lahore, he accused the DG ISI of holding a political presser and pointed out two other military officers for behaving like '**Dirty Harry**' by allegedly abducting and torturing Azam Swati, a party senator. He reiterated that the sole solution to the myriad problems facing the nation lay in conducting free and fair early elections. Adding that:

"Pakistan must have a government that is able enough to take decisions aimed at public welfare instead of the puppets working on the instructions of Washington."

GUN ATTACK ON IMRAN KHAN

On 3rd November 2022: Imran Khan, former prime minister of Pakistan, Chairman PTI, was shot in an assassination attempt in Wazirabad, a city of Northern Punjab, during the **2022 Azadi March II** against the Pakistan's PDM government. The gunman also injured a number of other PTI leaders while one party-supporter was killed.

In Pakistan, a political crisis was developed in March 2022 when the opposition Pakistan Democratic Movement [PDM] tabled a no-confidence motion against the sitting prime minister Imran Khan; Shahbaz Sharif came up as the new prime minister after success of No Confidence Move. Mr Khan had blamed his ousting on an 'American conspiracy' and labelled the new administration as an '**imported government**'.

This episode of attack surfaced during PTI's 2022 Azadi March-II, a march on Islamabad from Lahore which commenced on 28th October 2022, led and conducted by Mr Khan and his supporters to protest the government's refusal to hold early elections. On that day, while Khan was giving a speech in Wazirabad to his supporters, shots were fired by a gunman at Khan's container-mounted-truck; the truck was fired at six times and the gunman was immediately tackled. Khan was shot in the shin and thigh on the right leg and was immediately taken to Shaukat Khanum Hospital in Lahore, where he underwent treatment. X-rays and scans showed bullet fragments lodged in Khan's legs, and that his *tibia* was fractured but his condition was stable. In total, nine people were injured and one killed.

Immediately after, the Punjab Police announced that they had arrested the gunman who had shot Khan, identifying him as Muhammad Naveed. In a video shared by the police, the suspect stated that he shot Khan as he was 'spreading hatred and misleading the people', as well as making blasphemous and anti-religion remarks. He also stated that he was upset that Khan's march had been playing music and had been dancing during the Azaan. He added that he was acting on his own and only wanted to kill Khan.

The video was dismissed by Khan's allies as a '**cover-up**'. Later, the Punjab Police declared Naveed as a drug addict. Two other suspects were also arrested and were accused of providing an unlicensed pistol to Naveed for the

attack, as well as selling other pistols and bullets to him for Rs: 20,000. Two PMLN activists were arrested, along with one Tayyab Butt, who was accused of helping Naveed obtain the pistol.

UK's daily **GUARDIAN**, on the same day (3rd November 2022), reported that: *'.....Video from the scene shows a gunman being taken down by another man as he tries to fire his gun, reportedly a 9mm automatic weapon, at Khan. In the panic the crowd start dispersing and some people chase and catch the attacker'.*

Protests erupted across Pakistan in the wake of that shooting, blocking main roads across the country and leading to massive traffic jams in many cities including the capital, Islamabad. Khan's aides said there would be further protests on Friday (next day). The attack happened in the Wazirabad district in Punjab province, where the former international cricket star's party PTI was in power. The former prime minister was travelling in a large convoy of Passenger-buses and cars heading towards Islamabad as part of his campaign aimed at forcing the government to hold early elections that could see him return to office. Faisal Javed, a Senator from Khan's party was also injured in the incident.

Zeeshan Bakhsh, a local reporter who was present at the scene, told the local media that: *'In the beginning, no one knew what was happening and some thought it was fireworks. After the first burst I saw someone lying on the ground ... everything happened in 15 seconds.'* Punjab police confirmed that seven people had been injured and one person, identified as Muazzam Nawaz, had been killed.

- *Pakistan has a long history of political violence. The former Prime Minister Benazir Bhutto was assassinated on 27th December 2007 in a gun and bomb attack after holding an election rally in the city of Rawalpindi, next to Islamabad.*

Khan's first wife, Jemima Goldsmith, tweeted:

"The news we dread ... Thank God he's okay. And thank you from his sons to the heroic man in the crowd who tackled the gunman."

The attack happened a few days after Khan began his march from Lahore, the capital of Punjab province, along with thousands of supporters. Since his ousting in a no-confidence vote in parliament in April, Khan alleged that he was the victim of a conspiracy engineered by his successor, Shahbaz Sharif, and the US – the new premier and Washington both had denied it. PDM

government's PM Shahbaz Sharif said in a statement: *"I condemn the incident of firing on PTI chairman, Imran Khan, in the strongest words. I have directed the interior minister for an immediate report on the incident. I pray for the recovery and health of the PTI chairman and other injured people."*

Khan's latest challenge to the government had come after Pakistan's election commission [ECP] disqualified him from holding public office for five years for allegedly selling state gifts unlawfully and concealing assets as premier. Khan has challenged the disqualification in a pending court case. Mr Khan had earlier claimed in May 2022 that his life was in danger and he had recorded a video in which he mentioned the names of all those who conspired against him. Sharif's government also said there will be no early vote and that the next elections will be held according to ECP's schedule.

Later, PTI members Asad Umar and Mian Aslam Iqbal released a statement, saying that Khan asked them to issue it on his behalf. They said that ***'Khan believes there are 3 people on whose behest this was done – Shehbaz Sharif, Rana Sanaullah and one Gen Faisal Naseer'***. He was receiving information and was saying this on that basis. One day after Khan was shot, he stated ***'I will give a call to march on Islamabad (again) once I get better'***.

In the leaked video of the shooter while replying to police officers' questions, the shooter said that he had only tried to kill Imran Khan who was misguiding people, citing that during the Long March, no break was observed for Azaan. Regarding another question — when he devised a plan to kill the PTI chief, he replied that he thought of it in the morning, and later changed his statement to *'from the date this long march had set off from Lahore'*.

Referring to the daily **PAKISTAN TODAY** dated 10th November 2022:

"Former advocate general Ahmad Awais stated that releasing of the video to the media indicated 'a deep conspiracy — this video was aimed at building a certain narrative in the minds of the masses— this was meant to give it a religious colour'. Former IG Sarmad Saeed pointed out that the act would add confusion to this case. Meanwhile, despite the strict action by the CM, police released another video of the assailant in which the shooter made fabricated allegations to justify his attack on Imran Khan."

Some PTI leaders revealed that multiple gunmen also targeted ex-PM Imran Khan from some height and he was hit by four bullets, while some mentioned three bullets. The hospital administration disclosed that the medical board

operated on Imran Khan's right leg, who suffered four injuries on the leg, and there was no bone damage. On 6th November instant Khan was discharged, while the medical board had advised him rest for ten days.

Maulana Fazlur Rehman, the chief of the JUI-F remarked that he had his doubts over the attack, labelling the incident a "**drama**", while some PDM leaders stated that Khan and PTI orchestrated this drama by themselves. Terming it a conspiracy, PTI leaders, including Fawad Chaudhry said that it was *'a well-planned assassination attempt on Imran Khan'*.

Although various contradictions were pointed out in this incident, which showed complications, yet reality remained that a murder attempt was made on Imran Khan. It raised various questions about the security lapse which needed attention. Since former PM Khan started addressing anti-government public rallies after his ouster, various official and non-official entities had issued threat alerts. Khan was repeatedly intimidated about the threats to his life by the federal government. In this regard, a private TV channel had pointed out on 20th May 2022 that high-profile security officials had informed Imran Khan's Chief of Staff Shehbaz Gill about a possible attack on Khan.

Imran Khan had once said in a public gathering in Sialkot on 14th May 2022 that a conspiracy was being hatched to kill him and that he got recorded a video statement which would be released if he was murdered. According to a spokesman of the Interior Ministry, police and law enforcement agencies had already been directed to ensure security for him.

A media report on 21st June 2022 said the Provincial Counter Terrorism Department of Khyber PK had issued a threat alert about possible attack on Imran Khan. Another private TV channel indicated on 3rd November 2022 that in a classified letter, the CCPO Gujranwala expressed concerns regarding security issues overshadowing the Haqeeqi Azadi March two days earlier AND also warned of possible terrorist activity during the PTI political activities. The letter was forwarded to Chief Security Officer of Imran Khan, Lt Gen (retd) Asim and Security Coordinator to Imran Khan Shaneela Ali on 1st November 2022. Besides, the threat alerts were issued also by Punjab Home Department, Intelligence Agencies, and Punjab IGP. The CCPO had asked Khan to use a bulletproof shield and bulletproof-shielded rostrum, during his address in Gujranwala.

Meanwhile, Chief Justice of Pakistan, Mr Justice Umar Ata Bandial on 7th November 2022 ordered IGP Faisal Shahkar to register an FIR of a gun attack on PTI chairman Imran Khan within 24 hours. During the hearing, Chief Justice Bandial said to the IGP, ***'It's been more than 90 hours but FIR has not been registered — the delay in FIR means evidence is being***

lost’. But, the IGP informed the court that the provincial government was not allowing him to register the FIR of the said incident. Hinting towards the Punjab government’s behaviour, Khan stated: *‘Despite there being a coalition government, we have been unable to register the FIR of the (Wazirabad) attack for three days’.*

Later, PM Shehbaz Sharif sought constitution of a *‘full court Commission’* of the apex court to probe into PTI chairman Imran Khan’s allegations for the assassination attempt on him. In a meeting presided over by the Premier, it was decided that in the light of statement of the ISPR given on 4th November 2022, the federal government would initiate legal action against Imran Khan and other PTI leaders for issuing false statements against the state and its institutions. The ISPR had rejected the baseless and irresponsible accusations by the PTI chairman against the military. However, provision of fool-proof security was mainly the responsibility of the Punjab government.

INTERNATIONAL DENOUNCEMENTS:

Meanwhile, PTI’s secretariat and media received calls from the international leadership in respect the attack on PTI’s chief; little details were:

- **Canada:** Prime Minister Justin Trudeau called the attack *"completely unacceptable", saying that violence "has no place in politics, in any democracy, or in our society"*. He sent his condolences to the family of the deceased political worker who died during the incident.
- **Egypt:** The Ministry of Foreign Affairs condemned the attempted assassination and wished Khan a speedy recovery from his injuries in a statement.
- **India:** A spokesperson for the Ministry of External Affairs said that *'his country is closely keeping an eye on developments in Pakistan'*.
- **Iran:** Ministry of Foreign Affairs spokesman Nasser Kanaani condemned the assassination attempt against Khan and wished a speedy recovery.
- **Norway:** The Ministry of Foreign Affairs strongly condemned the attack on Khan.
- **Qatar:** The Ministry of Foreign Affairs condemned the assassination attempt against Khan.
- **Saudi Arabia:** The Ministry of Foreign Affairs condemned the assassination attempt against Khan.
- **Turkey:** The Ministry of Foreign Affairs offered their condolences to Khan and the family of the one Pakistani killed in the attack, *'stressing the importance of peace and stability [in] Pakistan'* in a statement.

- **United Arab Emirates:** The Ministry of Foreign Affairs condemned the assassination attempt against Khan. In a statement, it said, *'UAE expresses its strong condemnation of these criminal acts that aim to destabilize security and stability, and are inconsistent with humanitarian values and principles'*.
- **United Kingdom:** The Minister of State for Asia, Energy, Climate and Environment and Khan's former brother-in-law, Zac Goldsmith, called the attack appalling and said, *'Imran Khan is strong and will soon be back on his feet'*.
- **United States:** The White House strongly condemned the attack on Khan.

SHOOTER SENTENCED TO DEATH:

On 25th April 2025: An anti-terrorism court of Gujranwala awarded two life imprisonments and another 95-year jail term to the shooter who attacked former prime minister and PTI founder Imran Khan and other party leaders during a protest rally at Wazirabad against the then PDM government in 2022; Judge Naeem Saleem pronounced the landmark verdict.

The attack on former Prime Minister Khan took place on 2nd Nov 2022, in Wazirabad, near Gujrat, when he was leading an anti-government rally from Lahore to Rawalpindi. Mr Khan was on top of a truck when the gunman opened fire. A PTI worker, Moazzam Cheema, was killed while at least 11 PTI leaders, including Mr Khan, MNA Ahmed Chatha, Senator Faisal Javed, were injured. Three men were arrested for their alleged involvement in the attack — Naveed Araen, Tayyab Jahangir Butt and Waqas.

The ATC convicted Naveed Araen, while the other two suspects were acquitted for want of evidence beyond a shadow of a doubt. Naveed was awarded life imprisonment along with a fine of Rs1 million under Section 7 of the Anti-Terrorism Act, 1997, which outlined punishments for acts of terror. A separate 95-year jail term and Rs2.2m fine were awarded over other charges.

The lawyer for the convict, Advocate Mian Dawood, announced that the sentence would be challenged in the Lahore High Court, citing alleged irregularities in the prosecution's arguments and evidence pertaining to the accused. The three suspects remained in custody since their arrest from the crime scene moments after the attack.

The shooter, Naveed, was overpowered by a local PTI worker while firing at Mr Khan's truck. The three men were booked by the Wazirabad police under

sections 302 (premeditated murder), 307 (attempt to commit murder) and 440 (mischief after causing death or hurt) of the Pakistan Penal Code and Section 7 of the Anti-terrorism Act.

SCENARIO 268

AL-QADIR TRUST CASE

BACKGROUND

See the origin of the case:

In the first week of June 2022, the Abdul Qadir Trust Case against former premier Imran Khan resurfaced after an alleged audio leak, purportedly of a telephone conversation between Malik Riaz and his daughter, wherein the two could be heard talking about the supposed demands of Farah Khan aka Gogi — a friend of Imran Khan's wife Bushra Bibi — against some alleged favours from the previous government of Imran Khan. The woman, believed to be Riaz's daughter, told her father that Farah had told her that the (former) first lady had asked her not to accept a three-karat diamond ring and demanded a five-karat one.

Subsequently, Malik Riaz had denied his role in any political matters, and in a tweet claimed that the leaked audio clip attributed to him and his daughter was '*fabricated*'.

A week later, the then-federal interior minister Rana Sanaullah accused Imran Khan and his wife of accepting hundreds of kanals of land for protecting Malik Riaz's real estate firm in a money laundering case. As per his media conference dated 14th June 2022:

*"Bahria Town had '**illegally transferred**' Rs: 50bn to a Pakistani national in the UK. The transfer was identified by the UK's National Crime Agency [NCA], which subsequently informed the then PTI government of the crime.*

Bahria Town had donated hundreds of acres of land to Al-Qadir Trust, with the agreement bearing signatures of the real estate developer's donors and Bushra Khan — the wife of former premier Imran. The non-profit organisation had only two trustees: Imran Khan

and Bushra Bibi. The minister added that another 240 kanals were transferred to Farah Shehzadi”.

Next day, the federal cabinet constituted a committee to probe into Imran Khan and his wife Bushra’s alleged involvement in the case.

To balance the political scores and to squeeze the noose around real estate tycoon Malik Riaz and close aides to former premier Imran Khan, the National Accountability Bureau [NAB] asked Malik Riaz and other beneficiaries to appear before it on 1st December 2022 under section 19 of the National Accountability Ordinance-1999. The inquiry into allegations of misuse of authority, financial gains and criminal breach of trust had revealed that Ali Riaz Malik and others entered into an out-of-court settlement agreement with Britain’s National Crime Agency [NCA] for repatriation of funds to the government of Pakistan.

However, no one turned up to attend the said enquiry – BUT the case had to proceed to its logical end – thus, the investigations went on.

HERE’S THE FULL PICTURE:

A Pakistani property tycoon, namely Malik Riaz, had assets in Britain worth £190 million which were seized by the National Crime Agency (NCA) of the United Kingdom (UK) during the PTI’s rule (2018-22). The assets could be transferred to the Pakistani government, according to the NCA. The agreement with the real estate tycoon was regarded as a civil matter and did not indicate guilt.

On 3rd December 2019, the then Prime Minister Imran Khan received approval from his cabinet for the settlement of the said proceedings with the UK’s NCA without revealing the specifics of the private accord between Mr Khan and Malik Riaz. According to the arrangement, the money was to be sent into the Supreme Court of Pakistan on the property tycoon’s behalf.

In the weeks that followed the decision, Islamabad saw the founding of the Al-Qadir Trust. Members of the trust were named as PTI leaders Zulfi Bukhari, Babar Awan, Bushra Bibi, and her close friend Farah Khan. Later, Bukhari and Awan opted out as the trustees. That trust was then left registered in the name of Khan, Bushra Bibi and Farah; daily **The News** dated 23rd May 2023 is referred.

The land tycoon allegedly presented massive lands for the construction of an educational institution in exchange for legal protection of his stacked monies he had at stake with the UK's NCA.

[Al-Qadir Trust (officially *Al-Qadir University Project Trust*) **was a non-profit organization founded in 1996** by Imran Khan. The trust worked to provide poverty relief and promote education and healthcare; as per local administration records.

The trust was established to provide relief to the poor and needy in Pakistan. The trust's first project was to build a school in the village of Mianwali. The school was named after Khan's father. The trust has since expanded its activities to include a variety of other projects, such as providing food and shelter to the homeless, providing financial assistance to students, and running hospitals and clinics.]

On 5th December 2019; it was announced at a press conference in Islamabad that £140m had been repatriated to Pakistan - into the Supreme Court's account. When asked how the money could be transferred to the SC account, the PTI's mouthpiece deflected the question saying that the government, NCA and Mr Riaz had signed a "deed of confidentiality" which prevented him from elaborating on the matter. Referring to **daily PAKISTAN TODAY** dated 9th May 2023:

*"UK's National Crime Agency fines Malik Riaz £140 million & that amount is sent back to Pakistan. **However, that money is given to SC as part of Malik Riaz's settlement over the Bahria Town scandal case.** Federal cabinet of Imran Khan on Dec 2, 2019, had allowed this to be done - Faisal Vawda confirmed this & (cabinet) members were asked to sign documents & funds landed in SC account in NBP as opposed to the GOP's main account. A total of Rs: 460 billion was to be paid by Malik Riaz & this amount was (being settled as) part of that."*

After coming to power, the incumbent PDM government accused former premier Imran Khan and his wife Bushra Bibi of accepting billions in cash and hundreds of kanals of land from Bahria Town in return for the help that Khan's government gave to Malik Riaz during his investigation by the NCA. Bahria Town had entered an agreement and gave a 458-kanal land with an on-paper value of Rs: 530 million to the trust owned by Imran Khan and Bushra Bibi. The land was donated to Al-Qadir Trust, and the agreement bore signatures of the real estate's donors and Bushra Bibi.

On 26th December 2019; PM Imran Khan got registered a Trust for Al Qadir University Project. Malik Riaz later became a donor for this.

[Earlier, **on 5th May 2019:** The foundation stone for Al-Qadir University in Sohawa, District Jhelum (Pakistan), was laid by then-Prime Minister Imran Khan, as part of the Al-Qadir Trust's initiative to blend Islamic education with science and technology. Purpose was to offer education in Sufism, Science, and Technology, focusing on spiritual and intellectual development. The Premier Khan had held that: *'It has been named after Abdul Qadir Jilani, who linked science and spirituality. We consider spirituality a super science; it needs re-search, which will be conducted here. We will run it on Namal University's model. This varsity is not being established through government funds but through private fundraising.'*]

The PDM government, when they took over the reins of the government after April 2022's no-confidence-vote, had built up this case urging that it caused a loss of 190 million pounds to the national exchequer. As per media reports (GEO News), the charges against Khan and the others showed that the accused allegedly adjusted Rs: 50 billion — 190 million pounds for his own and PTI's benefits. The PTI leaders in the case were also accused of receiving **undue benefit in the form of over 458 acres of land at Sohawa**, to establish Al Qadir project.

It was that piece of land which came under the scrutiny of the NAB. In the call-up notice served to Malik Riaz dated 24th November 2022, he was asked to appear with documentary evidence to record his statement regarding purchase of 458 Kanals 04 Marlas 58 square feet situated in Hadbast No. 77 at Mauza Barkala, Tehsil Sohawa of District Jhelum.

NAB required Malik Riaz to present a complete record regarding that land and also, he was asked to produce the deed through which M/s Bahria Town donated the above said land to Al-Qadir Trust along with revenue documents. Likewise, details of other property / donation transferred by him, any of his family members of M/s Bahria Town in favour of Al-Qadir Trust or any of its trustees, whether through sale / purchase, gift, donation or any other mode.

Later, after April 2022 when Mr Khan lost his premiership, the Al-Qadir Trust case became the subject of an investigation by the National Accountability Bureau (NAB), which focused on claims of the abuse of authority in the process of retrieving monies from the UK's NCA. After significant evidence surfaced, the investigation subsequently developed into a full-fledged case which implicated Imran Khan, Bushra Bibi, Barrister Shahzad Akbar, and the real estate tycoon as suspects. Allegations against them included accepting

unauthorized advantages in the form of land for the construction of Al-Qadir University, modifying cash supplied by the NCA to the Pakistani government, and allegedly providing legal protection for the money of the property tycoon.

According to the statement released by the UK's NCA, the settlement included a UK property — **1 Hyde Park Place, London, W2 2LH** — valued at approximately £50 million and all of the funds landed in the frozen accounts of Malik Riaz.

The initial record of the NCA's move to probe indicated that the property and assets belonging to Malik Riaz in the UK first-time surfaced in December 2018, shortly after Imran Khan's PTI came to power. The crime agency in a press release dated 14th August 2019, stated:

"The NCA has been granted freezing orders on eight bank accounts containing a total of more than £100 million, which is suspected to have derived from bribery and corruption in an overseas nation. Approximately £20m held by a linked individual was frozen following a hearing in December 2018."

Earlier that year, the Supreme Court of Pakistan had accepted Riaz's offer of Rs:460bn as settlement dues by his real estate firm, Bahria Town Ltd, after it was found to have illegally acquired thousands of acres of land on Karachi's outskirts in district Malir.

[In March 2019, a three-judge Supreme Court bench headed by Justice Sheikh Azmat Saeed had accepted a Rs460 billion offer by Bahria Town to implement the court's judgment which held that the grant of land to the Malir Development Authority by the Sindh government, its exchange with the private land of the developer and anything done under the provisions of the Colonisation of Government Land Act, 1912 by the provincial government were illegal and of no legal existence; Daily **DAWN** dated 14th June 2022 is referred.]

Subsequently, the '**recovered money**' was transferred to the Supreme Court's accounts, instead of the Government of Pakistan's account. Special Assistant to the Prime Minister (SAPM) on Accountability Mirza Shahzad Akbar had claimed that: ***"...the Supreme Court is a part of the government. So if the money goes to the apex court, it means that the money comes to the state."***

The SAPM had also refused to entertain or address cogent questions regarding the origin of the money and how it had come to be stashed away abroad, citing that: ***"....confidentiality clauses between the parties are involved in the case, including the UK. We have inked a bond of confidentiality with the UK government and therefore we cannot talk about the details of the case,"*** he had told to the media.

However, following the press conference of Rana Sanaullah, the then federal interior minister, the NAB had firm belief that the £140m that was repatriated to Pakistan after Shahzad Akbar's intervention with the NCA on behalf of Malik Riaz went straight back into the bank account of that property tycoon. The true facts are still in clouds.

In the same media conference (of 14th June 2022), Rana Sanaullah claimed:

"Imran Khan's aide Shehzad Akbar had 'settled' the entire case, while the Rs: 50 billion-which belonged to the national treasury-was adjusted against Bahria Town's liability. Imran Khan had received a graft of Rs: 5 billion as 'his share' through Mr Akbar before the case was wrapped. Also, that Bahria Town, after its Rs: 50 billion was protected by the then PTI government, had allotted the above mentioned land to Al-Qadir Trust.

Also, that another 240 Kanals were transferred to 'Farah Shehzadi' commonly known as Farah Gogi-a close friend of Bushra Bibi."

THE NAB REFERENCE

The reference filed in the Accountability Court by NAB alleged that Imran Khan, who was in jail then, played a *'pivotal role in the illicit transfer of funds meant for the state of Pakistan into an account designated for the payment of land by Bahria Town, Karachi'*. It also claimed that despite being given multiple opportunities to justify and provide information, the accused deliberately, with mala-fide intention, refused to give information on one pretext or another. The NAB reference further said:

"Property tycoon Malik Riaz and his son Ahmed Ali Riaz, Mirza Shehzad Akbar, and Zulfi Bukhari are also among the suspects in this reference, but instead of joining the investigation and subsequent court proceedings, they absconded and were subsequently declared proclaimed offenders (POs).

Farhat Shahzadi, a close friend of Imran's spouse, and Ziaul Mustafa Nasim, a legal expert for the PTI government's Assets Recovery Unit, are also declared POs. Subsequently, the properties of all six accused have been frozen.

Furthermore, it is established through their responses that they have nothing in their defence to rebut the above-mentioned allegations. Thus, they all have committed an offence under the National Accountability Ordinance (NAO).

.....that the investigation proceedings and findings so far established that accused persons in connivance with each other have committed the offence of corruption and corrupt practices as defined under the NAO."

Shehzad Akbar, a former special assistant to PM Khan and Asset Recovery Unit chief, played a "crucial role in the illegal design of the funds" which were meant for the state. Riaz Malik, had "actively aided, abetted and assisted and acted in conspiracy" with the other respondents for the diversion of funds earmarked for the state. Bushra Bibi and Shahzadi also played a "significant and crucial role in the illegal activities", the latter also a "front-woman" for Imran Khan and his wife; the reference said. The reference strongly urged that it was "just and proper to proceed against the eight suspects as there was sufficient incriminating evidence" available to justify the reference.

On 9th May 2023; the Rangers detained Imran Khan outside the Islamabad High Court, where he had gone to request bail in a number of cases brought against him, including the Al-Qadir Trust case. A development that triggered nationwide protests and riots. Though 2 days later he was 'released' after the Supreme Court declared the arrest unlawful.

[Imran Khan was facing a slew of cases since his ouster through No-Confidence-Vote against him on 10th April 2022. He rejected all the cases as political victimisation by the ruling alliance of PMLN and PPP. Till his arrest on that day, Khan was facing over 140 cases related to terrorism, blasphemy, murder, violence, inciting to violence.]

On that day of first arrest, the media held that the NAB had issued notices to the PTI chief regarding the corruption cases against him and asked him to present himself and become a part of the investigation; but he did not do so. He challenged those notices in the high court and ultimately the high court said that the [legal] process in accordance with law cannot be stopped and he should become a part of the investigation and submit his

response but despite that, he did not feel it appropriate to become a part of the investigation. Because of this NAB had to implement his arrest.

Referring to **AL-JAZEERA** dated 9th May 2023:

"Khan was arrested for an offence related to the Al-Qadir University Trust case. Last June, the new coalition government alleged that Khan and his wife obtained land worth billions of rupees for their trust from Malik Riaz, a major property tycoon of Pakistan, to build an educational institute.

The NAB has alleged that Khan's PTI government struck a deal with Riaz that caused a loss of more than \$239m to the national exchequer, in a quid pro quid arrangement with the real estate tycoon.

In December 2019, Malik Riaz agreed to hand over assets, including properties worth \$239m, to United Kingdom's National Crime Agency in an investigation related to 'dirty money'. (Till then) Khan and his government were not directly linked to the case."

See the news in **daily PAKISTAN TODAY** of the even date:

"It finally happened. The almost year-long efforts to arrest former Prime Minister Imran Khan came to an end in the hustle bustle of a sweltering Tuesday afternoon outside the Islamabad High Court (IHC). Since being ousted from power, Khan has been hounded by law enforcement agencies over literally hundreds of different cases – (allegedly) instigated by the incumbent federal government and the military establishment which wishes to see him behind bars.

But after multiple armed showdowns at his Zaman Park residence in Lahore and raids on his Bani Gala residence in Islamabad, what has Khan finally been taken into custody for - ... it is over the Al-Qadir Trust Case currently being investigated by the National Accountability Bureau (NAB). But.... the case is perhaps one of the most clouded and murky webs from the Imran Khan administration and involves among other real estate tycoon, Malik Riaz.... and involves accusations of bribery, corruption, and kickbacks against the government of former Prime Minister Imran Khan."

Only few people bothered to keep in mind the timing of the arrest (on 9th May 2023) which tells the whole story. Attempts to arrest Khan were on record since many months till then, but it finally happened only a day after

the former premier Mr Khan named senior military officials blaming them for ousting him from power and for the assassination attempt on his life.

While Mr Khan was on his way to the IHC on that morning, Prime Minister Shehbaz Sharif and the ISPR both issued strongly worded statements condemning Khan's claims. While the cases against Khan, particularly the Al-Qadir Trust Case, deserved to be investigated in a free and fair manner; because in the long run, this could end up affecting the legitimacy of the investigation into the case itself.

The fact remained that subsequently property of 240 kanals in Bani Gala, initially given by Malik Riaz to Farah Gogi was allegedly registered in the trust's name. The PDM government of Shahbaz Sharif had previously provided details of the properties and had challenged the PTI chief to answer that: **'Al-Qadir trust was made by you to hide this corruption and bribery'** – but the reply never came up in denial.

In November 2023, Imran Khan, who was already imprisoned at the Adiala Jail Rawalpindi in the Cypher Case, was again arrested by the National Accountability Bureau (NAB) in the Al-Qadir Trust case. He remained in prison since then. **The charge sheet** of the court alleged that:

'Imran Khan and his wife obtained billions of rupees and land worth hundreds of kanals from a real estate firm for legalising Rs: 50 billion that was identified and returned to the country by the UK's NCA during the previous PTI government'.

In February 2024, an accountability court indicted Imran and his wife in the case, shortly after the general elections. After several hearings into the case, all of which were conducted at the Adiala Jail, the court reserved its verdict on 18th December 2024, saying the verdict would be announced after 5 days. It was delayed for another two weeks due to court-vacations for winter. On 13th January 2025, the decision was again delayed for the third time. Previously, in a statement on PTI's X account, Imran was quoted as calling the Al-Qadir Trust case 'bogus' and without merit - But in Pakistan it's taken as routine statement.

IMRAN KHAN & THE 1st LADY SENTENCED

On 17th January 2025: The much-awaited verdict, delayed thrice previously, was announced by Judge Nasir Javed Rana at a makeshift courtroom

at the Adiala Jail. *The PTI chairman was handed a 14-year jail term while his wife was sentenced to seven years in prison.* The court also imposed fines on Imran Khan and Bushra Bibi, amounting to Rs:1 million and Rs: 500,000 respectively. Referring to **THE FRIDAY TIMES** dated 17th January 2025, the details are numerated in next paragraphs.

- **The court also ordered the forfeiture of the property of the Al-Qadir University Project Trust to the Federal Government, as per Section 10(a) of the National Accountability Ordinance, 1999.**

The court issued a detailed 148-page judgment, separating the case of the co-accused, who were declared proclaimed offenders. These accused persons included former Chairman of the Asset Recovery Unit (ARU) Mirza Shahzad Akbar, CEO of Bahria Town (Pvt) Ltd Malik Riaz Hussain, former expert on International Criminal Laws (ARU) Zia ul Mustafa Nasim, former trustee of Al-Qadir Trust Syed Zulfiqar Abbas Bukhari, Malik Riaz's son Ahmed Ali Riaz, and trustee of Al-Qadir Trust Farhat Shahzadi aka Farah Gogi.

However, the court noted that: *"There may be certain minor discrepancies and contradictions in the prosecution evidence, which are natural in white-collar crime cases."* The judgment concluded that despite the defense's efforts, it failed to create any reasonable doubt that would undermine the prosecution's case.

The court stated that Imran Khan, while serving as Prime Minister, received illegal monetary benefits from co-accused Malik Riaz Hussain, Ahmed Ali Riaz, and Bahria Town (Pvt) Ltd. This was in the form of 458 Kanals, 4 Marlas, and 58 sq. ft. of land, ***under the pretext of a donation to a non-existent trust***, namely the Al-Qadir University Project Trust. The court ruled that Imran Khan illegally obtained this benefit when neither the Al-Qadir University Project Trust nor the university existed.

The court further concluded that Khan, in connivance with the co-accused, facilitated the illegal transfer of £171.159 million (GBP) out of £190 million (GBP), intended for the state of Pakistan, into an account designated for the payment of land costs by Bahria Town Karachi. This, the court determined, constituted a gross misuse of authority.

The judgment also noted that co-accused Mirza Shahzad Akbar, in collusion with Imran Khan, dishonestly circulated a note on 02.12.2019, misrepresenting that funds frozen in the UK were to be surrendered to the Supreme Court of Pakistan, even though these funds were actually meant to settle Bahria Town's private liability.

The court found that during a cabinet meeting on 03.12.2019, Khan insisted on granting approval for paragraph 10 of the note, sealing the document without any prior circulation or discussion, in violation of the Rules of Business, 1973.

In exchange for these illegal favors to Malik Riaz, Ahmed Ali Riaz, and Bahria Town (Pvt) Ltd, Khan, under the guise of the Al-Qadir University Project Trust, which he founded and became the settlor of, dishonestly obtained significant monetary gains, property, and other advantages. These included a donation of approximately 458 Kanals of land, funds amounting to Rs:285 million, the construction of the university building worth Rs:284,032,000, and in-kind contributions to the Al-Qadir University Project Trust.

The court further determined that, in exchange for these favors, Khan illegally received 240 Kanals and 6 Marlas of land in Islamabad in July and October 2021 through Farhat Shehzadi (aka Farah Gogi), a front person for Khan and Bibi.

The prosecution also proved that Bushra Bibi, as a trustee of the Al-Qadir University Project Trust since its inception, played a significant role in these illegal activities. She acknowledged the receipt of property, pecuniary benefits, and other valuables from Malik Riaz Hussain through Bahria Town (Pvt) Ltd and assisted in the commission of crimes by signing the **"Acknowledgement of Donation"** deed on March 24, 2021. She was also a signatory to the joint account of the Al-Qadir University Project Trust, maintained at the HBL Civic Centre branch in Islamabad.

See the **BBC News** dated 17th January 2025:

"Former Pakistani prime minister Imran Khan has been sentenced to 14 years in prison over a corruption case, in the latest of a series of charges laid against him. It is the longest valid jail sentence the cricket star-turned-politician, who has been detained since August 2023, received.

Khan and his wife Bushra Bibi were accused of receiving a parcel of land as a bribe from a real estate tycoon through the Al-Qadir Trust, which the couple had set up while he was in office. In exchange, investigators said, Khan used £190m (\$232m) repatriated by the UK's National Crime Agency to pay the tycoon's court fines. Khan's PTI party argued that the land was donated to the trust for a spiritual education center and was not used for Khan's personal gain.

Friday's verdict comes after multiple delays as Khan's party held talks with the government. After his conviction on Friday, Khan told reporters

in the courtroom that he would 'neither make any deal nor seek any relief.' Khan's prison sentence of 14 years is the maximum that could be given in the case. He has also been fined more than £4,000.

His wife has been sentenced to seven years and fined more than £2,000. Bibi, who has been out on bail since last October (2024), was taken into custody in court after her sentence was announced.

In 2023, Khan was sentenced to three years in prison for not declaring money earned from selling gifts he had received while in office. Last year (2024), Khan received a 14-year jail sentence over the selling of state gifts, and another 10 years for leaking state secrets. Both those sentences were suspended months later.

Khan's prosecution has triggered large-scale protests by his supporters - which have been met with a crackdown from authorities. Thousands of protesters are arrested and many injured in clashes with the police."

MEDIA ON AL-QADIR CASE:

For those in positions of authority, such as government officials or political leaders, balanced human conduct becomes significant, as their decisions carry profound consequences for society and governance. Their actions are held to higher ethical and legal standards to ensure accountability and alignment with the ideals of social and natural justice, safeguarding welfare of the nation and its citizens. In fragile democratic systems like Pakistan's, this scrutiny is further intensified, as public officeholders bear the responsibility of translating collective trust into actions that reflect the people's will and constitutional mandates.

Within a democratic constitutional framework, governance and political legitimacy derives from the electorate's mandate. Political parties present manifestos outlining their vision, and voters elect representatives based on these commitments. This process mirrors the "doctrine of notice" in legal terms, where the legitimacy of a leader's actions depends on their adherence to promises made publicly, binding them to accountability – and so true (or should be true) in Pakistan. In Pakistan, this need for transparency and ethical governance to sustain the integrity of both public officeholders and respective institutions should have been highlighted for the public at large – but unfortunately the successive civil and military governments never bothered to adhere to such principles.

This can only be achieved through rigorous accountability, which not only mitigates conflicts of interest but also ensures that public officeholders remain aligned with their responsibility to serve the public. Such rigorous accountability expands the framework for identifying various forms of misconduct; for instance, white-collar crimes exemplify the ways public officeholders can misuse their authority. Therefore, strict accountability and a comprehensive examination of misconduct must be enforced in all fields of governance and without prejudice to any political party or class. An analyst Usama Ali Shah asked a very cogent question in this regard:

"A crucial question that needs to be addressed in the appellate forums—and one that Imran Khan's legal team must clarify—is whether strict accountability measures are consistently applied to public office holders in these cases"; **FRIDAY TIMES** dated 6th February 2025 is referred.

In Syed Usama's words: the judgment against Imran Khan in the Al-Qadir Trust case brought significant legal interpretations regarding public office and misconduct into focus. The case involved an alleged illegal favor valued at £190 million granted to property tycoon Malik Riaz and his family, in exchange for funding the Al-Qadir University Project Trust, which covered land, building construction, and furniture. The accountability judge expanded the '**interpretation of gratification**' in this context, applying a broader understanding of its meaning to highlight the misconduct involved.

The defense argued at expanded definition of 'gratification' in the case: ***that Imran Khan, as Prime Minister, did not derive any personal or financial gain from the Al-Qadir University Project Trust.*** The judge's ruling, however, emphasized the broader implications of leadership. The judge explicitly stated, 'Such trust based on even noble cause cannot be established on the basis of gratification. The term gratification is not to be calculated in terms of money or property only.'

To substantiate his argument, the judge referred to several precedents set by higher courts in both India and Pakistan, alongside dictionary definitions and interpretations of Section 161 of the Pakistan Penal Code (PPC) and relevant provisions of the Accountability Ordinance, 1999. These references provided a comprehensive framework to support the expanded understanding of the term 'gratification.' The judge further posited that Imran Khan might have leveraged the educational trust's noble cause for political advantage, all while benefiting from £190 million — a sum tied to money laundering and legally required to be deposited into the Government of Pakistan's

account. Instead, the amount was maliciously offset against a separate obligation involving Bahria Town, Karachi, as imposed by the Supreme Court in another case.

The judgment also emphasized that the concept of gratification was not confined to pecuniary terms but extended to notions such as passive bribery, recompense, or expressions of gratitude or pleasure. That broader interpretation did align with the explanation provided in Section 161 of the Pakistan Penal Code (PPC), which states that '*gratification is not restricted to monetary benefits or those measurable in financial terms*'. Similarly, the judge applied a comparable approach to the interpretation of '**serving personal interest**', defining it as '*preferential treatment to someone by using one's official privilege--- which can reflect essence of conflict-of-interest situations.*'

Then a crucial question that whether strict accountability measures were consistently applied to public office holders in such cases. That implied that strict accountability measures could stem from expansive interpretations that had legitimised unethical practices in the past; most of the times the judicial definitions of 'gratification' were broadened to hide or pardon the corrupt practices; recent history of Pakistan is depleted with such scenarios.

Taking light from Rizwan Mudassir's analysis appeared on media pages of 18th January 2025, the fact remains that the Al Qadir Trust case generated significant controversy and uncertainty, primarily due to the circumstances surrounding the money repatriated from UK and its eventual use under the PTI government. While the conviction of Imran Khan and his wife, Bushra Bibi, was not a straightforward case. The way it was handled, coupled with unresolved issues and delays in delivering the verdict, left many question-marks in intelligentsia and Lawyers community at large.

Taking instance of repatriation of the seized money by UK's National Crime Agency (NCA) from property tycoon Malik Riaz, suspecting that it had been derived from corruption or bribery abroad, the PTI government, decided to divert those repatriated funds to settle outstanding payments owed by Riaz's company, Bahria Town, to the Supreme Court of Pakistan. That strategy left the critics wondering how it was justifiable to use that money by the same property tycoon through the SC channel. The move was not a legitimate settlement at all in any context.

Malik Riaz donated a large tract of land for the establishment of the AL-Qadir University, an educational institution, but the timing of these events, coupled with the involvement of Malik Riaz, and led many to believe that there was a potential conflict of interest. The critics speculated that Riaz's

contribution to the university project was, in part, a response to the favorable decision to redirect the repatriated funds to the Supreme Court's accounts. *The link between the two events — the diversion of the NCA funds and the donation for AL-Qadir University — raised eyebrows for those who believed that Malik Riaz benefitted from the government's decision in return for his significant donation*; thus there were serious questions about the integrity of the two transactions.

As a result, Imran Khan and Bushra Bibi were convicted for corruption by the accountability court - the convictions were based on the argument that both were involved in corrupt practices, despite the lack of clear evidence showing that they directly benefited from the funds or the project. Mr Khan's supporters argued that the conviction was unjust, asserting that neither Khan nor his wife personally gained from the AL-Qadir Trust; as there was no direct material benefit to be derived from the land donation or the handling of the repatriated funds. ***The issue was not necessarily whether Khan directly gained material benefits, but whether he knowingly aligned himself with a person under investigation for corruption and allowed a questionable financial transaction to proceed under his government's purview.***

In AL-Qadir Trust case, the lack of transparency regarding the agreement between the PTI government and the NCA regarding the repatriated funds. Details of this arrangement were known only to Mirza Shahzad Akbar, the former special assistant to the prime minister on accountability. Akbar, however, remained absconding from the case, leaving a significant gap in the investigation. Without access to this crucial information, the court's findings and the conviction itself would, no doubt, rest on shaky legal ground. The absence of full disclosure of the agreement with the NCA raised serious questions about the integrity of the entire process.

No one else knew how was the settlement negotiated? What conditions were attached to the repatriation of the funds? And why, in the face of suspicions of corruption, was the money used in a dubious way. Such questions remained unanswered and, without clarity, they continued to cast doubt on the legitimacy of the actions taken by the PTI government – though could have taken in good faith. PTI had announced that they would appeal the decision in higher courts – the public were seen ready to see more headlines in the media – but again the transparency of the settlement with the NCA would need to be addressed.

Politically speaking, the case was not closed till 2026 at least.

- *For Pakistan's legal system to maintain its credibility, it would need to address those unanswered questions and ensure full transparency in the investigation. The country's political and judicial institutions were seen at stake – AND the Al Qadir Trust case would likely to remain an unresolved chapter in Pakistan's contemporary politics.*

LATER LEGAL DEVELOPMENTS

Following their convictions, the couple filed appeals against their sentences. The IHC was seen focusing on hearing those main appeals along with related petitions from the defense.

Former prime minister Imran Khan and his spouse, Bushra Bibi, challenged in the Supreme Court the registrar's decision to return a set of petitions that contested the high court's refusal to suspend their sentences in the said Al-Qadir Trust Case. The couple had challenged their convictions in the Islamabad High Court (IHC) soon after they were sentenced. They had also filed pleas seeking suspension of their sentences, which were taken up in May 2025.

After the couple sought urgent fixation of their suspension pleas in April, the IHC rejected those in May, declaring them infructuous as the main appeals against the convictions were already fixed for hearing. In mid-July 2026 the IHC granted a final adjournment to Imran's counsel Sardar Latif Khosa, warning no further delay would be tolerated.

On 5th May 2026; the Islamabad High Court dismissed the petitions filed by Khan and Bushra Bibi seeking ***suspension of their jail terms***. A two-member bench led by Chief Justice Sarfraz Dogar declared the applications infructuous and fixed 7th May for hearing the appeals against their conviction. The 73-year-old leader has been in jail since 2023.

On 13th July 2026; Imran and Bushra challenged the decision of the SC registrar's office (of 29th June 2026) to return their pleas against the IHC's April 30 order. During that hearing, the IHC chief justice had emphasised that the best course would be an early disposal of the main appeal even as Imran's lawyer sought sentence suspension.

The SC registrar's office had returned the two separate petitions for not being 'entertainable', explaining that since the IHC passed the impugned order

while exercising jurisdiction under Section 32 of the National Accountability Ordinance (NAO) 1999, the remedy against such orders lies only before the Federal Constitutional Court (FCC) under Section 32-A of the NAO.

Subsequently, the couple challenged the registrar office's denial through a chamber appeal, filed through their lawyer, Barrister Salman Safdar, under Order V, Rule 3 of the Supreme Court Rules 2025. The chamber appeal contended that the registrar's office was primarily vested with administrative and procedural powers relating to the filing and processing of cases. Contending that:

"Such powers are limited to ensuring compliance with procedural requirements, including scrutiny of form, limitation, and other prescribed defects, and do not extend to adjudication of substantive or justiciable issues, the chamber appeal argued, adding the determination of maintainability, particularly where it involved interpretation of constitutional or statutory provisions, was a judicial function requiring the application of legal reasoning and consideration of rival submissions."

Mr Khan's lawyer urged that *'such jurisdiction exclusively rests with the Supreme Court and cannot be exercised by the registrar in an administrative capacity'*.

Consequently, *'in view of the limited appellate remedy (only second appeal) provided under Section 32A of the NAO, 1999, and in the absence of any specific statutory remedy, the order dismissing the appellant's application for suspension of sentence under Section 426 of the CrPC was assailable before the Supreme Court of Pakistan under Article 185(3) of the Constitution,'* the chamber appeal of Mr Khan argued.

However, the Islamabad High Court (IHC) was actively hearing the main appeals of former Prime Minister Imran Khan and his wife Bushra Bibi against their convictions in the said Al-Qadir Trust Case.

Scenario 269**PAKISTAN ECONOMY DURING 2022-23:**

Practically it was the first day of New PDM government after former PM Imran Khan's departure.

MEDIA REPORTS OF 12TH APRIL 2022:

The opposition segments of Pakistani society widely hailed new Prime Minister Shahbaz Sharif's incoming coalition government. The new government was inheriting some daunting challenges from the PTI; the most hard-tasks included a worsening economic crisis, growing political turmoil, deteriorating relations with the Western powers, and the resurgence of militancy in some parts of the country. No one had idea whether the ruling coalition consisting of disparate parties and groups, with often conflicting political and economic aims, would stick together until the next elections. They had achieved their common goal of ousting Imran Khan from power, but what strategy was there in their bag.

Fixing the broken economy was probably the most formidable challenge facing PM Sharif's cabinet. The PTI had inherited a bad economy no doubt but they had left it in nearly the same condition; ordinary people were grappling with elevated double-digit inflation, as well as wage and job losses, as macroeconomic indicators had declined. The crisis of balance of payments was again back, after a short Covid-related respite, as much-needed multilateral assistance was on hold because of uncertain political conditions in the country. Elevated international commodity prices, particularly food and crude oil, were to put additional pressure on a frail PDM govt - improving the economy required tough decisions.

An immediate removal of the cap on electricity and petroleum prices and renegotiating a new loan with the IMF, a hard job if not impossible, without repairing diplomatic relations with the US and other Western powers were on PDM cards. New elections were not very far off. The populist announcements, like the 10pc raise in pay and pension of government employees and the provision of subsidised wheat flour, made by Shahbaz Sharif in his speech

in the House, soon after his election as prime minister, were indicative of the extreme pressure he was feeling.

With forbidding political and economic realities on one side and high public expectations on the other, the coalition government and its leaders didn't have too many options on the table. The enormity of the economic and foreign policy challenges demanded a strong government, full public mandate and unshattered will to take tough and unpopular decisions.

The wiser course was to reform the electoral laws and move towards new elections at the earliest – BUT the PMLN government was bent upon to avail the chance to rule the country once more.

WELCOME TO 'PURANA PAKISTAN'

See Pakistan's scenario of economic affairs when Imran Khan was sent away from the Parliament and his government was brutally snatched. Next day, the media came out with analytical proposals and suggestions with 'Here's what should return, and what should not': an article dated 13th April 2022 is referred.

Immediately after Imran Khan's exit and coronation ceremony of Shahbaz Sharif as new prime minister, a welcome back REPORT was published in media those days with PPP chairperson Bilawal Zardari proudly proclaiming: **'Welcome back to Purana Pakistan'**.

The words resounded for and resonated with many, who had been fed up with the Imran Khan-led PTI government and had been hoping for change. Others weren't too happy that the dream of 'Naya Pakistan' had dissipated so quickly. Amid the time travel between the *Naya* and the *Purana*, here's what the people hoped to bring forth in Pakistan and what they wanted to leave behind as forgotten pages of history.

Referring to **daily DAWN** of 13th April 2022:

"THE TALES OF CORRUPTION of *Purana Pakistan* are nothing short of legend till today even. Be it the **Omni Group saga** or the **Calibri font debacle**, fiscal and moral corruption became one of the rallying cries that propelled the PTI to power.

*The mass appeal for a change in the status quo, evident by the outpouring of support for Imran Khan, should serve as a clear warning for political leaders that Pakistanis will no longer put up with the embezzlement of taxpayers' money. Mantra of **KHATA HAI TO KUCH LAGATA BHI TO HAI** was no good anymore."*

Despite his faults, Imran Khan's accountability crusade — causing a falling out with ATM-cum-sugar daddy Tareen, and Lahore's property tycoon Aleem Khan among others — remained one of the main reasons behind his popularity. The new PDM government really had to prove its seriousness and sincerity about fighting corruption if it wanted to survive the next general elections, which were just around the nearby corner then — in mid-2023.

One of the PMLN's worst contributions to Pakistani legal system was the draconian Pakistan Electronic Crimes Act (PECA) in 2016, which had since been used on several occasions against the party itself. See a media report dated 3rd July 2018 in which PMLN's own party worker was picked up by FIA:

"An FIA cybercrime team on Monday raided the residence of Haroon Ali in the Dina area in Jhelum and arrested him. The user of the alleged Facebook account was traced and found registered in the name of Haroon Ali. The content found in the mobile phone of the suspect has been sent for forensic analysis - FIA cybercrime deputy director Khalid Anees told Dawn."

Legislation should be forward-thinking, keeping in mind the requirements of the current day and age and should be aimed at making the lives of citizens better — as an on-going world script.

In PURANA Pakistan, who you knew mattered the most; whether it was appointments in the bureaucracy, the judiciary or other government agencies, nepotism was rife in all departments. Not only did this impact the performance of the institutions, it also demoralised employees who had actually been appointed on merit but were forced to work on the whims of the blue-eyed boys, the majority of whom cared little for service-delivery or facilitating the public. One of the worst examples was seen in police, all vacancies were filled with political appointments, facilitating VIP movements and hanging back in Viggos belonging to anyone affiliated politician.

- ***Over the last few decades, Pakistan's political landscape has been dominated by the two families — the Sharifs and the Bhutto-Zardaris. Both parties seem to have become family-run affairs with the party chiefship being passed down from***

one generation to the next. Amid all that, the PTI — promising a truly democratic party setup — seemed like a breath of fresh air — but couldn't survive due to other ailments.

For political parties to survive, they need an induction of fresh minds, not just at the lowest rungs but on the decision-making levels. Parties can no longer be run as personal fiefdoms, subservient to the whims of any royal family — but Pakistan is, no doubt, an exception.

In Karachi, during the last three decades, all would know the feelings of terror and anxiety each time there was a disagreement between the PPP and the MQM. Each political party with a stake in the city had its own militant wing, whether it was the MQM's trigger-happy target killing squad or the Lyari-based Peoples Aman Committee nurtured by the PPP to do its dirty work. Ultimately, as the body count rose and the violence overflowed into every corner of the city — taking on ethnic flavour — it was ordinary citizens that were invariably caught in the crossfire.

In Punjab, the PMLN also did well to keep the ***Gullu Butts*** at bay. Gone those days when henchmen could influence voters. With Twitter, TikTok and Facebook watching, any machismo stunts by *the lions of Punjab* were sure to put off potential voters. Nor must the PMLN use law enforcers to do their dirty work — the 14 people, including women, shot dead by police in Lahore's Model Town in June 2014 are still awaiting justice.

As Imran Khan kept reminding everyone, most cases against the Sharif and Zardari clans were registered in each other's tenures. The idea was to keep the opposition so tied up in court proceedings that they would have no time to spare for political activities. Take ***the ARY Gold and Ursus Tractor corruption Cases*** for example, registered against Asif Ali Zardari in the 1990s during Nawaz Sharif's second tenure as prime minister. The court finally acquitted Zardari almost two decades later in 2014, for want of evidence. Another two cases, ***the SGS & Cotecna corruption cases*** against Benazir Bhutto met the same fate a year later. In *Naya Pakistan*, these tactics don't really go a long way.

Daily **DAWN** of 13th April 2022 further wrote:

"Speaking of non-democratic forces, Pakistan's political parties have a 70-year-old habit of flirting with the deep state — much to the detriment of institutional harmony and the democratic process. Such experiments are bound to fail. Politicians must have learnt by now that the romance lasts only till the honeymoon period and that for

democracy to flourish, it is only the will of the citizens of Pakistan that should matter.

Let each arm of the state perform its role, without getting involved in matters that are beyond its mandate - the dance must end now."

One of the most disturbing facets of PTI's NAYA Pakistan was the complete lack of tolerance for critique aimed at the ruling party and its leadership. Critics were regularly trolled on social media and in some instances, even made to feel the leaders' wrath through coercive action by law enforcement agencies. That abuse became so insufferable that 165 women journalists were forced to write a letter to the PTI government, highlighting the online attacks instigated by government officials and then amplified by a large number of Twitter accounts. While the PPP and the PMLN were no saints — the fate of citizen journalist Nazim Jokhio was the most recent example.

During the PPP's reign from 2008 till 2013, a flock of pro-women laws were passed, aimed at addressing sexual harassment, besides curbing regressive practices such as depriving women of their inheritance, forcing them into marriage to settle disputes, etc. Ever since, legislation against domestic violence had also been enacted in many parts of the country, most recently in Khyber PK. What was needed then, however, were the mechanisms such as women protection committees, shelter homes, etc, to ensure the implementation of the said laws.

One could find a thousand faults with his person, but Shahbaz Sharif's stint as the Punjab chief minister earned him much praise for good governance. The younger Sharif worked tirelessly to improve infrastructure and service delivery, particularly in urban centres. If he could apply the same rigour as prime minister, the country could make some remarkable leaps in infrastructure development in the years to come.

All through the 1990s and early 2000s, the Bhuttos and Sharifs were at each other's throats, constantly plotting the ouster of each other's governments. Many a times, they did succeed, only to be thrown out again through the revolving door. In 2006, however, the only winners in this game of musical chairs were the ones pulling the strings. Thus, was born ***the Charter of Democracy*** — a document signed by Benazir Bhutto and Nawaz Sharif in 2006 with the stated aim to return Pakistan to its people.

Subsequently, the PPP government that came into power in 2008 was the first to complete its term. The PMLN too limped to the finish in the subsequent tenure. While the system of governance this document had offered

was in no way been perfect, but it provided a good starting point — that the country's political leadership, despite their differences, could partake in the electoral process through an established code.

ECONOMY DURING PDM GOVT 2022-23

During the Pakistan Democratic Movement (PDM) government, headed by Pakistan Muslim League-Nawaz (PMLN)'s Shahbaz Sharif, while reviewing country's performance in managing the economy, in particular, in comparison with the PTI government's activity, was considered vital for the public knowledge and record.

When the PTI government was in saddles, there was an unprecedented media assault on its handling of the economy and the then opposition hammered the point that not only was the PTI government inexperienced but also unprepared for the task of managing the economic crises it had inherited from the PMLN government. ***The PTI had inherited a current account deficit (CAD) of 6.1% of gross domestic product (GDP) in 2018 but left the PDM inheriting a current account deficit of 4.6% of GDP.*** So, the CAD the PTI inherited was about one-third worse than the deficit inherited by the PDM government.

Looking at the reserves at the beginning of the PTI term in 2018, the State Bank of Pakistan (SBP) had \$3 billion in net reserves (gross reserves minus forward swaps). When the PDM took over, the SBP net reserves were \$6 billion. Simply put, the external crises the PTI inherited were much worse and the PTI's economic teams had to work much harder – even though ***TWO years of Covid-19 pandemic*** was there to take the economy into negative GDP for one year. It was not anticipated by any in the whole world.

[While dealing with the external crises, one could find that when an external crisis arises, the steps that need to be taken would result in both a slowing down of the economy and rising inflation. This happens because in the short-term the only significant tool available is demand constriction to reduce the gap between inflows and outflows of dollars. This is the price to be paid for allowing the external imbalance to reach a level that is unsustainable.]

Looking at both these aspects — growth and inflation — in the initial period of macroeconomic adjustment under both governments, during

the first year of the PTI government, **GDP growth was 3.1%; manufacturing grew by 3.5%**. So, while growth slowed down, which was as per design, it stayed positive and exceeded the population growth rate, and hence even while successfully dealing with extreme external crises the wheels of the economy kept turning, albeit at a slower pace.

According to government's own GDP data published by the PDM government in 2023, for the first year GDP growth crashed to 0.3%; meaning thereby that per capita income declined as population growth according to the 2023 census was 2.5% per annum. The manufacturing slump was even more severe with large-scale manufacturing declining by 8.0%. In other words, the economy was absolutely gutted by the actions taken, or lack thereof, by the PDM government. The government kept on trying to finance the large external deficit but all spending ended in vain.

During year 2018-19, the PTI government's exports plus remittances increased by \$1.3 billion. In the first year of the PDM government, exports plus remittances declined by \$9.1 billion. This collapse of non-debt inflows of foreign currency was one of the key reasons the global markets flagged a serious risk of Pakistan defaulting on its external debt in 2022-23 and the credit default swap rate (the cost of insuring Pakistan dollar bonds against the risk of default) which was below 5.0% when the vote of no-confidence was introduced, shot up to above 50% a few months later, and even one year after the PDM government was at 46.9%.

As opposed to this, in the first year of the PTI government, the credit default swap rates remained below 5.0% and actually lower than when the PTI government was formed. In other words, the global markets were never worried that there could be any risk of default while the PTI government was dealing with the external crises it had inherited. See at how the citizens and businesses fared during the first year of adjustment in terms of inflation during the PTI and PDM governments.

Inflation, as measured by the consumer price index (CPI), was at 6.2% in July 2018, the last month before the PTI government was formed. One year later, in July 2019, it was 10.5% — an increase of 4.3%. In April 2022, inflation was 13.4% when the PDM government was formed and 36.4% a year later in April 2023 — an increase of 23% in a year. Pakistan witnessed the worst inflation in its history during the PDM government. The sensitive price index reached the high forties and food inflation exceeded 50% at its peak, devastating the lives of millions of Pakistanis.

One of the reasons inflation had hit so much harder during the PDM macro-adjustment period versus the PTI was the collapse of non-debt inflows during the PDM regime and the consequential impact on the currency. ***In the first 12 months after the PTI government, the rupee weakened by Rs:33 against the dollar, and the fall in the PDM first year was Rs:100 per dollar.***

In short, the PTI inherited a greater external crisis than the PDM government and the later was able to handle the situation in a far better manner, maintaining a much better growth rate and much lower inflation compared to the PDM government – but the managing team was so poor that the government was not inclined to continue with at least those policy lines which were carried through the tests by the previous govt.

- ***The primary challenge for the PMLN led coalition remained the stabilization of the economy amidst political turmoil.***

Mid-August 2023 marked the end of the sixteen-month rule of the PDM coalition led by Prime Minister Shahbaz Sharif. Interim govt was in place for elections within 90 days. However, there was no likelihood of in-time elections that year because the economy remained in shambles during the PDM's 16 months tenure. The restoration of the economy could serve as a significant electoral slogan that the PMLN aimed to utilize to garner support during the upcoming election campaign; the ground realities were presenting unambiguously negative indicators.

- *The tenure that commenced after the removal of Imran Khan in April 2022 was marred by indecisiveness and delayed decision-making, largely due to conflicting views between Shahbaz Sharif and his elder brother Nawaz Sharif, though then sitting in London.*

Additionally, the country underwent a challenging back-and-forth with the International Monetary Fund (IMF), but govts managed to avert default and maintain a working relationship with the Fund on what price – was not known albeit, ***Mr Dar had arrived with his familiar rhetoric of controlling the exchange rate and refusing to take dictation from the Fund. This sparked a nine-month-long game of cat and mouse with the IMF.*** However, in the final days of Shahbaz Sharif's rule and with the support of his allies, the military's influence became more pronounced and entrenched within the country's economic affairs.

The PDM government continuously claimed that they inherited a distressed economy that was facing a liquidity crisis then, though the claims were not favoured by statistical figures of M/O Finance. The truth remained that the

situation was aggravated by the worldly shocks of the Russia-Ukraine war, which inflated Pakistan's energy and food import bill. In addition, the PDM government was also responsible for salvaging an ongoing IMF program, which former PM Imran Khan had allegedly derailed when his removal from office became inevitable.

MIFTAH ISMAIL, THE FM, EXPELLED:

Miftah Ismail, PMLN's former Finance Minister, wrote in his article for ***Dawn*** of 27th November 2022:

"Although in December last year (2021), the PTI government had restarted the much-needed IMF program, in February (2022)....., it opted to sacrifice the national interest for political interest and scuttled the IMF program, giving unfunded subsidies for electricity and petrol, and another amnesty to business. It was this breaking of the IMF agreement that set-in motion the upward trend in our default risk – (macroeconomics of coming days was the deciding factor)."

However, Miftah, who was also responsible for rescuing the economy as the incumbent Finance Minister, was unable to reverse the energy subsidies until several months later due to the fear of public backlash among his party. Eventually, he was able to meet the IMF's demands which greenlighted a much-needed loan tranche in July, with the amount being disbursed in the following month. Nonetheless, this marked the end of Miftah's brief tenure at the Q-block [M/O Finance Office], as he was subsequently replaced by Ishaq Dar, Sharifs' blood relative and their family-accountant.

One of the prominent features of the PDM tenure was the implementation of import restrictions aimed at managing the liquidity situation. However, these restrictions came at the cost of suppressing economic activity in the country. Immediately after, Ishaq Dar had to concede on his demands while the Fund held firm on most of its primary requests.

Uzair Younus wrote in his analysis for daily ***Dawn*** dated 9th April 2023:

"Dar's return in September 2022 was yet another piece of evidence that the Prime Minister (Shahbaz Sharif) wasn't really the one calling the shots, and it was an open secret that Dar was coming to Islamabad to represent the head honcho of the PMLN, Nawaz Sharif. While

he did succeed in shouting down the dollar in the first few days of his return — in October (2022), he claimed that the dollar would soon fall below Rs:200 — Dar was less Batman and more like Joker returning to Gotham."

- ***THE FACT remained that soon after Mr Dar's tall claims, the Dollar price in Pakistan crossed Rs:300 even.***

Further, the country experienced consistent pressure on its exchange rate over the past sixteen months, leading to a depreciation of more than 50 percent. However, during the same period, the adherence to the controversial Dar peg resulted in significant losses for the national exchequer. The pegging of the rupee also gave rise to an informal currency market, which facilitated activities such as currency hoarding, smuggling and the redirection of remittances through unofficial channels, resulting in a decline in reported figures – real bad days on Pakistan.

While all this was unfolding, Pakistan was hit by one of the most devastating natural disasters in its history - the 2022 floods, which intensified the country's economic anguishes. Referring to Ahtasam Ahmad's analysis in **The Friday Times [TFT]** dated 13th August 2023:

*"One of the prominent features of the PDM tenure was the implementation of import restrictions aimed at managing the liquidity situation. However, these restrictions came at the cost of suppressing economic activity in the country and leading to a decline in the GDP. **The import-dependent large-scale manufacturing sector was particularly affected, with frequent plant closures observed (- especially the whole TEXTILE industry in Faisalabad & Karachi).***

*Furthermore, these import limitations constrained the government's ability to generate additional revenue, as a significant portion of taxation is derived from duties on imported goods. **On the expenditure side, the record-high interest rates resulted in more than 50 percent of revenues being allocated to debt servicing, leaving limited resources for public development projects (and other economic activity).***"

Simultaneously, when the PDM government took charge, inflation was on the rise due to global commodity shocks and the devaluation of the rupee. These pressures persisted throughout their tenure. To curb inflation, the interest rate was increased multiple times, eventually reaching 22 percent as of August 2023 compared to 12.25 percent in April 2022. However, even those

measures proved inadequate as inflation levels exceeded 30% during the latter half of the outgoing government's tenure and remained above 20% for almost the entirety of its tenure, making the country the worst-performing economy in Asia in terms of price control, even falling behind the default-stricken Sri Lanka; see Ref:

<https://www.bloomberg.com/news/articles/2023-07-03/pakistan>

The PDM government's biggest economic challenge was to avoid default, which it successfully managed to do. While in the initial months of 2023, the country's reserves dropped below \$4 billion, but following the latest standby agreement with the IMF and subsequent funding from Gulf states, they rebounded to levels closer to what they had had inherited from the PTI govt.

During its final days in office, the Shahbaz-led PDM government enacted a series of legislation, including establishment of the Special Investment Facilitation Council (SIFC). The purpose of SIFC was to attract investments in multiple sectors and increase Foreign Direct Investment (FDI) to alleviate liquidity pressures. The controversial aspect of this and similar legislation used to arise from their potential to institutionalize the military's involvement in the economy, of course, for further strengthening their influence over the state.

- ***In nut shell, the coalition govt could only be credited for successfully avoiding an impending default. Apart from that, it left behind an economy that was in a worse state than when it initially assumed power from the PTI part in April 2022.***

ANOTHER FRENCH REVOLUTION AHEAD:

Referring to *Uzair Younus's analysis* published in daily **DAWN** dated 9th April 2023, ***the collapsing economy of Pakistan during the PDM government of 2022-23 was likely to bury the House of Sharif with it.*** One could study the causes leading to the French Revolution, most historians frequently pointed out that King Louis XVI's weakness, indecisiveness, and lack of political insight had played a critical role in bringing about the downfall of the House of Bourbon in France. Mostly the failure to implement economic reforms, shortage of essential food items, especially wheat and an elite that refused to pay its fair share of taxes had discredited the royal family; thus, ruling family's popularity was deeply dented.

The people enthusiastically rather devotedly viewed one-year anniversary of the return of **PURANA PAKISTAN** as Foreign Minister Bilawal Zardari famously put it during his speeches on the floor of Parliament, Pakistan was undergoing an earth-shattering upheaval. But the worst affected were ordinary citizens who continuously experienced emotional and economic trauma that could take generations to recover from. See what exactly were the causes behind that economic disaster? And why the things went so bleak in such a small period of time?

Indecisiveness and infighting: It was understandable - the unviability of Pakistan's political economy, which had been taken over by a parasitic bunch of rogue families in the name of democracy – resulting in sharp decline in Pakistan's economic prospects within 16 months governance of the PDM. The crisis that began with a disastrous decision to lay an economic mine-field through a petroleum subsidy by the PTI government was not unmanageable by the new Shahbaz Sharif's government.

The International Monetary Fund (IMF) program was indeed off-track because Pakistan had lost any and all credibility with the lenders. But the new government should have been able, in fact was, capable of turning things around in their favour. PM Sharif and its cabinet couldn't take timely decision in rolling back the petrol subsidies; they were woefully unprepared to act decisively. It took PM Shahbaz Sharif over six weeks to do what he should have done on the first day of assuming power.

Months before the PDM came to power, *the PMLN's 'economic think tank' was engaging with experts to understand what it needed to do to rescue the economy.* It was not as if the financial gurus of PMLN Miftah Ismail, Musadik Malik, and Ahsan Iqbal were not aware of what they should be doing. Perhaps, the prime minister himself was on the fence; he didn't show intent and action. ***In an interview with GEO's Hamid Mir on 14th March 2023, PM Shahbaz himself acknowledged that he was ready to announce elections BUT the decision was not taken only because Imran Khan had announced a long march towards Islamabad.***

Another tragedy with the nation remained that *during his whole term of premiership, PM Shahbaz Sharif also made it evident that it was not him, but his elder brother, Nawaz Sharif, who was calling the shots* — he along with members of his cabinet went to London in 2nd week of May 2022 to meet his elder brother, seek his instructions to run the government and to get approval of blue-print of governance which he had in his mind then. ***There was seen high uproar in media that the whole cabinet was visiting London, staying there in high-hotels to see PMLN's supremo ON TAX-PAYER'S MONEY OF A POOR COUNTRY.***

There were other examples of the role that Nawaz and his daughter, Maryam Nawaz, played in determining the government's policy — Maryam asked the Finance Minister Miftah to look into pet food issues and other petty-things. There were other opportunities to push through meaningful reforms that would not only be good for the economy, but also rebuild Pakistan's credibility among international creditors. Despite such indecisiveness, the economy was still not beyond repair as the IMF program was brought on track with a Staff Level Agreement being reached on 13th July 2022.

NAWAZ SHARIF SENDS MR DAR:

From London, Dar returns with retaliation and revenge in his mind; many PMLN cabinet members were found commenting. There was an insurgency led by a member of PM's own party. Ishaq Dar kept unleashing one strike after another against a member of his own party, leading the sitting Finance Minister Miftah to say that **'he would be happy to relinquish his position'** and he had to do it finally. Dar's return in September 2022 was enough to tell the nation that their Prime Minister Shahbaz wasn't really able to deliver for Pakistan's economic needs. It was an open secret that Dar was coming to Islamabad to represent the head foreman of the PMLN Chief Nawaz Sharif.

[See a scholarly **analysis of Mr Dar's return** by an author and journalist **Zahid Hussain** on media pages of 28th September 2022:

*"Ishaq Dar is back, picking up from where he left off five years ago. The **so-called financial wizard** promises to fix everything that has gone wrong with the country's economy. What is described as **'Daronomics'** is supposed to bring down the dollar and contain the spiraling inflation. Just wait for the magic to start working."*

In fact, the return of Dar as the country's next finance minister and the unceremonious exit of Miftah Ismail didn't come as a surprise. It was pre-planned; **Karachi's businessman with a doctorate in economics**, Miftah Ismael, was there just as a stopgap arrangement for getting some hard tasks done. He successfully negotiated an extremely tough deal with IMF. But once the tranche was received, he was deemed dispensable. The former finance minister was going to be a convenient scapegoat for the PDM government's failure though he had secured the bailout package needed to prevent

an imminent default while Dar did everything (from London) he could do to undermine his predecessor.

The new finance minister, Ishaq Dar, was tasked to regain his party's lost 'political capital' - but he turned around country's economy in a state of free fall. His previous record as finance minister in Nawaz Sharif's previous two governments had not been without blemish. He was a de facto deputy prime minister in Sharif's last government.

During his previous term (2013-17), his controversial efforts to control the exchange rate by pumping dollars into the market worsened Pakistan's current account deficit (CAD) problem; that was why the country was going back to IMF for a bailout in 2019. It was not possible for Dar to use the same prescription to contain the free fall of 'the rupee' then because the foreign exchange reserves were already in precarious situation, especially after Imran Khan's exit.

A more serious challenge for Ishaq Dar was to bring down the runaway inflation driven by both internal and external factors. PDM's weak government with limited political control and little fiscal space was hardly in a position to undertake any major reforms. Dar was also known for his tendency to control regulatory bodies including the State Bank (SBP). But with new rules protecting the autonomy of the SBP, it was extremely difficult for him to manipulate the exchange rate as he used to do in the past.

Thus, his pledge to turn around a sick economy within a few months — before the next elections — was severely jeopardized. Although, unlike Miftah Ismail, ***Dar had the backing of PMLN supremo Nawaz Sharif but he was a total failure this time, too;*** Nawaz Sharif's control over the government's policy-framing process on important national issues remained confined to a dream only. It made PM Shahbaz Sharif extremely uncomfortable, raising serious questions about who wielded the real authority in guiding the policies of the PMLN-led government.

Till late, all major decisions were taken in London rather than Islamabad. ***The audio leaks saga of those days showed that even minor decisions, for example, which 'resigning PTI MNA is to be de-seated', required Nawaz Sharif's approval.*** The very optics of Shahbaz Sharif making two trips to London within days and consulting his elder brother and other family members was disconcerting, and also raised eyebrows of tens of millions of people at home. Dar couldn't perform any miracles to salvage a deteriorating

economy. Yet the PDM government didn't have any understating of the gravity of the crisis.

Once more, writer Zahid Hussain's words were true that:

*"A massive cabinet is not expected to deliver on key challenges confronting the country. Many of the ministers, advisers and special assistants do not even have a portfolio or have not been assigned any responsibility. They are a huge burden on the exchequer during a serious financial crunch. **The return of Dar didn't improve even the basic problem of governance.**"*

Coming back; the fact remained that during PDM govt, common sense economics was abandoned for gimmickry. The result was that the IMF program went off track once more. ***Dar's 'Washington yatra' for the annual meetings of the World Bank and IMF went futile despite his loud pronouncements.*** During these trips, Pakistan's leaders were also seen begging assistance in the aftermath of the catastrophic floods that had affected over 30 million people, and while the world did step up to provide some immediate support — mostly pledges only — the IMF was unwilling to go easy whatsoever. Pakistan had lost all credibility with the IMF and that Dar had angered the IMF by doing exactly what the government had promised the lender it would not do.

In the months that followed, the government continued to harm both its credibility among international lenders and its popularity at home. PM Shahbaz Sharif seemed lost, delegating the management of the economy to a man who had little interest for the national economy and was more interested in building Nawaz Sharif's financial empire — simply because of ***'close in-laws relationships'*** with the later. His policy led to a yawning gap in the formal and informal exchange rate of the rupee, leading to declining formal flows of much-needed foreign currency into the economy. Remittances shifted to the informal market, exports declined, and the market participants began buying dollars as secure bet.

Suddenly, the currency started showing depreciation; supply-chains began to grind to halt, leading to shortages of necessities such as medicines, exhibiting price hikes of basic food commodities like cooking oil and flour — the businesses started closing down in most areas of Pakistan. Ishaq Dar had to review his policy-work and the dollar rose in value — but it was too little & too late till then. By the time the rupee found its true market value, dollar-collection by 'BIGs' was complete. They had lost faith in PM Shahbaz, FM Dar, and the economic capacity of the PDM government — then gold-buying

had started in. For ordinary citizens, things went worse: inflation was rising by the day and on uncontrolled opportunities.

PDM govt was facing an intense disaster; that was why they were trying to delay elections in Punjab in violation of the Constitution. They were unable to rescue both the economy and their own political prospects. Inflation went up at 35.4% (***media news dated 3rd April 2023 is referred***) — the highest ever recorded — and was showing no signs of slowing down. Interest rate was taken up at 21% — negative in terms of real rates; the SBP was persuaded more into functioning as an extension of the finance ministry.

A funding-greenlight of \$2billion from Saudi Arabia, combined with the support of \$3billion from the IMF and some becks from UAE could save the nation from blackening its face. Those much-needed inflows of foreign currency eased the crisis in the immediate term. It was only marginally improvement to last for the next three to four months – and how the PDM could go to next general elections, which were not seen in that year of 2023 at least.

At the end of the PDM's tenure, the collapsing economy buried the House of Sharif with it, at least for the foreseeable future. However, this rubble had also taken down millions of ordinary citizens — some four million had additionally fallen below the poverty line; rebuilding their lives could take years, if not decades.

WHY PEOPLE DON'T PAY TAXES:

On 1st July 2023: The former director of United Nations Development Programme (UNDP) for Pakistan Marc-André Franche, said:

*"...the only way a critical change could happen in the country (Pakistan) is **when the influential, the politicians and the wealthy, would sacrifice** short term, individual and family interests for the benefit of the nation.*

*You cannot have an elite that takes advantage of very cheap and uneducated labour when it comes to making money, and when it is time to party it is found in London, and when it's time to buy things it is in Dubai, and when it's time to buy property it invests in Dubai or Europe or New York. **The elite needs to decide do they want a country or not** - Pakistan's current tax regime favours elite...."*

The former director, who spent four years in Pakistan, was also critical of the landowners of Pakistan:

"I have visited some very large landowners, who have exploited the land for centuries, paid nearly zero money for the water, and how they almost sometimes hold people in bondage. And then they come to the United Nations or other agencies and ask us to invest in water, sanitation, and education for the people in their district. I find that quite embarrassing."

Karachi is at a breaking point. If Karachi is at all to continue being the engine of growth in this country, something needs to be done about public utilities. You cannot live in Karachi and grow your business anymore with the state of disrepair of public institutions.

The fact that even in 2016, Pakistan has 38 per cent poverty; it has districts that live like sub-Saharan Africa; that the basic human rights of minorities, women and the people of FATA are not respected; that this country has not been able to get its act together and hold a census; or that it has not been able to push for reforms in FATA, an area that is institutionally living in 17th century. It is extremely pre-occupying.

Bribery incidence in Pakistan much higher than rest of South Asia. Pakistan will not be able to survive with gated communities where you are completely isolated from the societies, where you are creating ghettos at one end and big huge malls for the rich at the other end. It is not the kind of society you want your kids to live in...."

The ex-director of UNDP Pakistan was also critical of the media, adding that there was a deficit of media literacy. *"Unfortunately, the level of dependence of the government on military authorities, and the degree by which a lot of media in this country is manipulated by powerful sources, are sources of erosion of democracy and erosion of the institutions that are the foundations of this country."*

Cities in Pakistan are planned for rich housing. Although, he didn't think there was an imminent threat of a revolt by the poor, but he did see it happening eventually in one way or the other. You cannot have a country, where nearly 40 per cent of the people live in poverty. When you read the history of Pakistan, it was not obvious that this country would survive. There was a lot of criticism and people doubting that it will. Yet it has, and it has come very far.....

See a letter addressed to the higher echelons in Pakistan - published on media pages and one can feel the agony & anguish in writer's tone and tenor....One might find some lines pinching but are based on bitter facts

To

The President; Prime Minister; Cabinet Ministers and the hundreds of other assorted Ministers of Pakistan

Sir, I write on behalf of the Professionals & Businessmen of Pakistan. We are not defrauding taxes. We are trying to save Taxes to get the bare basics for our families...

1. We buy Generators / Inverters / UPS / solar systems because the Govt. has failed to provide a reliable power supply.

2. We install our own clean water systems because the Govt. has failed to provide safe drinking Water.

3. We hire security guards and use CCTV because the Govt. has failed to ensure our safety (The politicians and their hangers travel on with armed escorts with our money)

4. We send our children to Private Schools because the Govt has failed to provide good schools (The school fees of the politicians' and officials' children are sponsored by obliging businessmen)

5. We go to private hospitals because the Govt. has failed to provide decent medical care. (The President's fund pays the full bill for Govt Ministers and their cronies to go to Singapore for treatment)

6. We buy and maintain cars because the Govt. has failed to provide decent public transportation.

Finally...

What does the Tax Payer get in return on retirement, when he needs it most to survive?.....Nothing! Not even social security. His own EPF and ETF too is embezzled by the Govt.....Throughout his lifetime, his earnings are used by the Government to give subsidies to the masses for buying votes.....What else does the govt do with our tax money?

- *Set up courts which give judgements as asked by the Govt.*

- *Operate police stations which work mainly for politicians*
- *Operate hospitals which fail to treat the needy*
- *Build roads and infrastructure to steal our money (40-100%).*

And the list is endless...

- We all know that the entire tax revenue is misappropriated by officials and Politicians (ref: billions of dollars are lying in foreign banks).
- A Business works at a margin of between 2% to 10%, whereas the government takes 30% of his income to cover its wasteful expenditure. Is it all fair?

Sirs, that's why Pakistanis do not want to pay Taxes.

Scenario 270

PROHIBITED (FOREIGN) FUNDING CASE

The prohibited (foreign) funding case against the PTI remained a long and complicated tale that played out in the ECP, the courts and in the media. However, with the Election Commission of Pakistan's (ECP) verdict that was released on 2nd August 2022, the matter reached some semblance of a resolution. The case was a major thorn in the side of Imran Khan's party which denied any wrongdoing and maintained the funding was not from prohibited sources.

The case had been pending since November 2014, when a founding member of PTI, Akbar S. Babar — who was no longer affiliated with the PTI — alleged serious financial irregularities in the party's funding from both Pakistan and abroad; see the timeline of how the case was played out.

TIME-LINE OF FOREIGN FUNDING CASE:

On 14th November 2014: A PTI founding member Babar filed a petition with the ECP, seeking an investigation into '*financial malpractices*' in the party and accountability of those responsible for it. He also accused the PTI leadership of violating provisions of the Political Parties Order, 2002.

14th January 2015: The ECP issued a notice to Babar, asking him to appear before it and present evidence supporting his allegations of corruption and embezzlement in the party funds.

1st April 2015: The ECP asked the PTI to submit details of funds received from abroad. The electoral watchdog also directed ECP officials to scrutinize afresh PTI's annual statement of assets to ascertain whether or not the party had mentioned funds received from the US.

21st June 2016: The Islamabad High Court (IHC) rejected a petition filed by the PTI seeking early disposal of the case.

1st December 2016: The ECP told the PTI to submit the documents relating to its foreign funding or face consequences. The Chief Election Commissioner (CEC) also held the party responsible for delays in proceeding with the case.

22nd March 2017: The ECP adjourned the hearing of the case after reprimanding the party's counsel for seeking yet another adjournment. The CEC expressed anger and displeasure over the PTI's move to seek adjournments and termed it '*abuse of the law*'.

3rd April 2017: The PTI's counsel finally appeared before the ECP, but only to challenge the electoral watchdog's jurisdiction to hear the matter.

8th May 2017: The ECP rejected PTI's plea challenging the Commission's jurisdiction in the case. The CEC fixed 17th May as the date for regular hearings of the case and asked the PTI to produce all financial records, sought by the petitioner, as per its earlier orders.

11th September 2017: Unhappy with the constant defiance of its orders, the ECP gave the PTI yet another final opportunity to submit financial documents and details of funds received from abroad, as well as the party's accounts.

17th September 2017: After months of foot-dragging over the issue, the PTI finally submitted details of party accounts and foreign funding received in the last seven years to the ECP. The party's counsel once again urged the bench not to give details of party accounts to the petitioner.

27th March 2018: The ECP constituted a three-member Scrutiny Committee to investigate and audit PTI's accounts and complete the scrutiny within a month. However, the PTI objected to the terms of reference of the committee.

9th May 2018: The PTI changed its lawyer, as Babar Awan took over and Anwar Mansoor Khan left the case on health grounds.

16th May 2018: The PTI filed an application with the ECP seeking secrecy of the scrutiny of its foreign funding. Petitioner questioned why the PTI was worried about its record if it was clean.

30th May 2018: The ECP rejected PTI's appeals to restrain the scrutiny committee and for secrecy of the scrutiny process. In its verdict, the ECP dismissed the party's objections over the terms of reference and ordered the scrutiny committee to continue its work.

2nd October 2018: The PTI's counsel, Babar Awan, withdrew from representing the PTI party in the case.

1st October 2019: The ECP reserved its verdict on four applications by the PTI seeking secrecy in the scrutiny process. During the proceedings, the CEC remarked that '*they just want to increase the burden of work*'.

10th October 2019: The ECP rejected the PTI's four applications for secrecy and directed the scrutiny committee to continue its investigation into the case.

20th November 2019: The ECP ordered day-to-day hearings of the case after receiving an application from the opposition.

21st September 2020: The ECP trashed the report submitted by its scrutiny committee. In its order, the Commission said that the report was neither complete nor well-detailed.

*[On 27th March 2018, a **Scrutiny Committee** was constituted to examine the PTI's financing. The committee submitted its report on 4th January 2022, after 95 hearings and nearly four years.*

*The report, based on **eight volumes of record** requisitioned through the State Bank of Pakistan, proved that the PTI leadership had committed gross violations of funding laws by allowing the collection of millions of dollars and billions of rupees without any source and details from foreigners, including Indian nationals and foreign companies.*

The report confirmed that the PTI received funding from foreign nationals and companies, under-reported funds and concealed dozens of its bank accounts. It also mentioned a refusal by the party to divulge details of large transactions and the panel's helplessness to get details of PTI's foreign accounts and the funds collected abroad. It further called into question the certificate, signed by PTI chairperson Imran Khan, submitted along with the details of PTI's audited accounts.

According to the report, the party under-reported an amount of Rs312 million over a four-year period, between FY2009-10 and FY2012-13. Year-wise details show that an amount of over Rs145m was under-reported in FY2012-13 alone. The report also referred to

the controversy over allowing four PTI employees to receive donations in their personal accounts, but said it was out of the scope of its work to probe their accounts.]

14th January 2021: An alliance of opposition parties decided to march to the ECP office in Islamabad in order to record their protest in front of the electoral body and to demand a quick verdict in the case.

20th January 2021: As the opposition held protests and criticised the ECP for delaying its verdict, Imran called for an open trial and challenged the leadership of all opposition parties to face proceedings too.

18th February 2021: The PTI released details of millions of rupees of funds transferred from the United Kingdom to the PTI party's account that year.

16th March 2021: The ECP issued notices to PTI and its own scrutiny committee to explain their position over secrecy of scrutiny in the case.

9th April 2021: Petitioner Babar demanded the ECP committee to validate the authenticity of documents presented by the PTI in presence of both the parties during the scrutiny process to make the evidence more credible.

*[The fact remained that the foreign funding case against the PTI had become a never-ending tale - dragging on for years and after dozens of hearings it was still nowhere near concluding. The case pertained to a complaint by Akbar S. Babar – much later, the ECP had appointed a scrutiny committee to go over all the relevant documents and determine if the case could actually be proved against the PTI. **For its part, the PTI had also accused the PPP and PMLN of illegal funding** – but the CEC never bothered to consider that.*

At so belated stage, the hearings of the case bogged down in minor details like the use of laptops for data uploading and whether printouts of this data could be allowed in the hearing or not. The whole exercise turned to be dissolving into a ridiculous project given the unnecessary delays without substantive reasons for both sides. That phenomenon gave rise to an adverse impact on the credibility of the ECP. The Chief Election Commissioner (CEC), thus needed to rap the scrutiny committee on the lumps for its unjustifiable sluggishness and delay. The committee could have moved swiftly to determine if the documentary evidence being presented was based on facts. The CEC could have emulated the decisive deadlines that had been given by his predecessor to decide the case either way.

Taking light from the daily DAWN dated 7th May 2021: It was never easy for any institution to hold the ruling party to account. That must be one reason why the ECP was not pushing the case as firmly as it should. However, given the time already elapsed, and the high stakes involved, nothing less than the personal intervention of the ECP chief could expedite matters. The nation wanted to know the truth of the matter under scrutiny. The PTI also deserved a decision so that the matter could be taken as settled once and for all.]

30th November 2021 The scrutiny committee submitted another report to the ECP after a delay of six months from the last deadline.

9th December 2021: The ECP deferred a briefing by its DG (law) on the case because of the absence of one commission member from Balochistan.

- **4th January 2022:** *The damning report compiled by the scrutiny committee confirmed the PTI received funding from foreign nationals and companies, under-reported funds and concealed a number of its bank accounts.*

19th January 2022: The ECP ordered the declassification of all critical documents linked to the foreign funding case.

2nd March 2022: Petitioner Babar called out Imran and the PTI for allegedly submitting fake transaction documents in front of the ECP between 2009 and 2013. He called for putting the PTI chief on notice over violating political funding laws.

14th April 2022: The PTI's counsel claimed that the PPO allowed taking funds from any international source unless it's from a multinational. He also claimed that the PTI took no funding from illegal sources and that all funding came through a clean channel.

19th April 2022: the ECP bench resumed hearing the foreign funding case, where the PTI counsel claimed that foreign funding was lawful and that the PTI had abided by all rules and regulations of keeping their transactions fair.

- **23rd April 2022:** The PTI moved the Islamabad High Court (IHC) seeking the scrutiny of the funds of at least 17 major political parties, including the PMLN and PPP.

PROCEEDINGS IN THE IHC:

On 18th May 2022: The Islamabad High Court questioned the ECP over the eight-year delay in coming to a conclusion and announcing a verdict on the prolonged case. With the Shehbaz Sharif-led coalition in power, the government sought to expedite the foreign funding case against the PTI. The IHC asked the ECP to explain the nearly eight-year delay in deciding the Pakistan Tehreek-i-Insaf's (PTI) foreign funding case. While observing that a case should not be kept pending for such a long period, IHC Chief Justice Athar Minallah questioned whether all political parties had submitted their sources of funding and the ECP got scrutinised them every year. The ECP's Director (LAW) apprised the court the commission conducted scrutiny of accounts in case of any anomaly. ***"If the court asks, we will submit a detailed report in this regard,"*** the official said – but that claim never saw the dawn.

The court was hearing the party's plea alleging that the ECP by singling out the PTI got scrutiny of its fund while showing leniency towards other political parties. Claiming that there was no delay from its side in the case, PTI counsel Shah Khawar pointed out that the scrutiny committee was formed in two cases, one against the PTI and the other against other political parties.

PTI counsel told the ECP bench that political parties could receive donations from foreign companies, not foreign nationals. ECP's counsel told the court that Akbar S. Babar's complaint against the PTI funding came in 2014, while the complaints against other political parties were filed in 2018 and 2020. Since the complaint against PTI's funding was older, the ECP intended to decide it before the other cases – a flimsy argument by all means.

At this, the chief justice said the court had not restrained the ECP from the proceedings in the foreign funding case. Cases needed to be prioritized according to their timelines; however, pointing out that political parties should not have complaints regarding ECP's proceedings - which no party should be discriminated against. During his arguments, Anwar Mansoor Khan stayed at length on the donations received from foreign companies.

Anwar Mansoor Khan drew a line between "foreign companies" and "multinationals", arguing that political parties could receive donations from foreign companies as long as the companies were not multinationals. He said Political Parties Order-2002 clearly stated and insisted upon: ***'Parties may accept contributions and donations only from individuals. The PPO only barred receipt of any funds or any portion of its funds from foreign nationals'.***

The PTI counsel admitted before the High Court that foreign companies funded the PTI, (*which had been concealed earlier by the PTI in its record submitted before the ECP*). The companies were identified from the record requisitioned through the State Bank of Pakistan. The PTI counsel claimed that the record submitted by the party before the scrutiny committee was "*notarized and certified*" though the committee later found that no certified records had been submitted.

Anwar Mansoor admitted that the PTI had not submitted details of the funding received in the fiscal year 2013 though the party was in possession of such details. The scrutiny committee record showed that the committee had repeatedly requested the PTI to submit funding details for the year 2013, but the PTI had opted NOT to oblige the committee. The counsel admitted that details of funds received from the PTI registered trusts or companies from Australia and Canada could not be submitted before the ECP '*as the local laws prohibit to do so*'. In the next hearing, the PTI's chartered accountant was to explain funds received from various countries with reconciliation of figures with the PTI bank accounts.

PTI-ECP CONFLICT:

The verdict is being announced amid renewed calls by the PTI for the CEC's removal after the ECP reserved its judgement in the case and comes days after an investigative report published in the *Financial Times* revealed how 2.12m dollars collected in the United Kingdom through a charity cricket match landed in PTI's accounts, exposing the role played by business tycoon Arif Naqvi in the process.

The said Investigative Report of THE FINANCIAL TIMES [FT] was (nearly) reproduced in daily DAWN dated 30th July 2022 under head: **Crickets club disclosure haunts PTI funding case.**

The latest disclosure about funds collected in the name of charity landing in the PTI's accounts provided the ruling PDM coalition even more ammunition. The FT had investigated how the PTI accrued funds through cricket matches organised under Wootton Cricket Ltd, a company owned by Abraaj Group founder Arif Naqvi. The said investigative report of the *Financial Times* was a serious charge sheet against PTI Chairman Imran Khan – as it exposed facts related to transfer of huge funds from prohibited sources into PTI accounts.

That ***FT Report by Simon Clark*** — said fees were paid to Wootton Cricket Ltd, which, despite the name, was in fact a Cayman Islands-incorporated company owned by Naqvi and the money was being used to bankroll PTI, Khan's political party. Funds poured into Wootton Cricket from companies and individuals, including at least £2m from a UAE government minister who was also a member of the Abu Dhabi royal family. Clark wrote:

"Pakistan forbids foreign nationals and companies from funding political parties, but Abraaj emails and internal documents seen by the Financial Times, including a bank statement covering the period between February 28 and May 30 2013 for a Wootton Cricket account in the UAE, show that both companies and foreign nationals as well as citizens of Pakistan sent millions of dollars to Wootton Cricket — before money was transferred from the account to Pakistan for the PTI.

Wootton Cricket's bank statement shows it received \$1.3m on March 14 2013 from Abraaj Investment Management Ltd, the fund management unit of Naqvi's private equity firm, boosting the account's previous balance of \$5,431. Later the same day, \$1.3mn was transferred from the account directly to a PTI bank account in Pakistan. Abraaj expensed the cost to a holding company through which it controlled K-Electric, the power provider to Karachi, Pakistan's largest city.

A further \$2m flowed into the Wootton Cricket account in April 2013 from Sheikh Nahyan bin Mubarak al-Nahyan, a member of Abu Dhabi's royal family, government minister and chair of Pakistan's Bank Alfalah, according to the bank statement and a copy of the Swift transfer details."

The ex-PM Shahid Khaqan Abbasi in a press conference said PTI founding member Akbar S. Babar had provided clear evidence in the case that the PTI pressed in every way to stop the case. Imran Khan knew the facts of the prohibited funding case, therefore, he continued attacking the ECP while the scrutiny committee report revealed some facts, more facts were to come out when the decision announced. If Mr Khan had clean hands, he would have presented records on the first day.

Mr Abbasi maintained that according to the available facts, PTI itself admitted that the accounts operated from outside were not known, there are at least two companies in the US whose chairman's name was Imran Khan, the money that came to the companies was part of the record. He further contended that:

"We have requested the Election Commission that it is your constitutional responsibility to come out with this report and take action accordingly, it is the responsibility of the Election Commission to decide the case at the earliest. The delegation (of PDM politicians) told the ECP that the record was very clear and they had to decide, as courts open in the darkness of night in the country to negate their own judgements."

Mr Abbasi contended that *Financial Times* reported that Arif Naqvi conducted cricket matches in London for welfare work in the name of charity and received crores of rupees. His company sent more than Rs550 million to the PTI and Imran Khan's account in Pakistan for which Mr Khan did not give any record to the ECP. The money from prohibited funding was obtained and used for politics in Pakistan.

For months, Imran has been persistent in his demand for CEC Raja's resignation, accusing him of being biased towards the PMLN. Even during his 'Victory Speech' over winning unexpected seats during bi-polls in Punjab; where despite the PTI upending the assessments of observers watching the Punjab by-polls with its unexpected sweep of 15 of the 20 seats up for grabs, PTI chairman Imran Khan continued to attack CEC Sikandar Sultan Raja, accusing him of partiality and attempting to use the ECP to swing the results in favour of the PMLN. No one was expecting his party to do so well. Instead, Election Day results suggested that it was a fairer contest than most were expecting, with the ruling PMLN handed an embarrassing defeat on its home turf and the PTI managing to run away with most of the seats despite the odds.

Indeed, given the results, the elections seemed quite free and fair and, barring a few incidents of violence, generally well conducted. At least this time, the ECP ensured a level playing field and that PTI's worst fears had not emerged correct. Yet, Mr Khan seemed unwilling to let go of his distrust of the CEC; the continuing animosity and bitterness don't make sense. Because of the imbalance of power between the two, the PTI chief's constant criticism started to look like bullying to some observers. The civil society and media both felt that Mr Khan was constantly attacking and undermining the CEC to pressurise him over the pending decision in the foreign funding case against the PTI and his person.

Some mature minds held that Mr Khan needed to be more direct about 'why he does not trust Mr Raja and must provide sufficient evidence to substantiate his allegations against him'. If the PTI chief wanted the CEC gone, there was a political process involved. Sermonizing or criticizing the ECP and the CEC in public was certainly not the way to go about it. There were reports

that CEC Mr Raja was worried about his security in light of the threats to his life. Mr Khan should have worked out a strategy that how he would like to be involved in consultations for the next ECP chief. Especially considering that he himself had resigned from parliament and had no inclination to sit down with his rivals on any matter concerning good governance.

Khan, on many occasions, alleged that CEC was **'incompetent and dishonest'**. At a press conference he said: *'We don't trust the ECP head and he has been imposed on us. We don't have confidence in you ... you are a biased person in cahoots with a political party'*. **On 31st July 2022** the PTI also decided to move a reference against CEC Raja in the judicial commission. The party also got resolutions against the CEC passed from Punjab and Khyber PK Assemblies, where PTI had the majority. At a party meeting, Imran announced a protest outside the ECP office in Islamabad on 4th August 2022 and urged supporters to demand the CEC's resignation.

Meanwhile, parties in the ruling coalition, particularly the PMLN and PPP, see the PTI's criticism of the CEC as an attempt to pressure the electoral watchdog into announcing a verdict in its favour. When the PTI announced its decision to move a reference against the CEC, ECP officials and the PPP had termed it an **'attempt to blackmail the commission'**.

VERDICT AGAINST PTI ANNOUNCED:

15th June 2022: The PTI counsel's long time request of referring to the case as **"prohibited funding" and NOT "foreign funding"** was accepted by the CEC, who ordered the ECP to use the new name across the board while addressing the case. That same day, PTI asked ECP to decide all funding cases in one go.

21st June 2022: The ECP reserved its verdict on PTI's foreign funding case, as CEC Raja Sikandar added that they wanted to end pending cases against other political parties too.

29th July 2022: A bombshell report by the **Financial Times** revealed that tycoon Arif Naqvi had organised a charity cricket match, whose proceeds were used to bankroll the PTI. Funds that poured into Wootton Cricket from companies and individuals included money from a UAE government minister who was also a member of the Abu Dhabi royal family.

30th July 2022: Imran insisted that all funds from Arif Naqvi came through banking channels and were properly disclosed at times.

1st August 2022: the ECP announced it would release its verdict in the case the following day. Imran Khan called a protest outside its offices that particular day.

2nd August 2022: Chief Election Commissioner Sikandar Sultan Raja pronounced verdict, findings given that PTI had received prohibited funding and also issued show-cause notice to PTI on ***'why the Commission (ECP) shouldn't seize the funds'***.

The Election Commission of Pakistan (ECP), in a unanimous verdict, ruled that the PTI did indeed receive prohibited funding and issued a notice to the party asking why the funds should not be confiscated. A three-member ECP bench headed by CEC Sikander Sultan Raja announced the verdict in a case filed by PTI founding member Akbar S. Babar which had been pending since 14th November 2014; the verdict was reserved on 21st June 2022. The ruling further said:

- ***"Commission finds PTI received funding from prohibited sources***
- ***Party got funds from 34 foreign nationals and 351 foreign-based companies***
- ***PTI took ownership of eight accounts, kept 13 hidden and failed to mention three***
- ***Notice issued to PTI to explain why funds shouldn't be confiscated***
- ***Form-1 submitted by Imran Khan found to be grossly inaccurate"***

In the written verdict, the ECP noted that the party *'knowingly and willfully'* received funding from Wootton Cricket Limited, operated by business tycoon Arif Naqvi. The PTI party was a ***'willing recipient'*** of prohibited money of \$2,121,500. The PTI party knowingly and willfully also received donations from Bristol Engineering Services (a UAE-based company), E-Planet Trustees (a Cayman Islands private registered company), SS Marketing Manchester (a UK-based private company), PTI USA LLC-6160 and PTI USA LLC-5975 which were ***hit by prohibition and in violation of Pakistani laws.***

It went on to say that the party also received donations through PTI Canada Corporation and PTI UK Public Limited Company. ***"From both the companies, the amounts received into its accounts of PTI Pakistan are hit by prohibition and in violation of Pakistani laws."*** Further, the party

received donations from Australia-based Company Dunpec Limited, and Pakistani companies Anwar Brothers, Zain Cotton and Young Sports which was again in violation of the law. The verdict also said:

"PTI Pakistan, through fundraising campaigns by PTI USA LLC-6160 and PTI USA LLC-5975, was a recipient of donations from 34 foreign nationals and 351 foreign-based companies. Collection of donations and contributions from foreign nationals and companies are hit by prohibition and in violation of Pakistani laws.

Also that the PTI had been found to be a beneficiary of donations made by Romita Shetty, a US-based business woman of Indian-origin which was in violation of the law.

*The (PTI) party had only owned eight accounts before the commission and declared 13 accounts to be unknown. **"The data obtained from the State Bank of Pakistan (SBP) reveals that all the 13 accounts disowned by the PTI were opened and operated by senior PTI management and leadership at [a] central and provincial level.***

*The (PTI) party also failed to mention three accounts which were also being operated by the party's senior leadership. Non-disclosure and concealment of 16 bank accounts by the PTI is a **'serious lapse on part of the PTI's leadership'** and in violation of Article 17(3) of the Constitution."*

The verdict contained that the PTI chairman submitted Form-I for five years (2008-2013) which was found to be **'grossly inaccurate on the basis of the financial statements obtained by this commission from SBP and other material available on record'**.

"Therefore [...] the matter falls within the ambit of Article 6(3) of Political Parties Order 2002 (PPO). Hence, the commission directs that a notice may be issued to the respondent party in terms of Rule 6 of the PPO as to why the aforementioned prohibited funds may not be confiscated. The office is also directed to initiate any other action under the law in light of this order of the (ECP) Commission, including forwarding the case to the federal government."

Article 6(3) of the PPO states: "Any contribution made, directly or indirectly, by any foreign government, multinational or domestically incorporated public or private company, firm, trade or professional

association shall be prohibited and the parties may accept contributions and donations only from individuals."

In its order, the Commission said that it was "*constrained to hold that Imran Khan failed to discharge his obligations as mandated under the Pakistani statutes.*" The PTI chairman had for five successive years submitted Form-I and signed a certificate which was not consistent with the accounting information before the ECP. The verdict held that:

"Imran Khan, for the five years under review, has filed submissions that were grossly inaccurate and wrong. Even during the course of scrutiny and hearing by this commission, the PTI continued to conceal and withhold complete and full disclosure of [the] source of its funds."

The security in Islamabad's 'red zone' was put on high alert ahead of the ECP's verdict. It was decided to deploy 1,000 police personnel in the area, and the anti-riot force would also remain in the red zone. Unrelated persons were not allowed to enter the Red zone. As time for the verdict drew closer, footage broadcast on television showed Islamabad police with riot shields standing outside the building as staffers were seen unrolling spools of concertina wire around.

CALLS FOR LEADERSHIP CHANGE IN PTI:

While addressing a press conference in Islamabad, later on the same day, PTI Secretary General Asad Umar announced that the party would challenge the ECP verdict. The PTI party were to file two petitions against the ECP in the Islamabad High Court. *'The first would be a contempt of court petition for not deciding the PPP and PMLN's funding cases at the same time despite clear instructions from the Supreme Court and the High Court. The second petition would be challenging the verdict itself - that there were **deficiencies of law and facts** in the ECP decision'.*

Umar criticised the ECP and held that it was clear that the ECP and the CEC belonged to the Pakistan Democratic Movement [PDM]'s camp. He rebutted the conclusions of the verdict and maintained that the party had disclosed all its accounts, their details and submissions; the ECP had given its decision while ignoring the evidence submitted by the PTI. Regarding funding from prohibited sources, Umar questioned that when the US and UK had no issues

with the PTI's fundraising then why the ECP was raising such questions. Furthermore, regarding the Form-1 being inaccurate - it was not the same as a personal affidavit submitted by politicians at the time of elections.

Speaking to the media after the verdict was announced, PTI's Fawad Chaudhry said that most of the money was from overseas Pakistanis. *'I don't understand why the PMLN, the JUI and the PPP have declared overseas Pakistanis the enemy. We consider overseas Pakistanis to be the backbone of Pakistan's economy and will continue to rely on them for our funding'.*

Commenting on the case, the PTI leader said that this was never a case of **foreign funding**, as stand proven by the ECP's decision; the accounts that were supposedly undeclared were not directly linked with the PTI chief. The people deserved to know where political parties received their funding from. ECP decided the PTI's case and the people would expect that the ECP must bring to light other parties' funding so that they know that the law was being followed.

BUT during the same time-span, the complainant Babar demanded that **'Imran Khan should resign as the party's chairman. Now that the allegations [against Imran] have been proven, it is time for a regime change in the PTI'**. He said while speaking to media persons in Islamabad. He also urged PTI workers to *"use their mind"*, terming the ECP's verdict an *"eye-opener"*. Babar had earned the success in the case after eight years of struggle; openly saying that:

"We were standing before a mountain. This fight was between the truth and power, between haq (truth) and batil (evil). I was fighting a legal battle. Now, I will fight a political battle against Imran [...], we will bring back ideological workers and call a big session. The ECP's verdict confirmed the veracity of his allegations and would end Imran's fascism.

Today's decision has buried the doctrine of necessity [...] which brought the country's economy and politics to the brink of destruction; it's expected the electoral watchdog to also conclude the cases against the PPP and the PMLN."

On the other hand, PDM's Information Minister Marriyum Aurangzeb said the federal government would implement the ECP's verdict in accordance with the law; adding that the verdict had confirmed the crimes of the PTI chief who received funding from various foreign countries. Also that Imran Khan was not *'sadiq and ameen'*, demanding that he should resign from his position as the PTI chairman.

Meanwhile, Prime Minister Shehbaz Sharif said: 'The verdict chargesheets Imran Niazi for violating the Constitution, submitting false affidavits and accepting foreign money. Proven yet again that he is a certified liar. Nation should ponder over the implications of his politics funded by foreigners'.

On another count, Sindh Information Minister Sharjeel Memon said the ECP had fearlessly decided the case according to the Constitution despite facing pressure from Imran Khan and the PTI. Further commented that: 'It has been proven that Imran Khan cheated the nation. The truth cannot be hidden. Imran Khan was given fake certificates of Sadiq and Ameen, also, that the PTI chairman should be disqualified'.

Karachi Administrator Murtaza Wahab tweeted that Section 212 of the Elections Act, 2017 was important in the given political atmosphere (...the section deals with the dissolution of a political party).

FF REFERENCE FILED AGAINST IK:

Next day, **on 3rd August 2022**, a group of MNAs associated with the Pakistan Democratic Movement (PDM) — a multi-party alliance with representation of ruling PMLN filed a reference with the Election Commission of Pakistan (ECP) seeking the disqualification of former prime minister Imran Khan, referring to Article 63 of the Pakistan's Constitution, from holding public office for allegedly receiving prohibited funding from a number of foreign donors.

The reference was submitted by MNA Barrister Mohsin Nawaz Ranjha to Chief Election Commissioner (CEC) Sikander Sultan Raja, carrying signatures of lawmakers Agha Hassan Baloch, Salahudin Ayubi, Ali Gohar Khan, Syed Rafiullah Agha and Saad Waseem Sheikh.

In its verdict of a day before, the election watchdog ruled that PTI had 'willfully and knowingly' received prohibited funding from a number of foreign donors. In its order, the commission had also said that it was 'constrained to hold that Imran Khan failed to discharge his obligations as mandated under the Pakistani statutes'. The ruling coalition began demanding disqualification of and strict legal action against the PTI chief soon after the ECP announced its verdict in the case.

On the same day, PDM Chief Maulana Fazlur Rehman pressed upon the government to 'make an example out of Imran Khan'. The PDM leader said at a press conference after a meeting of the multi-party alliance at the PM House:

'A reference should be filed against Imran Khan as he is no more Sadiq and Amin (truthful and honest) to decide the line of action against Imran Khan'.

The reference filed today, a copy of which was made available to the media, demanded the ECP to disqualify Imran under Sections 2 and 3 of Article 63 of the Constitution, read with Article 62(1)(f). It also carried documentary evidence to corroborate their claims against the ex-PM.

- **Article 62(1)(f)** says: "A person shall not be qualified to be elected or chosen as a member of Majlis-e-Shoora (Parliament) unless [...] he is sagacious, righteous and non-profligate, honest and ameen, there being no declaration to the contrary by a court of law."
- **Article 63(2)** says: "If any question arises whether a member of Majlis-e-Shoora (Parliament) has become disqualified from being a member, the Speaker or, as the case may be, the Chairman shall, unless he decides that no such question has arisen, refer the question to the Election Commission within thirty days and should he fail to do so within the aforesaid period it shall be deemed to have been referred to the Election Commission."
- **Article 63(3)** reads: "The Election Commission shall decide the question within ninety days from its receipt or deemed to have been received and if it is of the opinion that the member has become disqualified, he shall cease to be a member and his seat shall become vacant."

It is pertinent to mention here that the PTI had on the same day (3rd August 2022) ***moved a reference*** before the Supreme Judicial Council against CEC Mr Raja.

Scenario 271

SCP (PRACTICE & PROCEDURE) BILL 2023

On 10TH April 2023: Pakistan's Parliament passed the Supreme Court (Practice and Procedure) Bill 2023. This proposed law was taken through to establish a panel of the most senior judges, led by the chief justice of Pakistan [CJP], to handle and conclude all cases, appeals, and issues presented before the top court. The said bill was introduced by the then federal minister of law Azam Nazeer Tarar.

Earlier, on 29th March 2023, the National Assembly (NA) passed the legislation without referring it to the relevant standing committee. This came one day after the Senate approved the bill. President Arif Alvi returned the bill to Parliament twice, asking for further consideration. However, on 10th April 2023, the bill was passed again with some modifications, amidst a noisy protest by Pakistan Tehreek-e-Insaf (PTI) lawmakers.

The passage of the said act was prompted by a legal dispute between the previous government and the superior judiciary over important constitutional questions. The PDM government argued that the Supreme Court was overstepping its bounds and interfering in executive and legislative affairs. The top court countered that it was simply exercising its constitutional powers to uphold the rule of law and protect the fundamental rights of citizens. **Key Provisions of the Act** made a number of significant changes to the way the Supreme Court used to operate; including:

- ***Requiring a three-member committee of senior judges, including the CJP, to approve all suo-moto notices.***
- ***Establishing a transparent process for the formation of benches for hearing crucial constitutional issues.***
- ***Giving parties the right to appeal to the Supreme Court within 30 days of a final order from a lower court.***
- ***Requiring the apex court to hear applications alleging urgency or requesting interim relief within 14 days of filing.***

The act had met with mixed reactions from legal experts and civil society groups. Some argued that it was a necessary step to streamline the judicial process and to make the Supreme Court more accountable. Others argued that it was an attempt to undermine the independence of the judiciary and give the government more control over the top court. One of the main concerns about the act was that the prevailing system was giving the chief justice too much power – some termed it a judicial dictatorship.

The CJP would be responsible for appointing the other two judges to the committee, and the committee would have the final say on all *suo-moto* notices - the top judge would have a significant influence on the outcome of all cases heard by the Supreme Court of Pakistan [SCP]. Another concern was that the act would make it more difficult for ordinary citizens to access justice. The act introduced a new requirement that all appeals to the SCP must first be approved by a lower court. That meant that it would be more difficult for litigants to challenge decisions made by lower courts, even if those decisions were unfair or unjust.

In the light of above reservations, the Supreme Court (Practice and Procedure) Act 2023 was taken as a controversial piece of legislation passed by the PDM government under Shahbaz Sharif's premiership. The Act aimed to address concerns about the CJP's authority, procedures, and discretionary powers, particularly in relation to *suo-moto* proceedings and the composition of benches for hearing crucial constitutional issues.

On 21st April 2023: Despite Supreme Court's directive, the National Assembly notified the conversion of Supreme Court (Practice and Procedure) Bill 2023 – into an Act.

In fact the new law aimed to curtail the suo-motu powers of the office of the Chief Justice of Pakistan (CJP). The National Assembly Secretariat notified that the bill of the Parliament deemed to have been assented by the president (with effect from 21st April 2023) under Clause (2) of the Article 75 of the Constitution of Islamic Republic of Pakistan. In the light of completion of all legal rules and regulations, the law was sent for gazette publication.

Earlier, on 20th April 2023; President Dr Arif Alvi, sent back the Supreme Court (Practice and Procedure) Bill, 2023 without signing but it became law next day. The president had held that the issue of legislative competence and validity of the bill was pending before the highest judicial forum of the country. (Thus) in respect of the matter being heard, no further action on the bill was appropriate.

The bill was first approved by the Cabinet in late March 2023 and then passed by both the National Assembly and the Senate, but the president refused to sign it into law for the reason cited above. He returned it for reconsideration on 8th April 2023 and a joint parliamentary sitting reapproved it two days later, despite opposition from Imran Khan's Pakistan Tehreek-e-Insaf (PTI).

The bill was passed amid a standoff between the government and the judiciary over elections in Punjab and Khyber PK provinces. But the President had returned the Bill to the Parliament for reconsideration, stating that it prima-facie ***'travels beyond the competence of Parliament'***. After it the government then got the bill passed by a joint session of parliament on 10th April 2023 despite strong protest from the Pakistan Tehreek-e-Insaf (PTI), after which it was again sent to the president to sign. According to Article 75 (2) of the Constitution:

"When the President has returned a Bill to the Majlis-e-Shoora (Parliament), it shall be reconsidered by the Majlis-e-Shoora (Parliament) in joint sitting and, if it is again passed, with or without amendment, by the Majlis-e-Shoora (Parliament), by the votes of the majority of the members of both Houses present and voting; it shall be deemed for the purposes of the Constitution to have been passed by both Houses and shall be presented to the President, and the President shall give his assent within ten days, failing which such assent shall be deemed to have been given."

Regarding the constitution of benches, the bill stated that every cause, matter or appeal before the apex court would be heard and disposed of by a bench constituted by a committee comprising the CJP and the two senior-most judges. It added that the decisions of the committee would be taken by a majority.

Regarding exercising the apex court's original jurisdiction, the bill said that any matter invoking the use of Article 184(3) would first be placed before the aforementioned committee.

The bill said that: 'if the committee is of the view that a question of public importance with reference to the enforcement of any of the fundamental rights conferred by Chapter I of Part II of the Constitution is involved, it shall constitute a bench comprising not less than three judges of the Supreme Court of Pakistan which may also include the members of the committee, for adjudication of the matter'. The bill additionally said that a party would have the right to appoint its counsel of choice for filing a review application under Article 188 of the Constitution.

REVIEW / APPEALS DISMISSED:

On 11th October 2023; after hearing the arguments from both sides the SCP dismissed the petitions against the Practice and Procedure Act, and sustained the law with a majority of 10-5. A full court bench comprising 15 judges, headed by CJP Qazi Faez Isa, pronounced the judgement that was reserved earlier after five consecutive hearings. The law was deemed in accordance with the Constitution. Justice Ijazul Ahsan, Justice Mazahar Naqvi, Justice Muneeb Akhtar, Justice Ayesha Malik were among the dissenters of the 10-5 verdict. With this decision, the Supreme Court (Practice and Procedure) Act was declared fit to be enforced.

According to the verdict, ***the right to appeal would not apply retroactively***. The clause seeking application of the right to appeal on past decisions was voided with 8-7 majority, while the chief justice dissented from the decision. The right to appeal in decisions of *suo-motu* cases under Article 184(3) were sustained with a 6-9 majority.

The Supreme Court had reserved its decision on the applications against the Practice and Procedure Act. The CJP Qazi Faez Isa said '***...if a consensus is reached, the verdict will be pronounced, otherwise it will be reserved***'. Then the SCP resumed the hearing of multiple petitions against the Practice and Procedure Act for the fourth consecutive day. A day earlier, the MQM and Pakistan Bar Council had announced their support for the Practice and Procedure Act. Under Article 175, legislation regarding the Supreme Court was not possible, petitioner's counsel remarked. Justice Jamal Mandokhel said if the law sustained the full court could amend rules. Justice Ayesha Malik said the full court rules could also not be made outside the law.

Beginning his arguments, Attorney General for Pakistan [AGP] Mansoor Usman Awan said he would talk about Article 191 and the independence of the judiciary; adding that the Constitution mentions '***subject to law***' at various places; further that the right to privacy was also kept subject to law. Article 191 didn't take away the right of parliament to legislate. The AGP further argued:

"Parliament has given independence to the judiciary but hasn't rescinded its right to legislate. There has been no amendment to Article 191 since the Constitution was made; and that not amending Article 191 was to ensure the independence of the judiciary. The right to legislation in the high treason and Right to Information laws was derived from constitutional provisions.

- *(To a question, the AGP responded) that the judges are bound to implement it under their oaths. The Constitution does not recognize the chief justice as the master of roster."*

The CJP observed that:

"... 'subject to law' could also mean judgement law. Maybe parliament maintained these words this way for further legislation. One institution should respect the other - he thought parliament had respected the Supreme Court. Now we'll see maybe there is a need to make further rules.

Under Article 189, there is no obligation to obey traditions. (Also, that) the burden of proving that the provisions of the Act are unconstitutional lies with the petitioners."

The CJP further commented that the scope of the issue should not be expanded, adding parliament was not an enemy nor did it consider the court its enemy. One institution should not clash with another, he maintained. ***"The world is moving ahead, and we're going backwards."***

This Supreme Court did what was not within its power, the CJP said further, adding that one bench gave a decision and the other gave its own verdict on it. ***"No petitioner had the courage to talk about this,"*** Justice Isa said. ***"Enough of this drama that parliament cannot do this!"*** he stressed. ***'That was not even the jurisdiction of the review',*** CJP Isa added.

"Can the Supreme Court expand its jurisdiction if parliament cannot?" the CJP asked. The AGP responded in the negative; adding that the only question before them was whether the Practice and Procedure Act was constitutional or not. ***"Honour parliament so it follows our decisions,"*** CJP Isa said, adding that there could be debate on whether the law is good or bad.

The CJP questioned why judges were afraid of hearing the truth or listening to criticism. ***"I will not have a problem if you show me the mirror,"*** he remarked.

The AGP further argued that the powers of the Supreme Court could be increased by parliament, but not reduced; the ambit of Article 184 or 185 could be extended by parliament. The CJP Qazi Isa said, suggesting forgetting about assumptions and completing arguments, that:

"Let me admit that I made a mistake by forming a full court; however, none of his colleagues objected to the decision. Even when the first eight-member bench was formed, there was no objection (either)."

"Sorry, but these are not assumptions," Justice Muneeb Akhtar remarked.

Justice Sardar Tariq Masood remarked that:

"A chief justice approves an unconstitutional move by forming a bench and there is no objection to it. Even the holy Quran talks about consultation. You say dictatorship is right; are we slaves? (Adding that) this was about the future; (we're) not to promote dictatorship."

Justice Malik further said the law gave the right to appeal in cases under Article 184(3). But where the appeal against the case go, asked the CJP, adding *'the law says there will be right to appeal in some cases.'*

The fact remained that the Pakistani law gives the right to appeal in cases under Article 184(3) if the court forms a full court to hear a case, the appeal cannot go anywhere. Justice Malik also raised a proposition if the SC could eliminate the right to appeal given in the law through a full court.

The intelligentsia added positive comments to the said procedures. The Supreme Court (Practice and Procedure) Act 2023 was a landmark legal development. It removed the Chief Justice's unilateral **'master of the roster'** status, replacing it with a three-judge committee to form benches and fix cases. Certain **Judicial Remarks** were that: *'... during live-streamed hearings, the bench highlighted that regulating the court's proceedings promotes transparency. Judges, including Justice Athar Minallah, noted that Parliament is fully competent to legislate on access to justice and to check unbridled administrative powers.'*

ON 'INTERNAL' JUDICIAL INDEPENDENCE:

On 11th October 2023, the Supreme Court by a 10-5 majority upheld the constitutionality of provisions related to bench formation and case allocation in the Supreme Court (Practice and Procedure) Act, 2023. Parliament's enactment of a law distributing to a committee of judges what were earlier the

chief justice of Pakistan's (CJP) sole discretionary powers, and the Supreme Court upholding its constitutional validity, are both welcome and necessary first steps in recognising the 'internal' aspect of the independence of the judiciary.

A brief history of the evolution of the independence of the judiciary would help explain the meaning of 'internal' judicial independence and its significance. In essence, judicial independence means judges should be free to perform their duties in accordance with the law without any improper influence. This is important as only an independent judiciary can safeguard the rule of law, access to justice, and more generally, the fundamental rights of the people.

In Pakistan, like in many other jurisdictions, independence of the judiciary has been entirely been seen as the institutional and functional separation of the judiciary from other branches of the state in matters such as appointments, accountability, and court administration. In later years, the people saw how the CJP's power to allocate cases has been raising concerns. However, as judiciaries in many parts of the world becoming more institutionally independent with greater powers of self-governance — same has been happening in Pakistan as well — there were growing concerns about the '*internal dimension of judicial independence*', which sought protection for individual judges from interference or improper influences from within the judiciary. The European Court of Human Rights, for example, in a number of judgments since 2009, recognized:

"...judicial independence demands that individual judges be free not only from undue influences outside the judiciary, but also from within. Internal judicial independence requires that judges should be free from directives or pressures from the fellow judges or those who have administrative responsibilities in the court such as the president of the court or the president of a division in the court".

One such example of 'internal' independence was ensuring court presidents or chief justices do not have arbitrary, unstructured powers to constitute benches and assign cases to individual judges. The *UN Special Rapporteur on the **Independence of Judges and Lawyers*** said case allocation '*at the discretion of the court chairperson may lead to a system where more sensitive cases are allocated to specific judges to the exclusion of others*' and thus argued for a mechanism that '*protects judges from interference from within the judiciary*', including through legislation.

Referring to **REEMA OMAR's** essay (at reema.omer@icj.org) dated 15th October 2023:

"A number of constitutions, particularly in Europe, recognise the right to a 'lawful' or 'natural' judge. This right is now also seen as a safeguard against deprivation of the 'lawful judge' from within the court administration. In countries such as Germany, therefore, a 'management group' consisting of the court president and a number of judges decides how cases are allocated on the basis of predetermined management plans".

These examples show allocation of cases to individual judges or benches is not solely a matter of court administration, but has serious implications for 'internal' judicial independence, and consequently, for the rule of law, access to justice, and the right to a fair trial. Parliaments, therefore, are not just competent to provide a remedy in such cases, as they have done in a number of jurisdictions, **but have a duty to do so**. This is true for Pakistan as well.

There is ample record available that, in Pakistan, how the CJP's arbitrary power to allocate cases has been raising concerns of illegitimate influences on the functioning of the judiciary and case outcomes. Chief justices have been grossly misusing their powers by assigning politically significant cases to a handful of judges to the exclusion of others, based on no clear criteria, creating a hierarchy in Supreme Court judges. ***Cases have been taken from particular judges and allocated to others in the middle of the proceedings.*** And while certain petitions were heard promptly, others remained pending for years.

Surprisingly, a number of judges, lawyers, and other commentators still consider bench formation and case allocation an '**administrative matter**', and find legislation distributing these powers to a committee of the CJP and two senior-most judges outside parliament's competence and an assault on the independence of the judiciary. How such committee constituted under the law would work and demonstrate how far issues related to bench formation and case allocation have been addressed. *At least this much is clear that the CJP giving up his power as the 'master of the roster' and sharing it with other Supreme Court judges strengthens 'internal' judicial independence.*

It remains to be seen whether there has indeed been a paradigm shift in how the Supreme Court (and perhaps the high courts too) understand the independence of the judiciary, as many other issues continue to hamper 'internal' independence and need reform. Reema Omar once more pointed out:

"... These include opacity in the judicial appointments process and the CJP's power of 'initiation', which makes him the sole authority that can recommend names of candidates that the Judicial Commission can consider for appointment to the superior courts. Similarly, urgent

reform of the judicial accountability system is also required, including through legislative as well as procedural changes to the Supreme Judicial Council, to safeguard both 'internal' judicial independence and the independence of individual judges."

Ideally, any judicial and legislative attempts to address such issues - should be based on a holistic, contemporary understanding of judicial independence that also includes its 'internal' aspect, instead of an outdated, knee-jerk view that is captivated by a CJP as the headman and equates independence with complete insulation of the judiciary in Pakistan.

SC (Practice and Procedure) Amendment Ordinance 2024

On 20th September 2024: President of Pakistan Asif Ali Zardari signed off the Supreme Court (Practice and Procedure) Amendment Ordinance 2024 that allowed changes to the committee formulated to regulate the affairs of the top court. In April 2023, the PDM-led government had passed the SC (Practice & Procedure) Act, 2023 which was dubbed by the opposition parties as an attempt to **'clip the top judge's powers of bench formation.'** The said bill of 2023 was immediately challenged in the Supreme Court. However, the apex court had, on 11th October 2023, dismissed the petitions filed against it declaring the Act LEGAL in accordance with the Constitution.

Under the law, a three-member bench, comprising the chief justice of Pakistan (CJP) and the two senior-most judges of the apex court, will decide whether or not to take up a matter *suo-motu*; previously, it was solely the prerogative of the CJP. The Act had further given the right to file an appeal within 30 days of the judgement in *suo-moto* cases.

That day of September 2024, the federal information minister told on TV that the president had signed off on changes to the law, following the federal cabinet's approval of the ordinance. Further, that the right of appeal was also granted for any judgment to be passed by the apex court in a case under Article 184(3). A transcript of the proceedings for each case was also to be prepared for the knowledge of the public. As per PMLN government's version, the said ordinance was passed to bring more transparency in the judicial proceedings.

A committee was set up under the Practice and Procedure Act headed by the CJP, senior puisne judge and the third senior judge as its members AND

under the ordinance, the CJP would head the committee BUT would nominate one of the judges of the Supreme Court as a member of this committee from time to time.

Immediately after the approval of the ordinance, Chief Justice of Pakistan Qazi Faez Isa nominated Justice Aminuddin Khan of the apex court as the third member of the judges' committee. According to a notification issued on the same day of 20th September 2024 by the Registrar of the Supreme Court, the CJP changed the composition of the judges' committee under Section 2 (1) of the Supreme Court (Practice and Procedure) Act, 2023 as amended by the Ordinance No VIII of 2024. Justice Aminuddin was part of the minority view with Justice Naeem Akhtar Afghan (making a like-minded group with CJP Qazi Isa) who had rejected the appeals of the *Sunni Ittehad Council* in the reserved seats case and denied allotment of the seats.

On 26th September 2024: The said 'Amendment Ordinance' was challenged in SC. The apex Court was asked to declare that: ***'The Section 2 of the SC (Practice and Procedure) Amendment Ordinance regarding constitution of the Committee violates fundamental rights and is ultra vires and should be struck down.'*** Afrasiab Khattak, former senator and chairperson of the Human Rights Commission of Pakistan, and one Fariha Aziz, a Karachi-based journalist, filed a petition under Article 184(3) of the constitution and cited the Secretary to the President, and the Federation through the Secretary Ministry of Law and Justice as respondents.

The petitioners requested that their petition be heard by the Full Court which had earlier endorsed the 2023 Act by a majority decision. If not, the CJP (who was granted extra powers by the Impugned Section), Justice Aminuddin (who has been nominated by the CJP as a member of the Committee under the Impugned Section) and Justice Munib Akhtar (who could be a member of the Committee if the impugned section got struck down) ***should not be part of any bench constituted to hear this petition.***

The petitioners also urged that the fundamental rights conferred under the Constitution had lost meaning in the absence of an independent judiciary to enforce them. Through the impugned section (changed Sec 2), the executive had attempted to undermine judicial independence. The impugned section targeted one Judge, the third most senior judge of the then Supreme Court. The petitioners argued that in case of the impugned section, there was a specific and obvious design to exclude one specific judge and grant controlling power to another, the CJP Qazi Isa. It was a blatant interference in judicial independence.

A year earlier, the same CJP Qazi Isa had declared his candid opinion in a similar case that:

"....if an ordinance is being brought by the sitting government while the National Assembly and Parliament are there in existence – the parliament should go home."

The petitioners further stressed that:

"The Supreme Court had noted that the power to promulgate ordinances is limited to 'emergent matters', and the Constitution states that this is limited to situations where 'immediate action' is required. There was no such emergency in the case of changing the composition of the Committee, and nor has the same been identified."

The impugned section violates Article 175(3) of the Constitution which commands that the judiciary shall be separated from the executive. The impugned section is a blatant attempt by the executive to encroach in the internal workings of the judiciary, and to undermine judicial independence."

The legal fraternity raised their voices on that ordinance taking it as an attack on judicial independence; an attack on access to justice while violating inter-alia Articles 4, 9, 10, 10-A and 25 of the Constitution. It was a deliberate effort to impact ***access to justice*** and thus the fundamental rights.

[The independence of the judiciary is a salient feature of Pakistani Constitution, and must be safeguarded. The Objectives Resolution, which is now a substantive part of the Constitution by means of Article 2A of the Constitution, also states that independence of the judiciary shall be fully secured. The people have given to themselves a supreme document which guards judicial independence.]

A full bench of the Supreme Court had upheld the 2023 Act less than a year ago. The very rationale for upholding the law was to ensure that ***'one man – the CJP'*** should not be exercising absolute power as far as the constitution of benches is concerned. The Full Bench linked such democratising of decision-making with the legitimacy and the credibility of the apex Court. ***The Impugned Section was contrary to the judgment of the Full Bench in Raja Amer Khan and another vs. Federation of Pakistan (PLJ 2024 SC 114)*** – for further details media reports dated 26th September 2024 is referred.

Scenario 272

THE 9TH MAY 2023

A DARK DAY OF PAKISTAN'S HISTORY

THE 1ST EVENT: KHAN ARRESTED:

A little details of some earlier days...

On 5th March 2023: The PTI chairman managed to escape being arrested when Islamabad Police arrived at his Lahore residence in Zaman Park to serve him with court summons for his persistent non-attendance at Tosha-khana court hearings. Despite the Islamabad police chief's earlier declaration that they wouldn't return without making the arrest, the presence of a larger number of PTI supporters compared to the police contingent prevented the arrest from taking place.

On 14th March 2023: Police made a second attempt to arrest Imran, but were met with stiff resistance from his supporters. They threw petrol bombs over police, fired slingshots and wielded clubs while police fired volleys of teargas and employed water cannons against them, but to no avail. Eventually, the Lahore High Court ordered an end to the operation.

On 21st March 2023: The Lahore High Court (LHC) granted PTI Chairman Imran Khan protective bail in two terrorism cases registered against him in Islamabad following last week's clashes at the Federal Judicial Complex (FJC). The first information reports (FIRs) registered at the Counter Terrorism Department (CTD) and the Golra police stations in the capital accused the PTI chief and party workers of being involved in attacking police and creating unrest outside the FJC in Islamabad during the hearing of the Tosha-khana case on 18th March instant.

A two-judge LHC bench comprising Justice Shehbaz Rizvi and Justice Farooq Haider granted Imran protective bail in the terrorism cases till 27th March. Imran Khan arrived at the LHC at around 1pm; the ex-premier's vehicle entered LHC via the Mosque Gate.

On 9th May 2023: Pakistan's former Prime Minister Imran Khan was arrested while appearing for hearings at the Islamabad High Court. The arrest was the latest twist in a months-long political crisis that had followed some unsuccessful attempts to apprehend the PTI's Chief Imran Khan, including a police raid in March at his residence in Lahore that went unsuccessful. Khan was charged in a number of cases that his party said were politically motivated, including allegations ranging from corruption to terrorism to rioting – allegedly unfolded only since he was ousted from power in a no-confidence vote in April 2022.

In a shocking turn of events, Imran Khan was arrested from the Islamabad High Court's premises earlier that day where he was present for two hearings in afternoon hours. Soon after the arrest, Islamabad police released a statement quoting Inspector General of Police Akbar Nasir as saying that Imran had been arrested in relation to the case which alleged that the PTI chief and his wife obtained billions of rupees from a real estate firm for legalising a laundered amount of Rs50 billion that was identified and returned to the country by the UK during the previous PTI government [commonly known as AL-QADIR TRUST CASE]

The then Federal Interior Minister Sanaullah, while providing further details during a press conference in Islamabad, said that Imran was arrested by officials of the **National Accountability Bureau** (NAB) specifically in the Al-Qadir Trust case, adding that there were dozens of other cases with corruption inquiries in progress against the former premier. Also confirmed that the PTI chief was in NAB custody then. The interior minister said a laundered amount of 190 million pounds or around Rs: 50 billion belonging to a property tycoon (Malik Riaz of Bahria Town fame) was caught in the United Kingdom - while that property tycoon was definitely a beneficiary in the case but the crime was of Mr Khan. Further that:

*"According to the law, this amount rightfully belonged to the people of Pakistan. It was to be deposited in the national treasury and the UK government had contacted the Pakistani government regarding the amount's return. Allegedly, the former accountability czar Mirza Shehzad Akbar had gotten involved and **'an agreement was then realised, as a result of which an Al-Qadir Trust was made'**.*

...that subsequently property of 240 kanals in Bani Gala and another 458-kanal property in Sohawa were registered in the trust's name.....that Al-Qadir Trust was made by him to hide this corruption and bribery; Imran and his wife Bushra Bibi were the only two trustees in the matter."

The Interior Minister further lamented:

*"The 240 kanals in Bani Gala are registered in the name of Farah Gogi. The total worth of this property is around Rs5-7bn - that Akbar had also taken Rs2bn for '**his services**'. Instead of bringing that Rs50bn amount in the national treasury (of Pakistan), it was adjusted in the Supreme Court account of the property tycoon whose case was under trial in the apex court. Meaning his amount was returned back to him.*

...that not even the Supreme Court had taken notice of the matter as to the source of the amount, who it belonged to and why it was coming to Pakistan. It was a matter of shame that during the time this corruption was committed and permission was taken for Akbar to go to a UK court and give a statement on behalf of the Pakistani government for the amount to be adjusted in the property tycoon's account – (and) at that time he (Imran) was making false corruption cases against his [political] opponents."

The interior minister said evidence was there with the government for all of the above developments. It was necessary for him to present himself before NAB (the investigating agency) and give answers but he did not do so. He challenged those notices in the high court and ultimately the high court said that '*...the [legal] process in accordance with law cannot be stopped and he should become a part of the investigation and submit his response*' but despite that, he did not feel it appropriate to become a part of the investigation.

- *The interior minister had further said in the same press conference that the Toshakhana case against the PTI chief was also '**proven**', saying that Imran was committing theft when false cases were being filed against PMLN supremo Nawaz Sharif and his family.*

On the other hand, the PTI's lawyers had attempted to condemn Imran's arrest from the Islamabad's Court but the forces present at the IHC premises got implemented the arrest in a smooth way. The interior minister stated that the arrest had taken place in accordance with the law, adding that NAB was an independent institution and the government had no control over it, nor had it attempted to do so....*'I as the interior minister can say on oath that I have never met a NAB officer nor have I taken a briefing on this case.'*

THE 2ND EVENT – DEADLY PROTESTS:

Next day, as an accountability court in Islamabad handed over the custody of their leader Imran Khan to NAB for eight days in connection with the ***AI Qadir Trust case***, protests broke out all over the country. At least eight people were killed, as many as 290 were injured, and over 1,900 enraged protesters were rounded up in running battles with law enforcers across the country.

The violent protests provoked by the PTI chairman's arrest entered the second day, as police and PTI supporters engaged in bloody clashes throughout the day that resulted in damage to several government installations, including police stations and army buildings. Later during that night, PTI Senior Vice President Fawad Chaudhry was arrested hours after PTI's Secretary General Asad Umar taken into custody. In a bid to control the worsening situation, the government called in the military in Punjab, Khyber PK, and Islamabad. The deployment came a day after protesters stormed the residence of the corps commander in Lahore and tore down one of the gates of GHQ in Rawalpindi.

Pak-Army's media wing, ISPR, issued a harsh statement over the attacks on army property, with its spokesperson calling out the ***'hypocrisy of a political group'*** that used the public for its limited and selfish interests. Nevertheless, a police office in Islamabad, a police station in Lahore, Radio Pakistan's building in Peshawar, and Scouts Fort in Chakkdara, Lower Dir, were set on fire by the local crowds, to mention some whereas everywhere there were reports of clashes and arson. .

As his supporters rallied for Imran Khan outside Police Lines in Islamabad, an accountability court was temporarily moved to the police HQ which handed over the custody of Mr Khan to the NAB officials for interrogation. The media persons were not allowed to witness the proceedings of the case. NAB got the remand to interrogate Mr Khan in the sub-jail; under the National Accountability Ordinance (NAO), the chairman could designate any place as sub-jail to detain suspects. Mr Khan was arrested on the high court's premises a day before and taken to the NAB Rawalpindi office in G-6.

- *The IHC chief justice on the petition of Mr Khan held that the arrest was not per se illegal but he questioned the manner in which the former prime minister was taken into custody. The high court also commenced contempt proceeding against the secretary of interior and the IG Islamabad.*

In Islamabad and Rawalpindi, protests continued throughout that day. In Islamabad, more than 17 law enforcers were injured in clashes with protesters whereas the mob set on fire the office of the SP Industrial Area and

damaged Ramna police station. The protesters also uprooted a railways track in Tarnol as well. The Islamabad police registered a number of cases against PTI supporters and detained more than 200 party supporters in the federal capital. In Rawalpindi, the police booked more than 1,500 PTI supporters and detained over 190 workers – 52 were sent to Adiala Jail after they were produced in an anti-terrorism court.

In Lahore, the mob besieged Shadman police station and damaged furniture and official vehicles. The situation in Punjab, particularly Lahore, remained tense in light of violent clashes between police and PTI workers. A group of PTI supporters attempted to storm the Governor House and CM Secretariat, but they were pushed back by the police. At least 25 government vehicles were burnt while 14 government buildings were stormed by them. Meanwhile, the police claimed to have arrested over 1380 protesters across the province in a crackdown on the former ruling party. The reports claimed that ***nearly 150 police personnel, including Lahore DIG Operation Nasir Rizvi, three SPs, and dozens of SHOs, were injured in the clashes that erupted with the PTI workers.***

In Gujranwala, unknown persons started firing during protest as a result of which one person named Rashid was killed and several people were injured till late night.

- *In Lahore, a murder case was registered against the top leadership of the PTI, including Imran Khan, and more than 1200 people at the Gulberg police station. The case was registered in connection with arson at Askari Tower wherein a person reportedly died in the fire.*

In Khyber PK, violent scenes were abundant, with protesters burning down the building that housed offices of Radio Pakistan and the Associated Press of Pakistan. Peshawar witnessed pitched battles between the police and protesters who were trying to force their way to Khyber Road where key installations were located. ***The violence in the province left at least seven dead and more than 122 injured.*** The police arrested 274 persons across the province in connection with those violent protests. Three people were killed and 81 others were injured in clashes in the provincial capital while two others were killed in Kohat. Another protester died and 11 more were injured in Chakkdara where protesters had stormed an FC fort.

Sindh remained relatively peaceful, as Karachi police dashed the PTI protest. At least 20 people were arrested in Karachi in addition to several arrests in Mirpur Khas. ***In Baluchistan***, police arrested over 60 local leaders and party workers in Quetta and Chaman a day after violent demonstrations

in the provincial capital. The PTI provincial leadership and important leaders went into hiding to avoid arrests. Police teams conducted raids on the residence of Qasim Suri, but he was not present at home; *police arrested his brother Bilal Suri*. Police also *raided the house of ex-PTI governor Zahoora Agha and arrested his two brothers as he was not found at his residence*. No protests were witnessed in Quetta City against the arrest of PTI Chairman Imran Khan; however, people staged a demonstration in Chaman and Qila Saifullah.

Referring to the **REUTERS** dated 10th May 2023 - Pakistan's government called in the army on the day of protests to help end deadly unrest amongst the masses - warning protesters against any further attacks on state installations. It further said:

"Khan - Pakistan's most popular political leader according to polls - was arrested in a land fraud case on Tuesday the 9th May 2023, prompting supporters to storm military buildings and ransack the residence of a top army General in the eastern city of Lahore.

Other state buildings and assets have been attacked and set ablaze by protesters, and the government said on Wednesday it had approved requests from two of Pakistan's four provinces - Punjab and Khyber PK, both Khan strongholds - and the federal capital Islamabad to deploy troops to restore order."

UN Secretary-General Antonio Guterres had also urged Pakistani authorities to **'respect due process and the rule of law in proceedings against Khan'**.

- *Another court had indicted Khan on 10th May 2023 on charges of selling state gifts during his four years in power, a day after his arrest in the unrelated fraud case. The indictment followed a decision by the Election Commission of Pakistan (ECP) in October (2022) that found Khan guilty of illegally selling state gifts between 2018 and 2022, and as a result barred him from holding public office until the next election due in November. He has denied any wrongdoing.*
- *The corruption cases were two of more than 100 registered against Khan after he left office in April 2022.*

Mobile data services were shut for a second (next) day, the 10th May 2023, as street protests continued, with federal ministers accusing Khan's supporters of torching several buildings and vehicles.

KHAN's ARGUMENTS WITH MILITARY:

The **REUTERS** of 10th May 2023 is again referred for the event that:

"Khan was arrested a day after the military rebuked him for repeatedly accusing a senior military officer of trying to engineer his assassination and the former armed forces chief of being behind his removal from power last year. The military has denied Khan's allegations."

After being derailed from the premiership echelon to getting shot in the leg (on 3rd November 2022) at a rally in Wazirabad to force snap and impulsive polls, here is timeline of the events that led to Khan's arrest:

- **10th April 2022:** Khan was voted out of office in a no-confidence vote.
- **25-26th May 2022:** Khan led his **Long March** into Islamabad; the protest was called off suddenly to avoid confrontation which could end in huge bloodshed.
- **18th July 2022:** Khan's Pakistan Tehreek-e-Insaf (PTI) party swept Punjab province in a by-election.
- **22nd Aug 2022:** Khan was charged under an '**anti-terror law**'; charges were later dropped.
- **21st October 2022:** Pakistan's Election Commission (ECP) disqualified Khan from running for public office for five years.
- **28th October 2022:** Khan launched his second **Long March** from Lahore to Islamabad to force the PDM government for early elections.
- **3rd November 2022:** Khan was shot in a protest convoy while passing through a town named Wazirabad in Punjab province; the firing was aimed to kill him but luckily Khan survived after having deep bullet-wound in his leg.
- **5th March 2023:** Police attempted to arrest Khan by court orders; the ex-PM evaded arrest in Lahore.
- **9th May 2023:** Paramilitary security officials arrested Khan in a case filed by the anti-corruption body – titled as AL-QADIR TRUST Case; that arrest was NOT linked with the notoriously known **9th May Protests by the PTI** till then.

Amidst the turmoil over his arrest, Pakistanis were reeling from the worst economic crisis in decades, with record high inflation and weak growth, and

the country was then facing acute threat of default. An IMF bailout package was delayed for over six months even though foreign exchange reserves were NOT enough to cover a month's imports.

On 24th May 2023: A court in Lahore handed over custody of 16 civilians to the military for trial over their suspected involvement in violent protests on 9th May 2023 following the arrest of former Prime Minister Imran Khan. The military officials said the suspects handed over would be tried in the 'Military Summary Courts'. [*In Pakistan, Military Courts operate under a separate system from the civilian legal system. Trials are closed to outsiders, and no unconcerned is normally allowed.*]

[Imran Khan was arrested on 9th May 2023. His supporters allegedly rampaged through cities, setting fire to buildings, blocking roads and clashing with police especially outside military installations during unrest in which nine people were killed. Khan walked free from three days of custody after the Supreme Court of Pakistan (SC) declared the arrest illegal. Mr Khan was facing nearly 140 cases related with Law & Order disturbances in various courts spread all over Pakistan.

The protests of 9th May 2023 coincided with Pakistan's worst economic crisis in decades with record high inflation, zero-like growth and IMF funding delayed for months, prompting concerns that the country could default on its external payment obligations.

On 19th May 2023, Imran Khan himself condemned mob-attacks of 9th May on state properties saying that: **'....everyone in Pakistan has condemned the attacks on military installations during the deadly protests over his arrest last week. Who isn't condemning the attack on the Lahore Corps Commander House? Tell me one person in Pakistan who is not doing that.....'** he said it during a news conference at his Zaman Park residence in Lahore.

The ruling PDM government detained thousands of supporters of Khan's Pakistan Tehreek-e-Insaf [PTI] party since days of street violence erupted over his arrest. A dreadful fear persistently hanged over Khan's supporters following the arbitrary arrests of many opposition leaders under '**vague anti-terrorism laws**' to justify its crackdown.

PTI LEADERS JUMPED OUT OF SINKING SHIP:

Mr Khan was ousted from PM's office in a vote of no confidence in April 2022, since then the 70-year-old politician waged an unprecedented campaign of defiance against the military Generals in saddles. He accused the top brass of orchestrating his downfall and even plotting a November assassination attempt in which he was shot in the leg. The said allegations were vehemently denied in official press releases and on media channels by the ISPR wing of the Pak-Army; AL-JAZEERA dated 25th May 2023 is referred.

A day earlier, on 23rd May 2023, Mr Khan was granted bail until 8th June in eight cases related to violence at the court complex in March 2023 by an anti-terrorism court in Islamabad. But a great setback for Khan: ***Till that day's evening, more than two dozen leaders from the PTI had left the party, which blamed the continuing government crackdown for the exodus; the quit-process started from Shireen Mazari, Asad Umar, Fawad Hassan Chaudhry and other notables.*** As more politicians jumped out of the ship, Imran Khan tweeted: 'We had all heard about forced marriages in Pakistan but for PTI a new phenomenon has emerged, forced divorces.'

The PTI's official version was that:

"The defections will not affect the PTI in upcoming general and provincial elections, calling Khan the most popular leader in the country. All that has been happening in the country is being done to avoid elections because the government fears the PTI will sweep it. If it is democratic society, let people decide who will rule over them."

In Pakistan, defections from political parties were not a new phenomenon; the political careers in that country are usually built around ***'opportunistic and not ideological lines'***. The intelligentsia held that some politicians abandoning the PTI ship were known for their *'toxic brand of politics'*, their decision to remain in politics should be decided by their voters. The voters should have the right and the opportunity to throw such politicians out of the political arena. But it never happened in Pakistan. In the given scenario, such defections were expected to have a dampening effect on PTI's performance in the next elections. No doubt that Khan had massive support among the people, but he needed strong candidates, too.

- ***It was alleged that the defections happened at the behest of the 'establishment' – which the military forcefully denied.***

Mr Khan's wife Bushra Bibi was also granted protective bail until 31st May (2023) instant in AL-QADIR TRUST CASE built up by National Accountability

Bureau [NAB] court in Islamabad. Khan had promptly denied the charge, saying they both were not involved in any wrongdoing.

There were media opinions on 'DEFECTIONS' on the same day. Since his controversial arrest and the violence that followed it, more than two dozen leaders of the PTI had quit the party, which blamed the continuing government crackdown for their exodus. In the biggest setback for Khan's party since the exodus began, Shireen Mazari left the PTI after the former human rights minister was detained several times since she was first arrested on 12th May 2023 over the deadly protests that followed Khan's arrest. Addressing a news conference at her Islamabad residence on that day, the 57-year-old politician condemned the violence, including the attacks on military installations; saying:

"The constant release and arrest and the ordeal it put my daughter Imaan under had an impact on my health, too. Due to these reasons, I have decided I will quit active politics. And I want to add that from today onwards, I will not be a part of PTI or any other political party."

As more politicians jumped PTI-ship, Mr Khan again tweeted the earlier phrase: **'We had all heard about forced marriages in Pakistan but for PTI a new phenomenon has emerged, forced divorces.'** He was then battling more than 100 legal cases and was trying to avoid being rearrested. Khan alleged his party leaders were being coerced to leave, without saying who was doing it – 'People are not quitting, they are being forced to leave the party at gunpoint. Political parties cannot be dismantled through such tactics.'

All that was happening in the country was being done to avoid elections because the government feared the PTI would sweep it. Had it a true democratic society, the people would have allowed to decide who would rule over them.

AL-JAZEERA dated 24th May 2023 noted that:

"...according to experts, due to the Pakistani military's oversized role in domestic politics, defections from political parties are not a new phenomenon. Such defections happen at the behest of the establishment – a euphemism for the army. Political careers in Pakistan are usually built around 'opportunistic and not ideological lines'.

Their decisions on when to stay and when to quit is shaped not by party leanings, but by political logic or dynamics in their constituencies and their prospects for power. This is why we see politicians switching towards the party with the best chance of winning national or provincial governments. While some politicians abandoning the PTI ship were known for their 'toxic brand of politics', their decision to remain in politics should be decided by the common people."

Lahore based media analyst of **GEO TV** Benazir Shah commented that:

"The voters should have the right and should be given the opportunity to throw such politicians out of the political arena. But as of now, it seems the establishment is making that decision for them, deciding which political party can and cannot contest elections.

It was not easy to predict how politicians leaving the PTI will affect the party in future. The establishment has in the past tried to break up political parties such as the PPP and the PMLN. But the plan rarely ever worked. These political parties proved to be resilient due to a loyal party base, which was willing to endure long jail terms and court cases for the leadership - these defections can have a dampening effect on PTI's performance in the next elections.

There is no doubt that Khan has massive support among the people, but he needs strong candidates who bring their own vote bank with them."

THOUGHTS FOR SURVIVAL:

A little earlier, from the University of Bath [UK], Asha Amirall's research article about Pakistan appeared in **AL-JAZEERA** of 22nd May 2023, saying that:

"Crisis is now outdated in Pakistan. Admittedly, the current standoff between the authoritarian populist Imran Khan and the military has an element of novelty to it, but even in the most dramatic scenario, it will likely end with not much more than regime change and some further weakening — though not annihilation — of the military's out-sized political role.

There have been bigger crises in this country of 240 million people. Long wars have been fought inside and outside its borders; prime ministers have been assassinated and sometimes sent to gallows. But one thing never changed through all this; the vision of development held by Pakistani elites and the international development establishment. This status-quo and the corresponding lack of alternatives – proved to be a much bigger crisis than the inter-elite warfare one sees today.

*Pakistan's Vision 2025 sets itself the goal of making Pakistan the 'next Asian Tiger'; meaning thereby increasing both the quantum and value of production and consumption through a top-down. **BUT there is no progressive approach in sight whatsoever**; not a single field touched yet. The social and ecological impact of this lethargic and family oriented business-rule has been distressing and demoralizing for the coming generations too.*

***Pakistan's elite and family rulers often cry** that 'Pakistan is a victim of Western greed - paying the price without having eaten the cake'. Might be little truth in it but the state records clearly showed that the effects of climate change were significantly enhanced by the physical, social and political criminal compromises during the past 75 years of intellectual and financial corrupt Pakistan. For instance, two large hydrological projects contributed to recent flooding: "Sindh's Left Bank Outfall Drain built in the 1990s and the Chashma Right Bank Canal in Southern Punjab; but no one tells details of such follies to the public – that which canal blocked the course of the western hill torrents channelling rainwater to the riverbanks."*

Without doubt, Pakistan needs new plans. The real crisis in Pakistan is that no one is thinking about new-era achievements and alternatives. It is extremely likely that there are better ways of organising and managing large-scale societies like ours. Whether the PTI, PPP or the PDM collectively would be able to show wisdom to take Pakistan towards new heights or the populace would continue to grind old mantra of Status-Quo with no twinkling light.

See also the notable paragraphs of the **BBC's Analytical Notes** dated 27th May 2023:

"For many years, Pakistan's military establishment believed that in Imran Khan they had found a saviour for the country. But, writes author and journalist Mohammed Hanif, after only a year out of

power he is threatening to become their nemesis - and the military is using its might to save itself from Khan's wrath.

As Imran Khan and his party face a country-wide crackdown, Pakistan seems to have come to a standstill. The nation is facing crippling inflation and the hottest summer in history, with constant power breakdowns, and yet the whole country is consumed with what Khan will do next, and what our military establishment can do to contain him.

After he was removed from power more than a year ago, his supporters said Khan was their 'red line' and that if he was arrested, the country would burn. After a number of failed attempts, a contingent of paramilitary forces did just that on 9th May...The country didn't quite burn, but Khan's supporters took the fight to military cantonments."

The Pak-Army's headquarters, popularly known as GHQ in Rawalpindi, the most secure place in Pakistan, was breached and people trampled on the signboards with military logos; allegedly, one of the gates of the GHQ was also broken through. A senior General's house in Lahore was ransacked - while setting its furniture and cars on fire. One protester walked away wearing the General's uniform, another made away with his pet peacock.

- *It had all the symbols of a revolution, except that it wasn't. Imran Khan was first loved by the army, then shunned by them, now his supporters were settling their scores. It was less of a revolution and more of a lovers' spat. It's almost a rite of passage for every prime minister to fall out with the Pakistan army.*

[Pakistan's first elected Prime Minister, Zulfikar Ali Bhutto, was hanged, his daughter Benazir Bhutto was dismissed twice as a prime minister and her assassination, by a teenage suicide bomber, was never fully investigated. Nawaz Sharif was dismissed, jailed, exiled - then again in (self) exile; he ruled by proxy via his younger brother Shehbaz.]

After Imran Khan's arrest his supporters did what no mainstream political force had done before. Instead of taking to the streets in protest, they invaded the cantonment areas and showed the citizens how Pakistani Generals live. Before that he had called the former army chief Gen Bajwa (who was

instrumental in bringing and sustaining him in power) a traitor. He also named an ISI General for being responsible for a failed assassination on him. He and his supporters repeatedly called the accused General Dirty Harry in public rallies.

Many Pakistani politicians in the past have named and humiliated the army as an institution but Pakistanis were not used to seeing the images of a Corps Commander's house on fire, women protesters rattling the gates of GHQ, and the statues of decorated soldiers being toppled. This was exactly what the then PDM government, a coalition of almost all the political parties opposed to Khan, needed to hit back. The government was trying to get out of an awaiting national election, which according to many opinion polls Khan was likely to win. Many government politicians were calling for an outright ban on his party PTI.

Why so that Imran Khan, despite facing dozens of charges then, was still roaming free? The perception remained that he had polarised the establishment itself. There were officers and their families within the army who were charmed by him. There was the judiciary which had been extending his bail. After spending one day in the lock-up, Pakistan's highest judge called him to court, saying '**happy to see you**', and put him in a state guest house. The next day another judge released him. Imran Khan had won over a massive constituency in Pakistan that hated politics and ruling politicians before him.

His message of clean governance and justice made popular appeal - ***although when Khan was in power corruption actually increased and he put many of his political opponents in jail.*** But his removal from power reassured his supporters, many of whom were women and young people who had never voted before and never attended a political march.

PTI supporters were often accused of political inexperience, taking an ahistorical view of the then prevailing crisis and claiming that what was happening then had never happened in the history of Pakistan. They considered themselves part of a reformist movement that wanted to rid the country of all corrupt politicians who had been playing havoc with the country since seven decades. Like Khan, they once loved the army; then they held the army responsible for everything. Despite Khan's repeated attacks on the army leadership, many believed that he didn't really want to curtail the army's powers, he just wanted the Generals to love and support him and his party like they did before when they brought him in power.

In the aftermath of the riots on 9th May 2023, the army high command started thinking that '**enough is enough**'. Gen Asim Munir, the army chief, had called it a '**black day in the history of Pakistan**'. Imran Khan might have escorted in a new kind of populist politics in Pakistan, but the army was using the same playbook to bring him down that it had used against his predecessors. Dozens of corruption cases, mass arrests and a clear message that by attacking the army, Khan had crossed the red line. The army also celebrated a 'respect for martyrs' day' in response to the attacks on military installations on 9th May (though critics pointed out that no soldiers were martyred that day, just a big & posh mansion ransacked by an angry mob – many say they were PMLN-planted activists).

REACTION MANAGED TO OPPOSE PROTESTS:

Then cropped up state-sponsored rebuttal. Main roads in the major cities were lined with posters praising the army and pledging eternal loyalty. The army also brought into play religious parties that had attacked it in the past - they were out on the streets, declaring their love for the army. Pak-Army was also looking within its own ranks for Khan's sympathisers. One woman that law enforcement agencies were pursuing for her alleged involvement in the 9th May riots was the **fashion designer turned political activist Khadija Shah - who was also the granddaughter of a former army chief and a third-generation cantonment child**. She denied committing any crime, but it was clear Khan had mesmerised some of the 'army brats' to such an extent that they were willing to set their own house on fire. By arresting Shah and putting her behind bars, the army sent a clear signal to army families to stay away from Khan's politics; veteran writer **M Hanif's observations** are referred through the **BBC's** analysis dated 27th May 2023.

The army also tried to dismantle Khan's PTI party through mass arrests and by deciding to hold military trials of workers and leaders who were involved in cantonment attacks. Many of Khan's senior party leaders were under immense pressure to leave his PTI party. Some actually left, claiming that they couldn't condone Khan's confrontational approach towards the Pakistan army.

Historically, Pakistan's army always managed to have its way when confronted with civilians. Imran Khan had asked his workers to choose death

over a life of slavery. In that deadlock, it's the ordinary Pakistanis who suffered - and would continue to suffer for many years to come.

At the end of discussions; one would like to see a plausible analysis in the following lines from ***Brig [R] Mehboob Qadir*** appeared open on most social media pages dated **31st May 2023**:

*"From this entire political and deep state agitation about 9th May implosion, one thing clearly stands out – (that) It is neither love of the army nor any respect for Jinnah' heritage or his person by Coalition particularly by Nawaz League. In fact, **the trade union of thick thugs** felt mortally threatened by rising popularity of Imran Khan thus they hatched a perfectly evil plan which was helped by IK's careless talk about popular reaction if he was arrested or killed. **The Chankyas in Nawaz League conspired even against their fellow charioteers; the GHQ.***

*They pushed forward Rangers into IHC who very roughly arrested IK in full view of media. Interior Minister promptly disowned the foolish action diverting public anger towards the Army, Rangers being a force commanded by GHQ. Agitation broke out and **Coalition saboteurs infiltrated the PTI crowds and indulged in arson and destruction.** It is known with certainty that Radio Pakistan was destroyed by Nawaz League men. Regrettably plausible video and eye-witness accounts suggest certain serving Army officers were involved in arson at Flag Staff House Lahore.*

*One was identified as son (allegedly an army officer) of Ahad Cheema, PM Shehbaz Sharif's civil servant. This is a weird coincidence which links two major partners of the formidable array against Imran Khan. **The real plan was to crush PTI. Over ten thousand PTI men and women have been arrested and houses of leaders broken in or completely destroyed in some cases.***.....

One hopes the outlines of the evil plan have been sufficiently highlighted."

Scenario 273**CONSEQUENCES OF 9TH MAY...****MOST PTI LEADERS DEFECTED JUST AFTER:**

After six months since Imran Khan's arrest on 9th May 2023 PTI leaders were found (still) ditching their party for incidents which occurred half a year ago. One of the latest additions to the long list of defectors was Sadaqat Ali Abbasi, who resigned from his party position and retired from politics during a live TV interview a month earlier. The said PTI leader had disappeared for several months, leading to speculations of being 'picked up' after 9th May. Upon his return, he was quick to condemn the 'radical' views against the establishment.

BUT he was not the only one. Ever since the events of 9th May, PTI leaders were leaving the PTI and Imran Khan. It was almost like an exercise how each member went through the same process: getting 'picked up' or arrested, coming forward, condemning the 9th May incidents, and then quitting the party and or politics altogether. But how did the most popular party in the country go from widespread acceptance to the margins of obscurity within half a year? To understand this, one could trace the events that led to that infamous May-Day and the subsequent exodus of PTI members, coupled with the party's disengagement.

It can be argued that ***the beginning of the end*** started when the 'same page' was torn out in April 2022 concluding the vital relationship between the PTI and its benefactors via No-Confidence Vote in the parliament, executed under Article 95 of the Constitution. A total of 174 out of the 342 members in the parliament voted in support of the opposition's said motion. In Bilawal Zardari's words: '*The one we had declared selected, the non-democratic burden this country was bearing for the past three years, today, April 10, 2022, welcome back to purana (old) Pakistan*'.

Referring to **WARA IRFAN's** analysis on media pages of 10th November 2023: Soon after the arrest of Imran Khan on 9th May 2023, its leadership

started fleeing the PTI party. On 17th May 2023, three leaders, including former federal minister Aamer Mehmood Kiani, MNA from Karachi Mahmood Baqi Moulvi, and MPA in Sindh Assembly Dr Sanjay Gangwani, announced their decisions to part ways with the Imran-led party. They spoke out that the riots were an attempt to trigger a sort of 'Arab Spring' in Pakistan; referring to a wave of pro-democracy protests and uprisings that took place in the Middle East and North Africa in 2010 and 2011.

Next day, on 18th May 2023, Malik Amin Aslam, Dr Muhammad Amjad and Dr Imran Ali Shah announced that they were parting ways with the party. Aslam, who remained an adviser to the PM on climate change when Imran Khan was the prime minister, said '... he spent 13 years with PTI but it is not possible for me to continue after the attacks on military installations and Jinnah House Lahore'. In Karachi, PTI's lawmaker in the Sindh Assembly, Dr Shah, said '...the vandals didn't even spare national institutions and the May 9 events changed his mind about his political future'.

On 22nd May 2023: In the wake of the May 9 arson attacks, Chaudhry Parvez Elahi's confidant Wajahat Hussain decided to part ways with PTI and rejoined his parent party PMLQ.

On 23rd May 2023: In a major blow to the PTI party, former human rights minister and PTI stalwart Shireen Mazari quit the party and announced her retirement from active politics citing personal reasons. She said her children and her health were her main priority. 'From today, I'm not part of PTI or any active party because first [for me are] my family, my mother and kids'; she said. Following the initial 9th May protests, at least 13 PTI leaders, including Mazari, were arrested under the Maintenance of Public Order ordinance. She was granted bail by courts on multiple occasions but was re-arrested immediately every time.

Fayyazul Hassan Chohan, a former provincial minister and PTI spokesperson, also quit the PTI because 'he could not imagine speaking against the army'. Chohan also lashed out at his former boss and claimed that he had developed differences with the PTI chairman for the last year and that the doors of Banigala and Zaman Park were closed for him. 'Almost one year ago, I sent a WhatsApp to Imran and also forwarded it to a journalist for the record. I don't want to remain in a party which never cared about me,' he said.

Makhdoom Iftikhar Ali Gilani, a former PTI MPA from Uch Sharif, also announced his decision to quit the party in the backdrop of the 9th May violence in the country. A former PTI MPA from Khanewal and later ticket-holder from PP-209, Abdul Razzaq Niazi, in a press conference in Lahore, also parted ways with the PTI. In Karachi, another two of PTI MPAs, Omar Omari and

Bilal Ahmed Ghaffar, also announced they were to quit the party while condemning 9th May.

On 24th May 2023: In another significant blow to the PTI, the party's senior vice president and spokesperson Fawad Chaudhry announced that he was 'parting ways with former PM Imran Khan'. Taking to X, formerly Twitter, he said he had resigned from his party position and had decided to take a break from politics.

On 25th May 2023: Asad Umar, a close aide and head of Imran's economic team, stepped down from his party office in light of the crackdown on PTI. According to Umar, he was not quitting the party offices *under pressure* — a statement in contrast to claims made by the PTI chairman, who accused the powers that be of coercing members to exit.

During those hard days, at least nine other party leaders including Maleeka Bukhari, Jamshed Iqbal Cheema and his wife Musarrat, Malik Akram Kanhon, Javed Ansari, Dr Muhammad Afzal, Ch Ehsanul Haq, Ch Jehanzeb Rasheed, and Saeed Akbar Niwani had parted their ways with Imran Khan and PTI. Maleeka said that it was their failure that we could not control the workers. Mob should not have entered the military installations.

On 26th May 2023: Former Punjab cabinet members Dr Firdous Ashiq Awan and Murad Raas, among a dozen leaders, announced their decision to leave the party as they did not support the 9th May attacks on state buildings and army installations; collectively agreeing with Dr Awan:

"I believe that the martyrs ... their love and the country's respect are a part of our faith. Those who disrespected martyrs attacked Pakistan's foundation and ideology. Imran Khan and Pakistan can't function together."

On 27th May 2023: Former Sindh governor Imran Ismail announced that he was leaving the PTI and resigning from all party positions; saying: '*I have decided that I am resigning from positions of the PTI, as I am the additional secretary general and a member of the core committee. I am also leaving the PTI ... Khan sahib I bid adieu to you and PTI.*

PTI Sindh President Ali Haider Zaidi also announced his decision to **quit politics** and resign from positions within the PTI, describing it as a difficult decision that he arrived at after extensive deliberation. In a video message, Zaidi affirmed his commitment to serving Pakistan and emphasised that his

initial purpose for joining politics was to contribute to the betterment of the country.

On 1st June 2023, The PTI suffered a major setback when the party's provincial president, Pervez Khattak, announced in a press conference his decision to step down from his party position. A PTI representative, who preferred not to be named, claimed that Khattak, a former federal minister, had only resigned as PTI president of Khyber PK, just like Asad Umar, and would remain part of the party.

- Later, on 12th July 2023: PTI terminated the basic party membership of Mr Pervez Khattak after he failed to respond to a show-cause notice that sought an explanation ***'for inciting members to leave the party'***. his termination letter, shared by the PTI on X, said: *'Now, therefore, you are served with this notice of termination from your basic membership of Pakistan Tehreek-i-Insaf, with immediate effect'*.
- On 17th July 2023, Khattak launched his own breakaway faction of the party by the name of **Pakistan Tehreek-i-Insaf Parliamentarians** (PTI-P). In a video of the gathering, Khattak was seen saying that: *'...like-minded former parliamentarians from KP have gathered today and after consultation, we agreed to decide a future political strategy. It is mutually decided that we will lay the foundation of a new party, which will be named Pakistan Tehreek-i-Insaf Parliamentarians'*. According to a handout issued by the party, Khattak was the new party's chief while more than 57 ex-PTI MPAs also joined him to raise the new faction of PTI.

On 29th June 2023: The PTI faced another setback as its Karachi chapter president, Akram Cheema, revealed his departure from the party. He had been appointed as city president by PTI chairman Imran Khan a month before, succeeding Aftab Siddiqi, who had also left the party after the 9th May episode, primarily due to *'difference of opinion'*. He was picked up by law enforcement agencies and after a gap of around one week, he was arrested in two cases about the 9th May riots. He was given bail after two days and he quit the party while condemning attacks on military institutions.

On 4th October 2023: Senior PTI leader and former federal minister Usman Dar, whose whereabouts had been unknown for three weeks, resurfaced in a pre-recorded interview, televised, where he announced a parting of ways with Imran's party, alleging that the former prime minister was the *'mastermind of the May 9 riots'*. Dar was reportedly picked up from Karachi in the second week of September.

On 16th October 2023: Former minister Farrukh Habib, whose whereabouts had been unknown after his arrest from Gwadar a month earlier, resurfaced in a press conference, where he announced parting ways with Imran Khan's party. He also joined the newly formed Istehkam-i-Pakistan Party (IPP).

The fragmentation of PTI: On 6th June 2023: Jahangir Khan Tareen, once a close aide of the PTI chief, launched a new party, the **Istehkam-i-Pakistan Party (IPP)** with several other PTI defectors — including those who left in the aftermath of the 9th May incidents — by his side. Tareen said the events of 9th May had changed the politics of Pakistan and should never happen again; adding that: ***'So we have gathered here today. We will collectively try to steer Pakistan ... out of the quagmire. Our country needs us today. We will together heal the wounds inflicted on Pakistan.'***

Former PTI stalwarts Fawad Chaudhry, Ali Zaidi, Imran Ismail, Mahmood Maulvi, Firdous Ashiq Awan, Ajmal Wazir, Nauraz Shakoor, Fayyazul Hasan Chohan, Amir Mehmood Kayani and former PTI financier Aleem Khan had also joined Tareen's side.

ONSLAUGHT AGAINST PTI & KHAN:

Referring to the **WALL STREET JOURNAL** dated 28th June 2023: An unprecedented crackdown, by the PDM government with mighty backing of the *establishment*, was initiated against PTI leaders and workers, with thousands arrested; most groups raising concerns regarding arbitrary arrests, custodial torture, and forced disappearances. PTI leaders were forced to quit party / party positions in televised press conferences. Businesses of PTI leaders who did not quit the party were sealed. Family members of PTI leaders who went into hiding were harassed by police and military intelligence forces. In many instances, their houses were raided late at night and ransacked; valuables were also seized; the dowry for Mian Aslam Iqbal's daughter's wedding was seized by Punjab Police; and the homes of Lal Chand Malhi and Ali Nawaz Awan were demolished; **daily DAWN** dated 27th May 2023 is referred.

A crackdown was also initiated on vocal women supporters of Khan's party - the most prominent of which was Khadija Shah, a businesswoman and granddaughter of former Pakistani Army Chief, Asif Nawaz Janjua; daily **PAKISTAN TODAY** of 10th May 2023 is referred.

Former Federal Ministers, Shehryar Khan Afridi and Ali Muhammad Khan, former Governor Punjab Omer Sarfraz Cheema, and former Punjab provincial

ministers, Yasmin Rashid and Mehmood-ur-Rasheed have been incarcerated since the end of the riots; **The EXPRESS TRIBUNE** dated 10th May 2023 is referred.

Even once released by the courts, they were immediately re-arrested in other cases; Khan has been rearrested six times, while Afridi, and Rashid have been rearrested twice. Cheema's wife was arrested as she came to attend her husband's hearing. Afridi was not allowed to attend his brother's funeral and was kept in inhumane conditions in a 'death cell' reserved for those on death row; **Sigamony, Terence's** article in **Brecorder** dated 30th May 2023 is referred.

Media censored and journalists abducted: Mobile internet coverage was suspended as riots spread throughout the country. The ban effected gig workers, including those working for Uber, Foodpanda, and Careem, as well as freelancers and remote workers who relied on mobile internet. It was estimated that during the three days that mobile internet remained suspended, Pakistan's telecom companies bore a loss of Rs 2.49 billion (US\$8.9 million), while the country's software export industry lost Rs. 10 billion (US\$36 million). Starting from 13 May 2023, the authorities started restoring Internet access; daily **THE NATION** dated 13th May 2023 is referred.

Access to social media, including Facebook, Twitter, and YouTube, was also restricted in the aftermath of the riots. Both the blockage of internet and social media were implemented by Pakistan Telecom Authority after a notification for the same was issued by the interior ministry, under Rana Sanaullah. Access to social media was fully restored by 16th May 2023; however, the government had hinted at another social media blockage with defense minister, Kh Asif, claiming that *'the script of the May 9 violence was prepared via social media'*; **ARAB NEWS PK** dated 14th May 2023 is referred.

The INTERCEPT dated 2nd June 2023 reported that several leading media houses were called to a secret meeting by the Pak-Army in which they were directed to ban all coverage of Imran Khan. As a result, Khan's name disappeared overnight from all local print and electronic media, with journalists euphemistically referring to him as **"Qasim ke Abba"** (Qasim's father) as the moniker became a top twitter trend in Pakistan. This directive was reinforced by Pakistan's media regulator PEMRA, prohibiting coverage of Imran or PTI.

Journalists that were seen as aligned with the PTI were targeted. Imran Riaz Khan, one of the most popular journalists on Pakistani social media, was kidnapped from outside Sialkot Central Jail on 11 May 2023 after being initially detained by Punjab Police. He remained missing as the IGP of Punjab

Police, Usman Anwar, put the blame on military agencies for his disappearance in front of the Lahore High Court, and expressed his inability to locate the journalist; **AL-JAZEERA** dated 23rd May 2023 is referred.

- Another prominent journalist and TV anchor, Sami Ibrahim, head of Bol News was picked up from Islamabad on 24 May 2023, {later released on 30 May 2023}; **DAILY TIMES** dated 25th May 2023 is referred.

Reporters without Borders and the **International Federation of Journalists** raised concern over the abductions. In January 2026, *an anti-terrorism court convicted and sentenced eight journalists* and social media commentators to life imprisonment in absentia for terrorism-related offences linked to online content supporting Imran Khan. The court ruled that their digital activity promoted fear and unrest under anti-terrorism laws. Those sentenced included former army officers who later became YouTubers, Adil Raja and Syed Akbar Hussain, along with journalists Wajahat Saeed Khan, Sabir Shakir and Shaheen Sehba, as well as commentator Haider Raza Mehdi and political analyst Moeed Pirzada. Saeed Khan, described the ruling as '**political theatre**'.

Civilians in military courts: In the immediate aftermath, the administration attempted to transfer a number of cases to military courts for trial due to the seriousness of the crimes committed during the riots. Four accused people involved in targeting defense sites had their transfer allowed by an anti-terrorism court [ATC] in Faisalabad, while eight accused people involved in the attack on the GHQ had their transfer granted by an ATC in Rawalpindi. Additionally, the commanding officer received 16 suspects, among them an ex-PTI Member of the Provincial Assembly (MPA), who was charged with looting and vandalizing Corp Commander House in Lahore. Later, trials of as many as 102 defendants, who were deemed to be involved in attacks on military installation, were transferred from anti-terrorism courts to military courts; **the EXPRESS TRIBUNE** dated 1st June 2023 is referred. Several constitutional petitions were made before the Supreme Court of Pakistan to declare the trials unconstitutional, including by the former Chief Justice Jawwad S. Khawaja, who deemed it as '**militarization of justice**'. Prominent lawyer, Aitzaz Ahsan, was also one of the petitioners as he considered the move as '*a complete anathema to the constitutional separation of powers, the independence of the judiciary, the inalienable right of every Pakistani to be treated in accordance with law, and the fundamental rights of life, liberty, fair trial, and due process*'. Imran Khan, also filed a civil petition separately. The petitions were clubbed together into a **military courts case** with a 6-member Supreme Court larger bench hearing it; **DUNYA NEWS** dated 28th June 2023 is referred.

Lawyers Targeted: The legal fraternity, particularly those demanding the upholding of the Constitution of Pakistan and cessation of trials of civilians in military courts, were also targeted. A prominent lawyer, Uzair Bhandari, was abducted and later released after he left Imran Khan's residence after consulting with him on the matter of military courts. The house of Advocate ***Latif Khosa, former Governor of Punjab***, was attacked by armed men after he made a speech against the interim government in Punjab and the trial of civilians in military courts; **PAKISTAN TODAY** dated 18th June 2023 is referred.

PTI's CASES IN THE COURTS:

Imran Khan was released after the Supreme Court of Pakistan declared his arrest as 'illegal'. Khan remained free until he was arrested again on several cases, with many being from the military alleging Khan had relation to the riots. *The Lahore High Court concluded that there was no audio or video evidence that it was aware of, that Imran Khan was related to the 9th May riots*; **the EXPRESS TRIBUNE** dated 28th July 2024 is referred.

- Imran Khan also stated, that he was ready to apologize for the riots should a single piece of evidence be found implicating PTI in the violence that ensued on 9th May. *In May 2024 Khan was acquitted from two 9th May-related cases due to insufficient evidence.*
- In June 2025, a Lahore anti-terrorism court rejected the police's request to conduct a polygraph (lie detector) and Photogrammetry (photo identification) test on Imran Khan. The presiding judge said Khan was already granted two chances to demonstrate cooperation, which he chose not to avail, saying '*This is the first case in Pakistan where a suspect is actively refusing to prove their innocence*'.

In July 2024, a comprehensive order issued by Judge Khalid Arshad of the Anti-Terrorism Court of Pakistan linked Imran Khan to the orchestration of attacks on military bases, government buildings, and police personnel. This order disclosed that Khan had directed PTI leaders to incite chaos and apply pressure for his release in the event of his arrest, according to testimonies from two prosecution witnesses. The court document detailed a meeting on 7th May 2023, where Khan allegedly instructed PTI leaders to brace for possible disturbances on 9th May if he were apprehended. In a video message, he reportedly cautioned that Pakistan could face turmoil similar to the 2022 Sri Lankan protests should he be detained, prompting his followers to participate in what he called a '*real jihad for real freedom*'.

The Chief Minister of Khyber PK, Ali Amin Gandapur, was also said to back Khan's position, suggesting that a hunger strike by Khan would trigger widespread protests both domestically and internationally. The prosecution argued that Khan masterminded a criminal conspiracy, mobilizing senior PTI figures to provoke actions that led to the Attack on the Corps Commander House, Lahore, with the intention of intimidating the government. Judge Arshad's ruling highlighted that pre-arrest bail was not applicable for individuals plotting to undermine the government and committing acts of terrorism. As a result, Imran Khan's bail application was denied, upholding the court's stance on his supposed participation in the unrest; **the EXPRESS TRIBUNE** dated 11th July 2024 is referred

On 25th August 2025, an anti-terrorism court in Faisalabad convicted 59 individuals, including senior PTI leaders Omar Ayub, Shibli Faraz, and Zartaj Gul, sentencing them to 10 years in prison in connection with the events of 9th May. The court also sentenced 16 others to three years' imprisonment for attacking the residence of PMLN leader Rana Sanaullah and ordered the confiscation of properties belonging to 42 PTI supporters. A total of 34 accused, including former information minister Fawad Chaudhry and MNA Zain Qureshi, were acquitted due to insufficient evidence.

The judgment described the events as part of a broader conspiracy allegedly planned at meetings in Rawalpindi and Lahore, though defense counsel questioned the credibility of key prosecution witnesses. Earlier, the defense counsels argued that only three witnesses were presented in relation to the alleged conspiracy said to have been planned at Rose Hotel in the Chakri area of Rawalpindi and at Imran Khan's Zaman Park residence; they had also contended that the participation of these witnesses—Asmat Kamal, Hassam Afzal, and Muhammad Khalid, were all police officers—in the two alleged meetings was highly doubtful based on their own disclosures. Non-bailable arrest warrants were issued for 75 absent convicts, and overall, more than 160 PTI members had their properties confiscated under Section 7(2) of the Anti-Terrorism Act, 1997; **the EXPRESS TRIBUNE** dated 26th August 2025 is referred.

- **In August 2025**, media theories developed that Pakistan's Chief of Army Staff, Field Marshal Asim Munir, had sought **a sincere apology** over the riots, following a column by Suhail Warraich, a senior editor at the Daily Jang newspaper. Warraich claimed Munir had made the remarks during a conversation in Brussels, implying that political reconciliation could follow an apology—widely interpreted as being directed at the PTI. However, Inter-Services Public Relations (ISPR) later clarified that the army chief had neither made any political statement nor requested an apology, and had not given any

*interview during the Brussels visit; **daily DAWN** dated 21st August 2025 is referred.*

PTI VS PAK-ARMY: A YEAR AFTER:

Since the events of 9th May 2023, very little appears to have changed in Pakistan, at least from the political perspective. In fact, more expectations were there for bad blood between the PTI and the security establishment; both sides were unwilling to reconsider the combative stance they had taken towards each other.

In a press conference on 7th May 2024, the ISPR (Pak-military's media) made it clear there would be no moving forward without a sincere apology from the PTI and a public disavowal of '***the politics of anarchy and hate***'. In response, the PTI denounced the statement as a *pack of lies - full of contradictions*.

Fact remained that the violence directed at military symbols and installations in several parts of the country on that day of 2023, was a direct consequence of the narrative built by the PTI following its ouster. The party had spent months framing the possibility of its chief's arrest as a '***red line***', all the while blaming and shaming the security establishment for its ouster from government in April 2022. This combustible mix, triggered by the controversial arrest of Imran Khan by Rangers personnel from the premises of the Islamabad High Court, exploded in the form of unprecedented, widespread violence by PTI supporters. BUT, in return, thousands were targeted in reprisals by the state, and the events of the day accelerated the expansion of unelected forces influence in the state's legislative and administrative set-ups.

The state, too, was not without blame. Rather than acting with restraint and demonstrating that it was only interested in getting justice for the wrong that it had been caused, it responded with extreme measures taking guidance from the playbooks of past dictatorships. In seeking 'justice' for PTI supporters' defacement of various installations, the homes of countless civilian suspects were raided & vandalised and their residents harassed by state-personnel. Even women prisoners, who otherwise enjoy special protections and concessions under Pakistan's legal system, were repeatedly denied their right to bail and kept imprisoned without trial in countless suspicious cases.

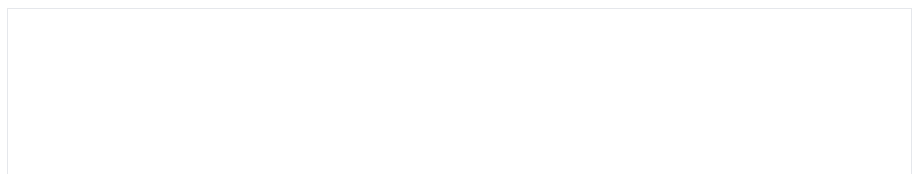
After that unfortunate day of 2023, the PTI-military stand-off became the root cause of Pakistan's political instability. Since neither side was interested

in a resolution, perhaps the government could have stepped in. It could offer its best resources to prosecute the 'actual' 9th May cases in respective courts, ensuring a transparent judicial process. If done fairly, that could prevent the two sides from engaging directly with each other directly. That chapter should have been closed much earlier to keep the nation moving upwards.

- **On 9th May 2024**, the first anniversary of the above said riots, President Asif Ali Zardari called the occasion a '**dark day**' in Pakistan's history. Defense Minister Khawaja Asif said that the events of 9th May were part of a well thought-out conspiracy; claiming that the attack on military installations and properties was carried out as part of a planned conspiracy by a political party. PTI observed these events as a '**False Flag Operation**' aimed at crushing both the party and its leadership. PTI also condemned what it described as the unlawful detentions and brutal use of state power against its workers, who were peacefully protesting in observance of the alleged 9th May 'false flag operation' across the whole Pakistan; daily **the-news.com.pk** dated 10th May 2024 is referred.

In short, the first anniversary of the 9th May riots was marked with various events and ceremonies. A **Black Day** was observed on the anniversary of the incidents in schools and other educational institutions across Rawalpindi; the district administration of Rawalpindi announced the observance of *Black Day* with an official notification. A ceremony was organized in Jinnah Convention Centre, Islamabad in honor of the martyrs.

PTI also held public gatherings and processions on the first anniversary demanding the release of the party's founding chairman, Imran Khan, and other arrested leaders and workers. It was held that the government had used and were 'using excessive force against PTI under the pretext of a false flag operation on 9th May 2023, to crush the party'.



Scenario 274

RETURN OF NAWAZ SHARIF IN 2023

During PDM government in years 2022-23, the political landscape started tilting towards self-exiled Nawaz Sharif and more precisely towards the whole Sharifs family because the younger brother Shahbaz Sharif was in saddles as the prime minister of Pakistan. The manoeuvrings had taken start from the 1st day of 'No-Confidence Vote' success in April 2022 but year 2023 brought immensely valuable fortunes for the family.

PM SHAHBAZ SHARIF & HIS FAMILY ACQUITTED:

On 27th January 2023: In a supplementary challan (*final / additional investigation report*) submitted before a Special Central Court judge, the Federal Investigation Agency (FIA) declared Prime Minister Shehbaz Sharif's son Suleiman Shehbaz innocent in the Rs16 billion money laundering case. It was 'revealed' that neither Suleiman had been a public office holder, nor had he been the '*Benamidar*' of any public office holder, the report stated. It further added up that no evidence was found against him of either money laundering or any illegal transaction from his given bank accounts.

- *It is worth mentioning here that the premier's son had been declared a '**proclaimed offender**' in this case. When all the tools were set with the FIA's investigation files, he had filed his bail plea on 23^d December 2022, and joined the investigation under all government-in-power protocols. The court had granted pre-arrest bail to Suleiman in the said case.*
- *Suleiman was not the only one to gain respite from the said court, it had already acquitted Prime Minister Shehbaz himself and his other son Hamza Shehbaz in the same money laundering case.*

Suleiman Shahbaz, in his petition, implored the court that he and his family had been made the subject of political victimisation by '**implication in forged cases**'. The petitioner declared his innocence and stated that he decided to come back to his homeland to surrender to the process of law to vindicate it, and had approached the Islamabad High Court (IHC) to seek protective / transitory bail, which was granted to him graciously. He contended that notwithstanding the 'ruthless use of state apparatus at its disposal under the cover of investigation on the above allegations, for over a period of more than one year, respondent investigating agency could not

collect an iota of evidence to suggest any nexus of the petitioner's father and brother with the opening or operation of the alleged benami accounts'.

Suleiman Shahbaz further stated that no evidence could be collected and brought on record on the allegations of money laundering or involvement of proceeds of any crime in the investigation report under section 173 CrPC /challan prepared and filed by the investigation team, which was constituted during the previous regime (of Imran Khan), and which acted under the direct supervision, influence and pressure of the then-adviser for interior and accountability Shahzad Akbar. He also submitted that the prosecution's case could not stand the test of judicial scrutiny even at the tentative stage of bail and the petitioner's father, his brother and other co-accused were admitted to bail before arrest on merits by the predecessor of this court through its order (firstly) on 11th June 2022, whereas the petitioner's father and brother were acquitted on 12th October 2022.

On 20th July 2023: A Lahore accountability court acquitted Prime Minister Shehbaz Sharif, his son Hamza Shehbaz and wife Nusrat Shehbaz in a ***Rs8 billion money laundering reference*** [for details see the below lines...] filed by the National Accountability Bureau; The verdict was announced by Judge Qamaruz Zaman. The court also acquitted all others accused in the case, with the exception of the prime minister's daughter, Rabia Imran. A perpetual arrest warrant was issued for Imran declaring an absconder once more. ***The court also issued instructions to unfreeze the properties of all of the acquitted individuals.***

[On 17th May 2020: The then PTI government had come out with '***more evidence***' of money laundering and corruption allegedly committed by PMLN president and the then Opposition Leader in the National Assembly Shahbaz Sharif and had announced that the National Accountability Bureau (NAB) would soon file a new reference against him on the basis of '***latest disclosure***'.

The ***proofs*** in the form of ***cheques and documents showing huge bank transactions through fake companies and cash boys***, allegedly by Mr Sharif during the time when he was the chief minister of Punjab, were presented before the media by Special Assistant to the Prime Minister (SAPM) on Accountability Shahzad Akbar at a press conference which he jointly addressed with federal Information Minister Shibli Faraz. Mr Akbar urged NAB to conduct Mr Sharif's trial on a day-to-day basis, besides asking it to get his name placed on the exit control list [ECL].

Earlier than that, Mr Akbar had held a similar news conference (on 13th May 2020) and claimed to have unearthed 10 front companies of the PMLN president and his sons from where over Rs17 billion had been transferred to their bank accounts. The SAPM had further alleged that Mr Sharif had established several fake companies in the names of his employees, which were used for unlawful transactions to whiten black money. The source of their income was telegraphic transfers sent to them by the poor employees of their companies. And that being a politician and former public office-holder, Mr Sharif was answerable to the people and he would have to respond to the corruption charges at public forums.

As per record, Nisar Gill and Ali Ahmed, close friends and class fellows of Salaiman Shahbaz were appointed as directors at the Chief Minister's Office from where they operated as **'front-men of the Sharif family'**. A company named Nisar Trading Concern was registered in the name of Rashid Karamat, an employee of the Sharifs, whereas another company, Khan Traders, was registered in the name of the father of Shakeel, an employee of Ramzan Sugar Mills.

- The documents placed before the media showed that two more employees of Mr Sharif, namely Masroor Anwar and Shoaib Qamar, had transferred huge amounts from the accounts of Nisar Trading and Khan Traders to the personal accounts of Shahbaz Sharif and Hamza Shahbaz, and that the record of those transactions was available with the banks. A number of cheques shown were written in Urdu but the name of the companies was written in English in similar handwriting.
- A PMLN lawmaker **Saiful Malook** had also deposited money in the account of Nisar Trading and when he was asked about it, the lawmaker replied that he had given the money for the party fund.

The burden of proof was on Shahbaz Sharif and his sons as billions of rupees were deposited in their personal accounts by their alleged front men. Mushtaq Chiniwala and his son had already turned approvers against the Sharif family in another case.

On 18th August 2020: The National Accountability Bureau (NAB) filed before an accountability court an Rs8 billion reference of money laundering against Leader of Opposition in National Assembly Shahbaz Sharif, his two sons and other family members. A total of 20 people were nominated in the

reference, including four approvers — Yasir Mushtaq, Muhammad Mushtaq, Shahid Rafiq and Aftab Mahmood.

- *The main suspects were Mr Shahbaz's wife Nusrat Shahbaz, his sons Leader of Opposition in Punjab Hamza Shahbaz and Suleiman Shahbaz (absconder), daughters Rabia Imran and Javeria Ali.*
- *Other suspects were alleged benamidars and business partners of the family including Nisar Ahmad, Qasim Qayum, Rashid Karamat, Masroor Anwar, Fazal Dad Abbasi and Shoaib Qamar.*

The reference mainly accused Mr Shahbaz of being beneficiary of assets held in the name of his family members and *benamidars*, who had no sources to acquire such assets. The family members and benamidars of the Shahbaz family received fake foreign remittances of billions in their personal bank accounts. In addition to those remittances, billions of rupees were laundered by way of foreign pay orders, which were deposited in personal bank accounts of Hamza and Suleiman.

- ***The reference further said family of Mr Shahbaz failed to justify the sources of funds used for acquisition of assets.*** *The suspects committed offences of corruption and corrupt practices as envisaged under the provisions of National Accountability Ordinance 1999 and money laundering as delineated in Anti-Money Laundering Act 2010. Mr Shahbaz was on pre-arrest bail granted by the Lahore High Court. Hamza was on judicial remand while Suleiman was declared absconder as he had failed to return from London.*

Meanwhile, a deep investigation in the money laundering case was conducted against the Shahbaz family on the basis of above documentary evidences.

The NAB had accused Muhammad Usman, the CFO, of his role in money laundering committed by the Shahbaz family' the concerned accountability court extended physical remand of chief financial officer of Sharif Group of Companies till 31st August 2020. The suspect had joined the Sharif group of companies in 2005 and had been handling the organized system of money laundering on the instructions of Shahbaz,

Hamza and Suleiman. It was alleged that Usman was also involved in layering of unexplained funds of the political family by operating proxy bank accounts of the suspects held in names of their different employees.]

In May, NAB told an accountability court that it found no evidence of corruption or money laundering against PM Shehbaz, his family members and others; see below the details in daily **DAWN** dated 11th May 2023:

["On 10th May 2023: The National Accountability Bureau (NAB) told an accountability court that it found no evidence of corruption or money laundering against Prime Minister Shehbaz Sharif, his family members and others. A prosecutor submitted a supplementary reference in the court, stating that NAB **conducted a fresh investigation** and found that the charges against the prime minister, his son Hamza Shehbaz, former chief minister, and others had not been found to be true.

Other accused included PM Shehbaz's wife Nusrat, younger son Suleiman Shehbaz, daughters Javeria Ali and Rabia Imran and son-in-law Haroon Yousaf. The fresh investigation concluded that no offence under the NAB law was established.

Prosecutor was asked to convince court on 24th May (2023) on relevance of new amendments with case. The judge also extended the pre-arrest bail of accused Haroon Yousaf and Tahir Naqvi till the next hearing.

Previously, the court had declared PM Shehbaz's son Suleman, daughter Rabia Imran and son-in-law Haroon Yousaf, as absconders for avoiding their appearance in the trial proceedings.

- In this reference, the same NAB had submitted to the court that the family members and benamidars of PM Shehbaz received fake foreign remittances of billions in their personal bank accounts. Also, that in addition to those remittances, billions of rupees were laundered by way of foreign pay orders, which were deposited in personal bank accounts of his sons Hamza and Suleiman.
- PM Shehbaz, his elder son Hamza, daughter Javeria Ali were indicted in the reference besides other accused persons including Fazal Dad Abbasi, Rashid Karamat, Muhammad Usman, Masroor Anwar, Nisar

Ahmad, Shoaib Qamar and Qasim Qayum. Shehbaz's wife Nusrat had been indicted through a pleader as she was still out of the country on that hearing day.

The NAB had arrested PM Shehbaz on 28th September 2020 after the Lahore High Court (LHC) had refused to further extend his pre-arrest bail. He remained in the NAB's custody for 23 days till the trial court sent him on judicial remand on 20th October 2020. He was released on bail by LHC's full bench in April 2021.

A special court in October 2022 had also acquitted PM Shehbaz and Hamza in the Rs16 billion money laundering case filed by the Federal Investigation Agency (FIA), most probably because he was the sitting prime minister then. In February 2023, the FIA also gave a clean chit to Suleiman in the money laundering case.]

Previously, the court had declared PM Shehbaz's son Suleiman, daughter Rabia Imran and son-in-law Haroon Yousaf, as absconders for avoiding their appearance in the case's trial proceedings. Suleiman and Yousaf ended their self-exile a year earlier (*in 2022, when their dad assumed PM's office*) and returned to the country after securing protective bail from the courts.

RETURN OF NAWAZ SHARIF-MANAGED WELL:

First see why and how Nawaz Sharif was taken through the whole muddy waters; REUTERS of dated 20th October 2023 is referred:

April 2016: Millions of documents from a Panamanian law firm were leaked to the media. Some of the so-called Panama Papers showed the involvement of Sharif's family in offshore companies that hold properties in London. Sharif, who became prime minister for a third time after winning a 2013 election, denied wrongdoing but a case against him was filed in Pakistan by his main rival, cricketer-turned-politician Imran Khan.

28th July 2017: The Supreme Court disqualified Sharif from the prime minister's office, *declaring him dishonest for not disclosing income from a company owned by his son*. Sharif, who had fallen out with the powerful military over policy differences, including ties with India, resigned from office the same day. He soon left for London to attend his wife who was receiving medical treatment there.

13th April 2018: The Supreme Court imposed a lifetime ban on Sharif from taking part in politics or holding any public office in a first-of-its-kind decision.

5th July 2018: An anti-graft court sentenced Sharif in absentia to 10 years in prison. He and his daughter, Maryam Nawaz, seen by supporters as his political heir, were convicted after failing to prove the source of income used to buy properties in London in the 1990s.

12th July 2018: Nawaz and his daughter fly back to the city of Lahore, their hometown and political stronghold, and were arrested at the airport and sent to jail.

25th July 2018: Sharif's main rival, Imran Khan, won the general election. The conservative Khan, political analysts said, was favoured by the military to lead the civilian government. Both Khan and the military constantly denied that.

24th Dec 2018: Sharif was convicted in another graft case and sentenced to *seven years in prison and fined \$25 million*. He said the charges, linked to the ownership of *al-azizia steel mill* in Saudi Arabia, were politically motivated.

19th Nov 2019 - Sharif flew to London after a court allowed him to leave for medical treatment. He was bound to return within four weeks – but he never returned.

10th April 2022: Khan was ousted as prime minister in a parliamentary vote of no-confidence after differences with the military over security appointments. Sharif's younger brother, Shehbaz Sharif, becomes prime minister via PDM.

9th May 2023: The anti-corruption agency [NAB] arrested Khan sparking violent protests by his supporters and months of tension between him and the military, compounding worries about nuclear-armed Pakistan as it grappled with record inflation.

9th August 2023: Shehbaz Sharif's government completed its tenure and hands over power to a caretaker administration that was to oversee a general election.

21st Sept 2023: The election commission announced it would be ready to hold a general election by the end of January 2024.

19th Oct 2023: A court barred authorities from arresting Sharif upon his return and his lawyer said he intended to appeal against his convictions. His party said he would contest a seat in the general election if his convictions were over-turned.

WHO PLAYED & WHAT FOR NS's RETUTN:

In May 2023, when the PDM's Prime Minister Shahbaz Sharif got exonerated himself and his all family members in the NAB references which were initiated against them in year 2020 under the PTI government, he (PM Shehbaz Sharif) immediately made a smart move to bring back his elder brother Nawaz Sharif back to Pakistan from London. So, during the same month (of May 2023), the PDM government adopted a law:

1. *...that allowed for the filing of review petitions against prior Supreme Court verdicts.*
2. *(During ending June 2023), another law, limiting disqualification to five years, was adopted.*
3. *It allowed the Election Commission [ECP] to announce the date of an election without consulting the President of the country.*

Regarding explanation for the law at no:2, there was a possibility that the amendment was challenged on the basis that the court's interpretation of the Constitution could not be undone through ordinary legislation. If a time limit is to be added in Article 62(1)(f), it should have been done through a constitutional amendment. On the other hand, Nawaz Sharif could argue that '*since the Constitution is silent, this gap could be addressed through the law*'. Further, another possibility existed if the issue ultimately reached the apex court as '*a larger bench could depart from the view that a disqualification under Article 62(1)(f) shall be for life*'.

After serving 12 months of his 7-year sentence on corruption charges, former PM **Nawaz Sharif**, who had left the country on 19th November 2019 to avail medical treatment in London, promising to return in 4 weeks, was being brought back. He was declared a fugitive in 2021 after failing to appear before courts despite summons. When the stage was set, Nawaz Sharif obtained protective bail on 19th October 2023, which allowed him to return from 4 years of self-imposed exile without being arrested.

On 21st October 2023, he landed back in the country where he was welcomed in Lahore forgetting that he had left Pakistan with an undertaking to return after medical check-up within 4-weeks' time at the latest.

On 9th January 2024, a 7-member Supreme Court bench under Chief Justice Qazi Faez Isa, hearing a review petition against lifetime disqualification, announced a 6-1 majority verdict with Justice Yahya Afridi dissenting. The verdict set aside the earlier Supreme Court interpretation of lifetime disqualification for article 62(1)(f) of the constitution, stating that it violated fundamental rights, and instead set a 5-year disqualification following the newly passed laws for lawmakers who fail the moral standard of '*sadiq and ameen*' (honest and righteous). The timing of the verdict ensured that Sharif, who was disqualified for life in the ***Panama Papers case*** in 2017, became eligible to contest coming elections with a possible rise as fourth term as prime minister.

Pakistan was heading toward its next general elections, set for late January 2024, the political scene was heating up. One former PM – Imran Khan – was facing trial on charges of leaking state secrets that week, while another former PM – Nawaz Sharif – just staged a triumphant return home, after receiving all exonerations from his legal troubles. But the political maneuvers at the elite level were out of step with public sentiment, as Khan remained broadly popular and Sharif's PMLN was viewed as responsible for a devastating economic crisis gripping the country as per routine during their previous governing terms.

Referring to an American Magazine **THE DIPLOMAT** of 24th October 2023:

For an overview of the complicated dynamics underlying Pakistani politics, Michael Kugelman, the director of the South Asia Institute at the Wilson Center. Kugelman outlined the contrasting developments for Sharif and Khan, and the military's role behind the scenes. Even as the country gearing up for an election, '*there's a lot of cynicism about Pakistani politics on the whole, across the entire voting base*'. The main takeaway was that Sharif had reconciled, at least to a degree, with the military. See Michael Kugelman's remarks:

"One can't imagine him returning to Pakistan in the absence of some understanding with the military to ensure he won't be arrested and jailed now that he's back. Sharif has no interest in coming back to Pakistan so that he can be detained, with his party reduced to playing the victimization narrative card for its political benefit. He has

much loftier goals: He is returning to try to unite a fractured party and to energize its base, and to catapult the party back to power in the upcoming election.

Sharif and his party provide a vivid example of an evergreen theme of Pakistani politics: Political leaders tend to fall in and out of love with the military. Sharif began his political career as a protégé of a military dictator, Zia ul-Haq. ... now, with the PMLN back in the military's good graces, he is poised for a return."

Despite better relations with the military, the PMLN was not in good place to go smooth. Some internal fractures among the party's top leadership had knocked out its popularity. It held the prime and finance ministries in the previous ruling coalition, and that made the party the subject of public annoyance for the government's poor handling of a terrible economic crisis. Also, Imran Khan's party had successfully made major inroads in the PMLN's stronghold domains. Thus, the PMLN was going to face an uphill electoral battle.

However, with the establishment behind it, suitable engineering process was Okayed within the electoral environment that worked in PMLN's favor – *much like what happened before the 2018 election that brought Khan to power.* The fact remained that because of the legal charges against Sharif, he was not able to hold power himself. The party's resolution was that he would not be able to energize the base, his brother Shehbaz, the previous premier on PDM's pedestal – should hold the premiership of the country. *Sharif's rival, former Prime Minister Imran Khan was facing an avalanche of legal cases and was in jail. Still, he was broadly popular among the Pakistani public.* Khan was NOT to return in power because he had been disqualified from politics for five years, until the coming election at least.

The challenges ahead for the PTI were deeper, given that many other leaders were either in jail or had been forced by the establishment to switch parties or leave politics altogether albeit Khan's passionate supporters, were unwilling to back any entity other than the PTI. Despite facing severe crackdowns, the PTI continued to flash its electoral power, winning several key by-elections in recent past. There was also the factor that the PTI's main rivals were in great fix – the PMLN had lost popularity, and the PPP (the other main established political party in Pakistan) was no longer enjoying national influence. That suggested that, if the election was free and fair, the PTI had a chance of doing quite well regardless of who was given party tickets.

Another captivating question was looming over: Was there any PTI leader available with the influential power and capacity to reach out to the military

to push for reconciliation and reach an understanding? The PTI clearly knew its chances of returning to power were better if it could patch up ties with the Army. Khan's problem was not with the military as an institution; it was more of a vendetta against the incumbant army chief and his predecessor. Khan enjoyed some support within the lower and middle ranks of the military; perhaps there was a maneuvering space for some type of negotiation but certainly it was a long shot.

- ***In every Pakistani election, the role of the military looms large. In 2018, for example, Sharif and his PMLN complained that their party was harassed while the PTI was 'selected' for victory. This time, there were strong indications of who might be 'selected' this time.***
- *The electoral preferences of the military, which had magnified its role in many areas of policy in recent past then, were no secret. Just look at the crackdown on not only PTI leaders but also supporters – hundreds of the latter were arrested and taken through swift court trials, so an environment of anxiety, horror and distress was prevailing all around. The Pakistani media were not allowed to feature coverage of Khan, or even mention his name. This was reminiscent of what happened before the 2018 election.*

Shehbaz Sharif, despite his widely criticized handling of the economy during his brief time in power in 2022-23, was a logical favorite son of the military. Unlike his brother, his relationship with the military had long been relatively cordial – as he did during the brief term of the PDM government, when the military took up more policy space. Separately, there was some speculation for Bilawal Zardari but his relative inexperience, as a fairly young political leader, remained a justifying element; hard luck for that young man.

Commenting on Pakistani politics on the whole in those days, everything was looking blurred - pushed by the remorseless economic crisis that no one was been able to fix; growing levels of polarization, vendettas, and political brawling; a growing threat of terrorism that had gone unaddressed; and the perceived failures of institutions specifically the ECP – to deliver outcomes that could advance justice and meaningful improvement. PTI was being seen at a better place - the better alternative to a status quo marked by corruption and dynastic, paralyzed political elite. The ruthless crackdown on the PTI in those months made the party appeared more heroic and deserving of sympathy, in the eyes of most Pakistani masses – keen for Re-imaging Pakistan.

After elections, the incumbent government was to bear the brunt of an economic crisis, with more tax hikes and enhanced electricity costs necessitated by the IMF bailout sparking outbursts of discontent. No party had any cogent

road-map for this; neither the PTI, nor the PMLN nor the PPP. No one had plans to balance the need to provide immediate economic relief to the public – and get a useful political bounce – thus, politically painful but economically necessary structural reforms were ahead.

While this enigma would not be new for Pakistanis as the country was steering through one of its worst economic crises in decades. The tendency of easing up on subsidies and increasing irresponsible spending were key-factors just to avail short-term political benefits. Pakistan's next government was likely having to negotiate yet another IMF loan – because dynastic family rulers were NOT to live in Pakistan. Ultimately Pakistan was to be where it was crying with inflicted wounds of Status Quo since decades. Just a painful comparison - In 1991, India, facing immense economic stress, passed a series of liberalization reforms. It marked the beginning of a dramatic economic turnaround that helped set India on a path that brought it to where it is today – one of the world's top and fastest-growing thrifths.

NAWAZ SHARIF LANDED BACK:

Nawaz Sharif – a three-time prime minister and a proclaimed offender in an ongoing corruption case – was back in Pakistan following four years of self-imposed exile in London. There was mixed reaction to his arrival; Pak-Army had played risky-bets after their previous golden child, Imran Khan, failed the wishful planning of the establishment. Whether Sharif carried the baton of hope or not, the army-generals and his loyalists in the PMLN were hoping for a return to old-style politics – the same hereditary and family-development oriented elites' governance.

For Pakistan, almost all political experiments with individuals and campaigns like '**Naya Pakistan**' (New Pakistan) which miserably failed; it had become an anthem under Imran Khan. The army had to close its doors on Khan. With that particular experiment having gone awry, the military was undoubtedly looking to Nawaz Sharif for the comfort of a familiar face in the upcoming general elections. It was Sharif's PMLN, led by his brother, Shehbaz Sharif, which took over the reins of power following Khan's ouster as PDM leader, too. But amid looming inflation, an economic meltdown, unemployment, and poverty, the army wanted Nawaz Sharif back.

Sharif was facilitated to have to deal with his legal, political, and personal battles. At his home turf, Lahore, a cheerful family and his party members welcomed him with teary eyes. In his first public address in the last six years – after two years in jail and four years of self-exile – Sharif delivered almost

an hour-long emotional speech touching upon the existing crisis of economic turmoil, unemployment, poverty, and political instability.

- Nawaz Sharif began with a cunning and crafty dig at Imran Khan for exhibiting his religiosity in public when he meant none of it. While Sharif had promised not to refer to Khan directly, he did make implicit references to his rival throughout the speech. Then Sharif apologized by saying he practices gentlemen's politics, but Khan did not let Sharif meet his family while the latter was in prison.

Sharif promised not to seek revenge against the people who lodged him in jail, but there were fewer buyers to this promise, considering the army dethroned him, and later, Khan sought to finish off the Sharif dynasty. The PMLN couldn't help but blame Khan for jailing Sharifs, as well as targeting his daughter Maryam and others.

While back in Pakistan, Nawaz Sharif saw an excellent public turnout from across Pakistan, whom he reminded of the developments he achieved in his three terms in office, though that started in the 1990s. He also reminded the public of Pakistan's nuclear tests in 1998 during his premiership, which put Pakistan on the world map. Also, he took credit for declining \$5 billion that the former US President Bill Clinton offered if Sharif would scrap the nuclear tests. Calling himself a 'son of the soil', Sharif promised to bring back Pakistan's lost glory. He made a comparison to Bangladesh, erstwhile East Pakistan, which had done wonders in the economic sphere since its independence, and boasting a per capita income of \$2,600 compared to Pakistan's \$1,500.

In Pakistan, the army used to set priorities for the country, and it must be convinced to buy into any civilian political agenda. But it was interesting to see how the sociability between the army and Sharif was being played. In all his previous stints as prime minister, Sharif never completed a full term in office. Each time, he was removed at the behest of the army, precisely for getting out of step with the military on count or the other. This time, perhaps, Sharif had learnt his lessons, he was not to touch any sensitivities of the military. Sharif avoided making any reference to the army in his long speech, nor did he touch on the Afghan issue, the Arab world, Russia, or China or India, which are the sole domains of the army. However, talking about Kashmir was a safe choice for Sharif to make a case for his return to politics again.

In 2014, Sharif accepted India's invitation and was present at the oath-taking ceremony of the newly elected Prime Minister Narendra Modi. In 2015, Modi's small stopover in Lahore was seen as a positive sign such initiatives did not

last long due to various reasons. In his latest speech, *Sharif also promised to make Pakistan an Asian Tiger* – like Bangladesh. While Bangladesh flourished, Pakistan was always caught in the politics of sectarianism. It was interesting to see how his idea of a peaceful and friendly neighborhood would differ from Imran Khan's politics.

With Khan in jail and Nawaz Sharif back, the army had, perhaps, given a green signal to Sharif becoming the face of forthcoming general elections in Pakistan. The army hoped to find him winning the upcoming election on his own – but later, the results showed that he was not able to win his own seat from his own fortress called Lahore. Thanks for juggleries of Forms 45 & 47 which saved his face as PMLN's supremo.

NAWAZ SHARIF ACQUITTED...

On 29th November 2023: The conviction of former PM Nawaz Sharif in the ***Al-Azizia Case*** — one of the three references instituted against him in light of the Panama Papers — was declared void, as the Islamabad High Court acquitted him despite a National Accountability Bureau (NAB) request for a re-trial. Following the reversal of his conviction in the ***Al-Azizia and Avenfield Cases***, legal experts believe that the PMLN leader became eligible to contest coming election in Pakistan.

During proceedings, the IHC division bench, comprising Chief Justice Aamer Farooq and Justice Miangul Hassan Aurangzeb, observed that the trial court convicted Mr Sharif upon *evidence based on photocopies*. NAB tried to extend the proceedings, with its special prosecutor Azhar Maqbool Shah asking the court to remand the case to the accountability court, but his plea was declined. He had also argued that since the late accountability judge Arshad Malik was removed from service for misconduct, the IHC could send the matter back to the trial court for a decision on merit.

Justice Aurangzeb asked NAB to advance arguments and share the evidence that the bureau intended to submit to the trial court. The IHC chief justice asked the prosecution *to show the money trail, any original documents, and proof that Mr Sharif acquired Al-Azizia and Hill Metal Establishment (HME) through corrupt practices*. The NAB lawyer referred to the decision of the Supreme Court to form a joint investigation team (JIT) and said that the apex court had allowed the JIT to utilise the reports and documents submitted during the hearing. He reminded the IHC Bench that:

"...the Supreme Court had directed NAB to prepare and file references against the Sharif family based on the documents placed on the court record. Importantly, the prosecution relied upon the civil miscellaneous applications submitted to the Supreme Court by Hussain Nawaz regarding the ownership of Al-Azizia and HME. The prosecution also cited a copy of the Aldar Audit Bureau and said that the report showed that Hussain Nawaz sent about 80pc profit of the company to Nawaz Sharif through a banking channel.

The prosecutor further said that the investigation team collected the record from the Securities and Exchange Commission of Pakistan (SECP), Federal Board of Revenue (FBR) and banks, adding that the assets of Nawaz Sharif were disproportionate to his known sources of income.

Further that *it was a white-collar crime, therefore, there was no direct evidence*".

Mr Sharif's counsel Amjad Pervaiz argued that the accountability court relied upon documents for evidence, which were submitted by Hussain Nawaz – but the same should not be acceptable being various dictums laid down by the superior courts. If the court had to rely upon the evidence submitted by an accused, it must be read in [totality] not piecemeal....Also that the conviction of Nawaz Sharif was based on the presumption of the accountability judge. Mr Sharif's counsel opposed remanding the case back to the accountability court, saying that **Nawaz Sharif had filed an application against the late judge Arshad Malik for convicting him under duress** and the judge had passed away; therefore, he could not be brought into the dock for cross-examination.

The bench initially reserved judgement after arguments concluded, and announced its verdict after a short break, prompting celebrations among PMLN workers and supporters who had gathered outside the court; daily **DAWN** dated 13th December 2023 is referred.

In view of above reporting, massive relief for the PMLN was announced by the Islamabad High Court (IHC) which acquitted Nawaz Sharif in the **Al-Azizia and Avenfield** references. The relief was a great verdict for PMLN workers as in July 2018, an accountability court had handed the PMLN leader 10 years in jail in the Avenfield properties corruption reference for owning assets beyond known income and one year for not cooperating with the Na-

tional Accountability Bureau (NAB), both of which were to be served concurrently. The IHC had declared him a proclaimed offender in the case in December 2020.

After leaving for London on medical grounds, Nawaz remained there for nearly four years. Following his return from the UK, the PMLN leader had filed an application seeking the restoration of his appeal against his conviction. He had contended that while he was abroad for medical treatment, the pending appeals were dismissed for non-prosecution. The plea requested the court to revive the pending appeal for a decision on them on merit. Only a month earlier, the IHC had restored the appeal in question.

"Subsequently, the Supreme Court held that a disqualification under this article would be for life. The lifetime disqualification judgment was harsh. However, as far as the lifetime disqualification goes, the Pakistan Democratic Movement government made various amendments to the Election Act 2017. Previously in the Hudabiya Paper Mills case, NAB filed an appeal with a considerable delay before the Supreme Court and now this. This appears to be a mockery of justice".

Nawaz Sharif had a disqualification under Articles 62 and 63 by the Supreme Court in July 2017 in the Panama case. There was a Supreme Court judgment indicating that a person disqualified under these articles would be disqualified for a lifetime if the time period of disqualification is not provided. Additionally, there's another Supreme Court judgment barring persons disqualified under Articles 62 and 63 from becoming the head of a political party. This lifetime disqualification was reinforced by the Supreme Court's interpretation in the ***Sami Ullah Baloch case***, where it held that 'the term of disqualification is indefinite where not specifically written, making the disqualification permanent'.

While the Elections (Amendment) Act 2023 introduced the five-year disqualification period and thus added a layer of complexity, ultimately 'its application to cases like Nawaz Sharif's would depend on how the judiciary interprets and applies the amendment retroactively or prospectively'. Factually, the constitutional perspective was that ordinary legislation like the amendment could not override the Constitution, - the apex court's interpretation of Articles 62 and 63 declaring disqualification as a lifetime ban held significant weight. Thus, reiterating that while the amendment could impact future cases, for its application to cases like Nawaz Sharif's, a competent court like such as a high court or the Supreme Court, would need to interpret the retroactive or prospective application of the amendment.

- *Until a court of law declares the amendment contrary to the Supreme Court's judgment in the Sami Ullah Baloch case, Nawaz Sharif's disqualification should have remained in force. The legal landscape surrounding his eligibility was, however, shaped by that new amendment – interesting in Pakistan it was.*

When the proceedings commenced in the court, Nawaz's lawyer Advocate Amjad Pervaiz contended that the accountability court had acquitted the PMLN supremo from Section 9A of the NAB Ordinance in the Avenfield reference. [Now], only section 9A(5) was remaining in the case which pertained to assets beyond means.

"Under Section 9A(5), the prosecution has to prove certain facts and the accused is required to be shown as a public office holder, it was read loudly in the court. The law states that the accused's income should not match with his assets."

Continuing the arguments, Pervaiz said the investigation agency [NAB] needed to investigate the source of the assets at the time of their acquisition and compare known sources of income with the value of the assets. '*This case was such that its contents have yet not been proven*', he said, adding that '*the investigators failed to prove all the sections of crime*'.

At that, the IHC CJ asked if these assets were requisitioned at the same time or separately. '*These properties were obtained from 1993 to 1996, and that nowhere it was written in the reference that these properties were linked to Nawaz*'. 'Whether it is the joint investigation team, NAB reports, references or statements, the value of these properties were not written anywhere,' Advocate Amjad contended. '*There is not a single page that can prove Nawaz had any connection with these properties*'.

Pervaiz contended that the court announced the verdict on the basis of assumption and penned the verdict on the basis of generality not evidence. The conviction order had said Maryam Nawaz was a beneficial owner and also under the patronage of the PMLN leader; whereas it was not a fact. It was discussed in the court that the Lahore High Court had earlier acquitted a NAB suspect, Intelligence Bureau's former Brig Imtiaz, on the basis that the accountability watchdog had determined the value of his alleged properties without determining his income.

'The SC had also maintained this decision and did not give a differing judgment', the PMLN counsel highlighted, adding that the IHC had also upheld the same in **the Avenfield Case** against Maryam Nawaz. Also, that the court had ruled that the prosecution did not have a single document to prove as

evidence in the case. This court-verdict became '*binding*' because it had not been ever challenged by the NAB. At that point, the NAB lawyer was asked why the bureau did not challenge Maryam's acquittal; but no reply came up. When the court asked NAB about Nawaz' acquittal in the flagship reference, the lawyer told the court that the bureau would like to take back the plea filed against the verdict. '***These are the instructions we have been given***', he said. The court then disposed of NAB's plea to withdraw its appeal against Nawaz's acquittal in the flagship reference – after all, it was a case of PM Shehbaz Sharif's elder brother.

THE AVENFIELD REFERENCE:

The Avenfield reference was related to the purchase of *four flats in Avenfield House, Park Lane, London*. It was among the three cases filed by NAB against the former premier and his children on the Supreme Court's orders in its landmark **28th July Panama gate verdict**. The proceeding in the Avenfield reference had commenced in September 2017 and an accountability court had indicted Nawaz, Maryam Nawaz and Captain Safdar on 19th October 2017. For more details on this heading, please read:

THE LIVING HISTORY OF PAKISTAN VOL-VII

PANAMA – HUNGAMA

by **INAM R SEHRI**

Published by Grosvenor House Publishing [GHP] Surrey UK (2018)
Scenario 218, pp4197-4214 [Available on **AMAZON BOOKS** websites]
 Can also be read or downloaded FREE from <https://www.inamsehri.com/>

According to the JIT report submitted in the Panamagate case, the Sharifs had given contradictory statements about their London flats and found that the flats actually belonged to them since 1993. Nawaz had distanced himself from the apartments and could not explain the time frame and procedure adopted for obtaining the possession of Avenfield apartments by his sons and was even uncertain about which son claimed the ownership of the flats now.

- *An accountability court in July 2018 had handed Nawaz 10 years as jail time for owning assets beyond known income and one year for not cooperating with NAB in the case, as well as a fine of £8m.*

A year earlier, the IHC had acquitted Maryam and her spouse retired Capt Safdar of the charges levelled in the Avenfield apartments reference and set aside an accountability court's July 2018 verdict.

Referring to **VOA** dated 29th November 2023:

"Sharif is expected to be a top contender in elections scheduled for February 8 of next year, if his legal challenges are removed.

*The former prime minister stepped down in 2017, alleging he was ousted from his position by the military after a falling out with top generals. Sharif claims the military then supported former Prime Minister and cricket star, Imran Khan in the 2018 elections. Khan, who is expected to be Sharif's main opponent in upcoming elections, also fell out with the military, and he is currently serving a three-year sentence on corruption charges. **Pakistan's military has denied any interference with politics.**"*

Nawaz Sharif never completed a full term in office, as all his governments were dismissed or faced allegations of corruption and misrule. He denied wrongdoing and maintained the charges brought against him have been politically motivated, blaming the Pakistani military for orchestrating them after he fell out with the powerful institution. While the army has consistently denied any interference with national politics, its former chief, Gen Bajwa, admitted publicly just before stepping down last year that his institution had meddled in civilian affairs for decades, exposing it to severe public criticism. See his words verbatim:

"I believe the major reason for this is the constant meddling by the army in politics for the last 70 years, which is unconstitutional." Bajwa said in a televised speech to military officers and deceased soldiers' relatives in November 2022. "That is why since February last year, the military has decided they will not interfere in any political matter," he added, though critics quickly dismissed Bajwa's statement as mere claims."

DEEP ANALYSIS OF NS's RETURN:

On 21 October 2023, Nawaz Sharif returned home to launch his party's campaign ahead of the parliamentary elections scheduled for January 2024,

following four years of self-imposed exile in London. Nawaz, who was previously overthrown in a military coup, held the office of Prime Minister of Pakistan for three non-consecutive terms. As the leader of one of the two dynastic parties that have historically controlled Pakistani politics, the PMLN was headed by Nawaz in the past. In a 2017 decision pertaining to accusations of corruption, the Supreme Court declared him ineligible to remain in office. He was ordered a seven-year prison sentence the following year for corruption, which he denied.

However, the sentence was suspended stating medical reasons, allowing him to receive treatment abroad ***as long as he returned within four weeks***, a clause that he later broke for four years. Since his trip to the UK, Nawaz returned with a big fanfare right before the elections. On his return the Islamabad High Court granted him protective bail, which prevented him from being taken into custody before his court appearance.

Why did Nawaz return now? First, the political circumstances. Pakistan has been facing economic, political turmoil and terrorism. PML-N when faced with elections wanted Nawaz to return as their leader to bring the party back to power in 2024. The systemic crackdown of PTI only made the party it popular and lessened the PMLN's support. Nawaz Sharif's popularity was considered vital to compete with the ever-growing popularity of PTI Chairman Imran Khan.

Second, a well-timed return. Nawaz Sharif scheduled his comeback in accordance with Pakistan's legal system. He intended to coincide his comeback with Chief Justice Umar Ata Bandial's retirement, as the latter's support for Imran Khan was legendary. On 23 August, Nawaz during the interview stated that:

'The chief justice is well aware that Imran Khan has wreaked havoc on Pakistan's economy, ethics, and culture. He has propagated violence and repeatedly violated the Constitution'. Nawaz constantly accused Bandial of his support towards Imran Khan in the Tosha-khana corruption case verdict. However, Nawaz Sharif believed that Faez Isa, his successor, would be a safer choice because he wasn't viewed as an disciple of Imran Khan or the Army.

Third, Shift in military policy. Pakistan was (and still is) dependent on foreign funders, particularly the International Monetary Fund [IMF], and coups frequently come with a significant cost in terms of international sanctions. Pakistan's military chose to send out a figurehead who would enable it to stay in the background and maintain control over its key priorities, which included the country's relations with China, the US, Afghanistan, and India. Imran

Khan's nationalism fostered relationships with the armed forces as well. In contrast to his competitors, Khan had no ties to any particular province.

The military adored Imran Khan at first, then turned against him. Khan specifically named Gen Asim Munir COAS, as the person attempting to destroy his political party. Previously, he had been labelled as a traitor to Gen Bajwa, the former head of the army, who had played a crucial role in placing and maintaining Khan in office. In addition, he accused a general in the ISI of being behind an attempted assassination attempt on him. As Khan is ousted from the regime, political experts like Wajahat Massod had also felt that the military was inclined to give him another chance. Despite the tumultuous past, the military's policies were overtly in favour of Nawaz. It was also evident that Nawaz's return to Pakistan was not publicly opposed by the military, henceforth Nawaz could be the military's saviour.

On 30th October 2023, in a dissenting note on the National Accountability Bureau (NAB) amendments verdict, Justice Mansoor Ali Shah of Pakistan's Supreme Court (SC) stated that ***members of the armed forces and judges should be accountable under the accountability laws***. The SC had earlier annulled certain amendments to the National Accountability Ordinance, which sparked controversy. Justice Shah emphasised the importance of the "*trichotomy of power*," saying no state organ should claim superiority over the others. He stated that none of them could "usurp" each other in "the exercise of each other's functions." Further, Justice Shah dismissed Imran Khan's objections to the amendments, asserting that they relate to procedural matters and "*in no way take away or abridge any of the fundamental rights guaranteed by the Constitution to the people of Pakistan.*"

On 31st October 2023, PMLN leader ***Shehbaz Sharif and his son Hamza Shehbaz were acquitted by an accountability court in the Ramzan Sugar Mills case***. The National Accountability Bureau approached the court to reopen the case of alleged corruption of over PKR 500 million, where the case accused both father and son duo of corruption of PKR 213 million. The NAB had accused the duo of misusing their authority and the son abetted the crime; daily **DAWN** dated **1st November 2023** is referred.

On 31st October 2023, media sources reported that in its latest report titled "*South Asia Development Update toward faster, cleaner growth*," the World Bank predicted a modest growth rate of 1.7 per cent for Pakistan in FY 2023-24. ***The bank's report highlighted the fragility of Pakistan's economic situation, with a shrinking economy and signifi-***

cant challenges, including ongoing inflation pressures, fiscal policy constraints, and extensive flood damage. Import controls intended to narrow the trade deficit had also affected the supply of industrial raw materials. While economic conditions were challenging, Pakistan remained dependent on capital inflows to finance fiscal and current account deficits, and foreign exchange reserves were limited. The report also noted that Pakistan was one of three South Asian countries in a crisis, along with Bangladesh and Sri Lanka; **Business Recorder** dated 31st October 2023 is referred.

On 1st November 2023, as the Islamabad High Court reviewed the appeals of former Prime Minister Nawaz Sharif and suspended his charges in the Al-Azizia case, the PML-N supremo headed the party meeting which was held at Jati-Umra for the first time in four years after his party came into power. The meeting briefed about PMLN's relationship with other political parties. Most importantly, the meeting also conferred about Elder Sharif's political tour all over the country. He was set to visit all the provinces in November to restore and strengthen his party's goals and virtues. PMLN was in the process of releasing a new manifesto according to the concurrent events that were happening in the country. Post the meeting, PMLN Secretary General Ahsan Iqbal stated:

"We think at the end of January 2024, the elections will be held. The party will start receiving applications from interested candidates across the country from that day till Nov 10 and the central and provincial election boards will be set up for awarding tickets for upcoming polls. A new manifesto committee under Senator Irfan Siddiqui has also been initiated with a focus on the economy and judiciary," daily **DAWN** dated 1st Nov 2023 is referred.

On 7th November 2023, PTI accused the Karachi police of discriminately arresting PTI workers ahead of their 12th November rally. The party member stated that they were not even nominated and that these actions were sheer injustice and political vendetta against the party and called it a "*crackdown*." Regarding the rally, Barrister Fayaz Samor announced that they had finalised all arrangements from their end.

What does NS's return signify? First, the forthcoming elections. Sharif's choice to go back to Pakistan indicated that political forces had a reasonable amount of faith without reaching an agreement, Sharif would not have chosen to go back to Pakistan. The argument had merit in Pakistan, where the

strong military was being charged with exerting influence in the political sphere.

Second, a fresh start for Nawaz. Sharif appeared mended to resume their old rivalry with the military leadership. Supremo Nawaz Sharif on his first day of the arrival spoke to an extensive crowd of supporters at the famed Minar-i-Pakistan in Lahore. He stated, '*I am meeting you today after several years, but my relationship of love with you is the same. There is no difference in this relationship. The love I am seeing in your eyes, I am proud of it.*' Sharif emphasized the personal toll that politics had inflicted. He discussed the deaths of his mother and wife and expressed regret for not being able to give them a befitting send-off.

Moreover, the legality of Nawaz Sharif's earlier disqualification from the electoral process remained unclear, even though the PMLN had effectively fielded him as its prime ministerial candidate, had it won the 2018 elections. However, there was a greater chance than ever that Nawaz Sharif would clash with the army head at some point, whether the sitting one or a successor, given the army's most recent inroad into the political sphere. The dynamics between Pakistan's prime ministers and army chiefs are determined by their respective ideologies, stances, and political outlook. The sheer structure of constitutional democracy, even one as weak as Pakistan, brought the brass at odds with the de facto chief executives.

- **Coward fugitive was returning under judicial asylum:** The PTI was all out with slogans that the '*coward fugitive is returning under judicial asylum*'. A PTI spokesman claimed that: '*...to facilitate the repatriation of a **national criminal** from London, the state has buried shame, modesty, law and justice with its own hands*'; Shamini Velayutham's essay is referred in '***National Institute of Advanced Studies***' (NIAS) dated 7th November 2023.
- MQM-P: As the political parties compete for control ahead of the elections, talks about potential cooperation were initiated between the PMLN and the MQM-P by former PM Nawaz Sharif. Discussions about potential future collaboration were held by both sides.

Scenario 275

UMAR ATA BANDIAL, the CJP

During **March 2023** a new constitutional crisis emerged in Pakistan, which for months has been engulfed in another political crisis that shows no signs of dwindling. In ending days of that month the PDM government presented a bill in the National Assembly, the lower house of parliament, seeking to limit the powers of the Supreme Court, which, Prime Minister Shehbaz Sharif alleged, was creating '*political instability in the country*'.

The legislation, called the ***Supreme Court (Practice and Procedure) Act, 2023***, came after the top court took a *suo motu* notice of the Election Commission of Pakistan (ECP) delaying provincial elections in Punjab, the country's most populous province.

[A suo motu is when a court itself takes cognizance of a matter which it deems is in the public interest and commences proceedings on it.]

BACKGROUND OF CJP BANDIAL:

Born on 17th September 1958, in Lahore, Umar Ata Bandial secured his Higher Senior Cambridge certificate from Aitchison College in 1975. He went on to complete his BA in Economics from Columbia University in the USA in 1979, followed by a Law degree from Cambridge University, UK, in 1981. During his career, Bandial also handled international commercial disputes. He appeared in arbitration matters before the Supreme Court of Pakistan and foreign arbitral tribunals in London and Paris until 2004.

In December 2004, he was appointed as judge of the Lahore High Court (LHC). He had declined to take oath under the Provisional Constitutional Order (PCO) in November 2007. Umar Ata Bandial was elevated as the chief justice of LHC in June 2012 and to the Supreme Court as a judge on 17th June 2014. During his tenure as judge and chief justice in LHC, he issued judgments on a number of important cases, such as the sanctity of the office of the president. Bandial ruled that as the symbol of unity of the federation, the position required the president to stay detached from political involvement.

Mr Bandial once ruled on a case granting autonomy to the Chief Election Commissioner [ECP]. However, the political and judicial landscape changed after Bandial became the chief justice of Pakistan. The entire politics of the country started revolving around one institution, the Supreme Court. The court was involved in high-profile political cases after the ouster of Imran Khan from the office of prime minister in April 2022.

The SC's rate of disposal of cases showed a positive trend till February 2023, when some 52,590 cases were pending, down by 2,116 cases from the year before. But things took a turn when Bandial took the sole *suo moto* notice of the year, on the delay of elections in Punjab and Khyber PK. Thereafter, many judgments on political issues led to anomalies and aberrations. By 31st August 2023, a Supreme Court report showed that the pendency of cases had increased to 56,544.

CJP's WING-CLIPPING PLANNED:

On 28th March 2023: The National Assembly passed a resolution accusing the Supreme Court of *judicial activism* and demanding its '*non-interference in matters related to the ECP*'. The resolution said: '*This house believes that an unnecessary intrusion of the judiciary in the political matters is the main cause of political instability*'. The draft bill presented in parliament pursued to amend laws regarding the conduct of the top court and suggested setting up a three-member panel headed by the chief justice to take up *suo motu* cases.

The beginning of the clash was the removal of former PM Imran Khan from power through a parliamentary vote of confidence in April 2022. Khan's party, the PTI, launched a countrywide campaign to demand immediate national elections, otherwise scheduled in late-2023. As the government rejected his demand, the 72-year-old cricketing icon-turned-politician decided to dissolve the provincial assemblies in Punjab and Khyber PK provinces in January 2023. The move was part of Khan's bid to force the elections, since Pakistan '*historically holds the provincial and national elections together*'.

However, according to Pakistan's constitution, elections must be held within 90 days of the dissolution of a legislative assembly. But a deadlock emerged when the ECP did not announce an election schedule, forcing President Arif Alvi, a member of Khan's PTI, to unilaterally declare 9th April (2023) as the poll date in the two provinces. Three days later, as observers questioned the legality of President Alvi's announcement, Chief Justice of Pakistan [CJP]

Umar Ata Bandial on 23rd February 2023 decided to take a *suo motu* notice of the issue and initiated a hearing on his own.

After four judges recused from the original nine-judge bench constituted to hear the issue, the Supreme Court on 1st March 2023, in a 3-2 verdict, ordered the ECP to fulfil its constitutional obligation and announce an election schedule for Punjab and Khyber PK provinces. Two days later, on 3rd March, the ECP said the vote in Punjab province would be held on 30th April 2023 but the poll body last week withdrew its schedule, saying it was impossible to hold the vote in April (2023) due to security and financial concerns. It announced 8th October 2023 as the new poll date in Punjab. The furious PTI approached the Supreme Court, which was then debating whether the ECP's move was legal. That forced the government to move ***the said resolution*** against the apex court itself.

However, legal experts were found with mixed opinions; while the proposed amendments by the PDM government aimed to cut the Supreme Court's powers were welcome, the way the parliament was doing it was ugly and questionable. The government was doing something that should have been done a long time ago. Most of the changes proposed by the government were constitutional amendments, which required a two-thirds majority in parliament. Some also questioned the timing of the bill; it appears they were solely doing this to pressurize the sitting chief justice of Pakistan, CJP Bandial. One lawyer opined:

"A simple act of parliament to regulate judiciary with respect to procedural and substantive law might be in conflict with the independence of judiciary which is a basic structure of our constitution. The courts may strike it down if reviewed or challenged by court.

This bill is just about restructuring of power. It is currently the sole prerogative of the chief justice of the court to take suo motu notices. One could argue that the proposal is about expanding the role for other judges as well since the Supreme Court is not defined as just the chief justice, but other judges too."

The government was trying to put pressure on the court to make the changes it wanted. The government was proposing to amend the rules of the Supreme Court which was the job of the apex court itself. What if the court takes up a matter of parliamentary rules and procedure tomorrow and starts dictating how the parliament should conduct its affairs? It was better to let the Supreme Court amend its own rules and procedures.

On 12th May 2023; While chairing a cabinet meeting Prime Minister Shehbaz Sharif said:

*"...while other politicians faced trials and tough handling by the courts, Khan was given a privileged treatment, calling it a **death of justice**. When he was presented in court yesterday [11th May], the chief justice said 'it is good to see you'; he said this in a case of corruption. If you want to keep favouring this **laadla** [pampered in Urdu], then you should also release all the dacoits behind bars in the country. Let this be a free for all. **These are the double standards of justice.**"*

Next day, Federal Information Minister Marriyum Aurangzeb told the media that:

*"Khan was **invited** to the court for a hearing and not summoned. [When] we were jailed on false cases, our hearing was never heard in the court for a year, for eight months, for six months but Mr Khan did not go to the court, Mr Khan was invited to the court in a Mercedes Benz. When Mr Khan went there ... the Supreme Court gave him bail and said it was really happy to see him and then wished him good luck."*

PDM government also doubted that the Islamabad High Court, which granted the two-week bail to Khan two days earlier, was under the influence of the Supreme Court. Adding that: 'He [Khan] can't be arrested in any other case in any new investigation, the existing cases are all shut down or given bails. Where does this happen'. On another count, Maryam Nawaz Sharif, later the Chief Minister of Punjab and niece of Prime Minister Shehbaz Sharif, said and tweeted:

- 'Chief Justice Bandial was the **most responsible** for the deadly riots that broke out after Khan's arrest. You should leave the post of the chief justice and join [Khan's party]'.

In many rallies that Khan had held to demand early elections since his removal from power more than a year ago, he had, no doubt, lauded the Supreme Court and called Bandial **his only hope** for saving the country's constitution. Bandial's tenure as chief justice was to end in September 2023. However, an odd sense was then prevailing in legal fraternity '...it was not clear what the ruling alliance was trying to achieve by attacking the top court'.

'If they think it will force the chief justice to take a step back, I don't think it will happen. Instead, it will have an opposite impact. This might end up uniting the court and all the polarisation that we hear about in the ranks [of the judiciary], it may entirely end.'

On 15th May 2023: Hundreds of PDM supporters of Pakistan's ruling alliance were holding a sit-in protest outside Pakistan's Supreme Court to protest against alleged *undue favours* shown by the judiciary towards former Prime Minister Imran Khan in those days. That day's protest was mainly led by the Jamiat Ulema-e-Islam-Fazal (JUI-F) party – one of the 13 members of Pakistan's ruling coalition, the Pakistan Democratic Movement. Government supporters also broke through the main entrance of the capital's high-security Red Zone which housed prominent state offices, including the parliament.

Inside the parliament, the ruling alliance, on the same day passed a resolution against the CJP Umar Ata Bandial '*on charges of misconduct*'. The rare passage of a resolution against the top judge in parliament and protests by pro-government supporters outside followed accusations by Pakistan's ruling parties that the country's judiciary was **biased** towards Khan, their (PDM's) main political opponent.

While tensions between the government and the judiciary began earlier this year, as mentioned in earlier paragraphs above, over holding provincial elections' The reaction got further intensified since 9th May events when the Supreme Court declared Khan's dramatic arrest in a corruption case **illegal**, clearing the way for his two-week bail and eventual release on 12th May.

- *The 70-year-old chief of the Pakistan Tehreek-e-Insaf (PTI) party was also granted protection from further arrest until later that month.*

On the same day, another court in Lahore granted bail to Khan's wife until 23rd May 2023 in the same case in which the PTI chief was arrested. Bushra Bibi was co-accused along with her husband in the Al-Qadir Trust case. The couple was accused of receiving financial help from a land developer to establish a university in which they are trustees; for more details see Scenario 268 elsewhere in this book.

DIVISIONS IN SC JUDGES: **DOUBLE STANDARDS OF JUSTICE (?)**

Referring to AL-JAZEERA dated 16th September 2023:

*"Yasser Kureshi, a lecturer in South Asian Studies at Oxford University and author of **Seeking Supremacy: The Pursuit of Judicial Power in Pakistan**, said Bandial took over the reins when the Supreme Court was already deeply fragmented, but his actions only helped to exacerbate those divisions. He did not seem inclined towards mitigating these divisions, using his powers to form benches that included judges that appeared to align with him, and marginalising judges with whom he was known to have differences, and refusing to bring together full benches for major political cases."*

- In fact, all the 15 top court judges responsible for fracture within the judiciary. [Those] differences among the judges only harmed the judiciary, and for that, all the judges were responsible. They were unable to sit together and ignore their differences, and that led to the Supreme Court losing its independent space and as a watchdog of the executive. CJP Bandial would be remembered for his gentle manner, as a judge who was civilised and courteous, yet his tenure as the top judge left much to be desired.

A point to remember is that during his tenure, there was a massive state crackdown on political workers and human rights abuses, as well as the state's failure to implement on court's orders. Yet he continued to show restraint. Those were extraordinary times, of course.

A legal analyst said: '*Bandial is leaving behind a court which is more fractured than ever before*'. But also adding that:

*"The chief justice's propensity to appease all sides may not have appeased anyone. While the gains from such appeasement may not be clear, what we have lost is the people's confidence in the Supreme Court. BUT, let us praise Bandial's determination despite being dealt an impossible hand. [Because] **Over the course of his tenure, he was obstructed or opposed by both the PDM and the PTI, the deep state, the bureaucracy, and a divided bench.** In keeping with so many of his predecessors, he could have easily capitulated. Instead, he did his duty to Pakistan and the constitution."*

The two PTI-controlled assemblies were dissolved in January 2023 as part of Khan's bid to force the federal government into announcing early elections. (Pakistan traditionally holds provincial and national elections together) However, despite clear guidelines to hold the polls within 90 days of the dissolution, **the Bandial-led bench's orders were never fulfilled by the PDM**

government, the divisions within the judiciary were exploited by the political executive.

The judiciary depends on the executive for the enforcement of its orders. But the former coalition government diminished the authority of the judiciary. CJP Bandial ordering the count of each legislator's vote in case they went against party lines in a legislative assembly was perhaps his most touchy judgment. The verdict of 2022, in a case about voting by dissenting legislators, resulted in the collapse of the PMLN led government in Punjab, the country's most influential province, and allowed the PTI to take over. Perhaps, the Supreme Court had rewritten the constitution in that decision which was not their job. They were meant to interpret constitution, not fill in legislative gaps.

- Known media analyst **Cyril Almeida**, however, held that *Bandial would be remembered for his efforts to reshape the country's politics and to interpret the law without any regard for its immediate political consequences*. Also adding that:

"In truth, at a time when all civilian parties themselves have contributed to the unravelling of democracy in Pakistan and the military has asserted itself more forcefully in the political domain, Bandial's tarnished legacy is symbolic of the current political era. No party has its hands clean and everyone has some legitimate reason to be upset."

WAS THE CJP REALLY BIASED (?)

One political party or other criticized him every so often; **the FRIDAY TIMES** dated 15th September 2023 is referred.

"CJP Bandial first came under fire from the Pakistan Tehreek-e-Insaf (PTI), who targeted him when the top court opened its doors at night and took suo moto notice on the ruling of the then-Deputy Speaker Qasim Suri. CJ Bandial headed the bench that ordered the ouster of Imran Khan from the office of prime minister. [BUT] Otherwise, and arguably so, his decisions favoured the PTI."

When Imran Khan led a protest to the D-Chowk in Islamabad after his ouster from the PM office, despite the top court's orders that barred him from entering the D-Chowk, Justice Yahya Afridi recommended initiating contempt of court proceedings against Imran. But

the CJP, showing restraint, sought reports from intelligence agencies on whether Imran was informed about the top court's order. The case went on the pending-list in court."

Then there was the *infamous judgment on Article 63-A*, wherein Ch Pervez Elahi was declared the chief minister of Punjab under provisions of Article 63-A. For one school of thought, the said judgment had shattered the foundations of parliamentary politics in Pakistan. Beyond the public concerns, especially politicians, eyebrows were raised when dissenting voices started coming from within CJP Bandial's own fellow judges. Once Justice Qazi Faez Isa wrote to CJ Bandial and questioned the composition of a larger bench to hear the presidential reference and the SCBA petition.

Even on his last working day, CJP Bandial appeared to promote PTI's narrative by issuing a judgment in the NAB amendments case, which was to impact almost 60 percent of the top leadership of PTI's political rivals. ***The judgment also strengthened the military establishment against politicians.***

Like-minded fellow judges (?): The country faced a number of constitutional crises during CJ Bandial's one-year-and-six-month-long tenure. The SC benches, headed by the CJP, passed controversial judgments. He also introduced the '**concept of like-minded judges**' in the corridors of the apex judiciary. He gave priority to junior judges over seniors. Differences surfaced within the judges of the top court when the former military establishment used former PM Imran Khan to remove Justice Qazi Faez Isa. In fact, for the first six months of Bandial's tenure, justices Qazi Faez Isa and Sardar Tariq Masood were not included on benches headed by CJP Bandial.

The divisions within the SC judges became even more apparent in a case on the delay of elections in Punjab and KP. The SC bench, which started with nine members, ended up with only three judges. CJ Bandial ignored the legal concerns raised by Justice Athar Minallah and Justice Mansoor Ali Shah, who were all initially part of the nine-judge bench, ***questioning if assemblies were first dissolved illegally.***

- *Even officials of the Inter-Services Intelligence (ISI) and Military Intelligence briefed the chief justice and two other judges on the bench hearing the case about security issues confronting the country. But, heading the bench, CJ Bandial was determined to order elections for the provincial assembly in Punjab on 14th May instant. The ruling, which the government never complied with, ended up undermining the writ of the Supreme Court as an institution.*

The tenure of the outgoing chief justice, Mr Bandial, not only weakened the top court but also damaged the authority of the parliament. The Supreme Court Practice and Procedure Act, which was to regulate the unconstrained powers of the chief justice regarding *suo moto* notices and fixation of cases, was suspended. *The interim order was issued pre-emptively by the Bandial-headed bench because the legislation had not become law by that time; the court has functioned under the cover of the stay since April 2023.*

Audio Leaks Case etc: Some of the important cases that the apex court had dealt with during Bandial's tenure were trying civilians in military courts, the National Accountability Bureau (NAB) NAB amendment case, the audio leaks case and the Supreme Court Review of Judgments and Orders case. All of those cases were affixed before benches which were presided over by CJ Bandial or his like-minded judges. *He was often accused of toeing the PTI line, especially in the case of the NAB amendment case.* CJ Bandial declined requests from the Attorney General for Pakistan and the Pakistan Bar Council for the formation of a full court to hear high-profile cases and not to invite criticism, especially since the Practice and Procedure Act was stayed.

Justice Syed Mansoor Ali Shah and Justice Jamal Khan Mandokhail of the Supreme Court, in their dissenting notes on the poll dates case said that the *suo motu* '*proceedings initiated by the CJP were wholly unjustified*', besides being initiated with undue haste. They recommended to revisit the '***powers of one-man show***' enjoyed by the office of the CJP. Chief Justice Bandial, however, ignored their recommendations.

- *CJ Bandial stayed the proceedings of the Commission probing the audio leaks and suspended the operation of the federal government's notification in this regard. He observed that the formation of the government-appointed Judicial Commission, to be headed by Justice Qazi Faez Isa and comprising two chief justices of high courts, "interfered in the judiciary's internal matters" and noted that there were errors in the notification issued by the government for the formation of the Commission.*

Legal and political experts thought this was a matter of direct conflict of interest – as his mother-in-law's alleged audio recording, in favour of the PTI, was to be scrutinized by the said Commission. However, the Supreme Court Bar Association's President Abid Zuberi challenged the notification of the Commission in the top court. Interestingly, Zuberi's alleged phone tape, where he could be heard talking about the fixation of cases before Justice Mazahar Naqvi, was also leaked and made subject to the Commission's probe. Attorney General for Pakistan Mansoor Usman Awan requested the CJ to '***not be a part of this bench***' and leave the matter to the next senior-

most judge, based on the conflict of interest issue. However, the CJP responded by saying: '*You should not interfere with our administrative authority*'. The CJP issued a written order where he expressed anger over the PDM government and the challenges it had posed for him during his tenure.

CJP BANDIAL's LEGACY:

Senior journalist Hasnaat Malik told **the FRIDAY TIMES** [dated 15th September 2023 is referred] that the outgoing Chief Justice Umar Ata Bandial would leave behind a deeply divided judiciary; saying:

"Throughout his tenure, Bandial never summoned a full court meeting (on the administrative side) and formed benches for hearing high-profile cases that included like-minded judges. This not only damaged the image of the CJ but also of the judiciary. The outgoing chief justice elevated 'like-minded' judges from the high courts to the Supreme Court. Five judges were supposed to be elevated in CJ Bandial's tenure, but only four judges could be elevated – because he had no majority vote in the Judicial Commission of Pakistan (JCP) for elevation of the fifth judge.

Former Chief of Army Staff Gen Bajwa had asked the PDM government to support CJP Bandial's nomination in the JCP for the elevation of junior judges – Justice Shahid Waheed and Justice Hassan Rizvi."

However, most media gurus believed that the controversial decisions of former justices Iftikhar Chaudhry and Saqib Nisar were far more damaging to the country than those made by CJ Bandial. The later can only be accused of escalating tensions between the establishment and the Supreme Court. His court ordered the government to hold snap polls in Punjab after a petition was filed by the PTI that challenged the ECP's order to postpone the elections in Punjab and KP. Further, when Imran Khan decided to dissolve the assemblies in Punjab and KP, Bandial and his camp of judges supported the PTI stance that elections should be held in the provinces within 90 days.

Though CJP Bandial talked about the accountability of judges, he included Justice Naqvi in the nine-member bench to hear petitions filed by former CJP Jawad S Khawaja and others against the trial of alleged 9th May rioters in military courts. Justice Naqvi was accused of abusing his powers to gain financial benefits, and complaints against him remained pending in the Supreme Judicial Council (SJC), a forum under Article 209 of the Constitution for the accountability of judges.

Saga of dissenting notes: Legal experts believed that CJ Bandial's tenure would be remembered as the tenure of dissenting notes and reservations by judges of the opposing camp. Rasheed A. Rizvi, senior lawyer and former chairman of the Executive Committee of the Pakistan Bar Council (PBC), once told media that '*Umar Ata Bandial's tenure as the chief justice of the Supreme Court is a bag of mixed impressions*'. Political parties were against his decisions, and a section of the legal fraternity didn't support his judgments. CJ Bandial proved himself weak in managing cases. It was a well-established practice that fresh cases were to be fixed later; '*a lot of judgments are yet to be written*'.

- Justice (retired) Mabool Baqar, who was then the caretaker chief minister of Sindh, told the media, that CJ Bandial '*weakened the institution as well as his credibility*'. Justice (retired) Shaukat Siddiqui (who served in the Islamabad High Court until his unceremonious removal) said CJ Bandial's tenure was controversial, lackluster and full of disputes – '*...he failed to maintain unity within the institution and develop jurisprudence*'. Hassan Raza Pasha, incumbent chairman of the PBC Executive Committee, said: '*CJ Bandial belongs to a respectable and educated family. He meets people and lawyers in his chambers with respect. But, he could not control the institution. Tensions escalated amongst judges because he never summoned the full court meeting*'. Pasha was of the view that the way CJ Bandial and his bench decided the case on Article 63-A, gave obvious benefit to a political party.

GOOD BYE CJP BANDIAL:

A DESPARATE BUT ESTEEMED CJP: CJP Umar Ata Bandial, was set to retire on 16th September 2023 – a day before his birthday – amid controversies and criticism over leaving behind a much-weakened judiciary. Contrary to what many think, history will ultimately remember Umar Ata Bandial as a tolerant chief justice. Unlike his predecessors (Saqib Nisar, Asif Saeed Khosa and Gulzar Ahmed), he showed restraint towards the politicians, media and citizens. He honoured lawyers in the courtrooms, even if they disagreed with him ideologically.

CJP Bandial got into the robes of the chief justice in a changing Supreme Court. There was an air of women empowerment after his predecessor, Chief Justice Gulzar Ahmed, had appointed Pakistan's first female Supreme Court judge. Bandial carried that tradition forward and appointed the second female judge to the Supreme Court, Justice Mussarat Hilali. Hina Firdous Khan,

an officer of the Information Ministry who served as the Public Relations Officer (PRO) in the Supreme Court on deputation during CJ Bandial's tenure, remembered her time in the top court warm-heartedly; telling the media that:

"It was a privilege to be a part of the CJP's team. Chief Justice Bandial was always approachable and courteous. He paid attention to diverse perspectives and created an inclusive work environment. He respected his subordinate staff."

A few actions by CJ Bandial reflected how he discouraged the prejudice and hostile mindset in the top court's administration by appointing a woman as the secretary of the Law and Justice Commission. Moreover, in his extempore speech at an event to welcome the New Judicial Year 2023-2024 that week, CJP Bandial specifically appreciated women working with the top court and the Law and Justice Commission of Pakistan.

On 16th September 2023; Umar Ata Bandial, Pakistan's 28th chief justice, retired from the prestigious echelon; his detractors and supporters said he would be remembered as one of the most '**polarised top judges**' in the country's history - leaving behind a '**tarnished legacy**'. The Lahore-born jurist's tenure as the chief justice lasted for about 20 months after he took over in February 2022 as the South Asian country was facing a serious political crisis; **AL-JAZEERA** dated even date is referred.

[When the CJP was elevated as CJP of the top court, the then-opposition coalition, the Pakistan Democratic Movement (PDM), was striving to topple the government, headed by former Prime Minister Imran Khan and his Pakistan Tahreek-e-Insaf (PTI) party, through a parliamentary vote of no confidence.]

Within two months of taking charge, Bandial faced his first major legal challenge when he declared that the then-deputy speaker [Mr Qasim Suri] of parliament's decision to dissolve the house was **unconstitutional**. With the top court's five-member bench headed by Bandial ordering the restoration of the National Assembly, the stage was set for Khan's removal as the PDM alliance moved a no-confidence motion against the government.

The removal of Khan in April last year set in motion a chain of events with after-effects that could be felt in Pakistani politics even today. For the next 18 months, Bandial found himself arbitrating on a flood of petitions, often political, making him a deeply polarising figure in the country. CJP Bandial, who became Supreme Court judge in 2014 before his elevation as the top

judge last year, had been often accused of showing leniency towards Khan and his party.

On numerous occasions since his elevation, former Prime Minister Shehbaz Sharif's Pakistan Muslim League-Nawaz party, the PTI's biggest rival, demanded Bandial's resignation, with some of its leaders going as far as to suggest him to join Khan's party. The tussle was so strong that Sharif's government refused to implement some of the top court's decisions and even passed a resolution in parliament to curb the powers of the chief justice. On the contrast, legal fraternity held that:

"PTI has been facing a massive state crackdown and Bandial only tried to uphold law and constitution. If he was biased towards the party and its chief, Imran Khan would not have been in jail right now."

Khan had been suffering in Attock city Prison since 5th August 2023, when he was handed a three-year sentence on corruption charges. While the conviction was suspended by a high court a month later, the 70-year-old opposition leader remained in custody in the so-called CYPHOR CASE, an investigation over a leaked diplomatic cable proved his allegations that the United States conspired with Pakistani authorities to remove him.

Scenario 276

...PRE-POLL RIGGING 2024

'FOREIGN POLICY' ANALYSIS ON...

Referring to an essay by Allison Meakem in the American Magazine **FOREIGN POLICY** dated 2nd January 2024; titled as 'The Road to Power in Pakistan Runs through the Military'.

"Pakistan had been due to hold a vote last October but has now settled on Feb. 8 as a polling date. The Pakistani Constitution stipulates that an election be held within 60 days of the parliament's dissolution on a regular schedule and within 90 days if the body is suspended before its term is up.

Then-Prime Minister Shehbaz Sharif ended his term and stepped down on Aug. 9, 2023, handing control to a caretaker administration. But just before triggering the election countdown, Sharif's government unveiled new census results; these are used to determine Pakistan's voting constituencies. The country's top electoral commission said it needed more time to redraw electoral maps based on the updated figures, and the contest was pushed to February (2024)."

The writer's analysis said that "...opposition and its supporters believed the timing of the new census results was suspicious, and that it was used as a pretext to delay the elections to give the military more time to influence the electoral environment;" **FP's Michael Kugelman**, the author of South Asia Brief, wrote in an email. The Pakistani military is known to be the country's main power broker. A former Pakistani Ambassador to the United States explained in *Foreign Policy* last August that: "[t]he military says it is not involved in politics, but politicians are still pursuing the generals' approval."

In April 2022, the military fell apart with then-Prime Minister Imran Khan and the later ultimately landed in jail since August 2023 and was technically barred from politics for five years. But Khan and his backers called the charges against him politically motivated. In late December 2023, Pakistan's Supreme Court approved Khan's bail in one case, and an Islamabad court stayed another trial until 11th Jan 2024, yet the ex-leader remained locked

up related to other charges. ***"Khan's cult-like supporters regard him as a figure who can save Pakistan from corrupt, dynastic politics,"*** Hussain Haqqani wrote in an analysis of those days.

A defiant Khan was still leading his Pakistan Tehreek-e-Insaf (PTI) party's list heading into next month's (8th February 2024) vote. ***Authorities briefly sought to ban the PTI from printing its logo, a cricket bat,*** on ballots before a Peshawar court struck down the move. (Pakistan has high illiteracy rates, and logos help voters identify the correct candidate.) The state's attempt to scrub the image raised a response to the PTI's popularity:

- ***In a Gallup Pakistan poll conducted over June and July 2023, Khan earned a 60 percent approval rating, and 42 percent of respondents expressed an intention to vote for the PTI, much higher shares than were garnered by any other politician or party; the PMLN had earned 20 percent, and the center-left Pakistan People's Party (PPP) followed with 12 percent.***

The PML and PPP were traditionally rivals but formed a marriage of convenience to oust Khan in April 2022. The brief tenure of the PML-PPP unity (PDM) government was less chaotic but the country still faced its fair share of challenges. In addition to wrestling continued agitations from Khan and his supporters, Pakistan suffered with scriptural flooding in August 2022 and found itself in economic trouble. There's also been an uptick in nationalism against Afghan migrants. During later months of 2023, the caretaker government—likely at the behest of the military—oversaw the expulsion of 1.7 million Afghans from Pakistan.

Shehbaz Sharif, apparently, was not running as the PML's top candidate in that election because his elder brother, former Prime Minister Nawaz Sharif was also in the run. Nawaz S had recently returned to the country after spending four years in self-exile in the United Kingdom. Khan and Nawaz Sharif were bitter foes, but having one thing in common: Nawaz Sharif was also banned from politics thanks to a 14-year corruption sentence.

Pakistani authorities had declared that Nawaz Sharif would not be arrested 'until he appears in court', and the PML successfully appealed his conviction and sentences, making him eligible for next month's elections; even though Nawaz Sharif was ousted in a military-backed coup. That's bad news both for Khan and the PPP chief Bilawal Zardari. Kugelman said: '...the electoral playing field won't be level with the PML enjoying a big advantage. Pakistan's electoral commission [ECP] has already been accused of redrawing electoral maps with the new census data to favor the PMLN.'

Though the public opinion was visibly tilting in the PMLN's direction due to undue punishments of Khan and its near members of PTI, the weeks ahead were likely to feature a great deal of political and legal machinations from all of Pakistan's major parties. In mid-December 2023, Pakistan's Supreme Court announced that it would form a *committee to adjudicate political bans*—a move that appeared to pave the way for Nawaz Sharif ... to run for PM's office fourth time; the PMLN had announced just weeks ahead that Nawaz Sharif would be its top candidate in the 8th February 2024 vote.

That election was to go ahead for all 342 seats in the National Assembly, the lower House of parliament, most of which were single-member constituencies. The remaining seats were to be awarded through a proportional, party-based allocation system.

PRE-POLL RIGGING FOR ELECTIONS-2024:

Referring to **AL-JAZEERA** dated 12th January 2024:

"—A former prime minister is in jail. Election authorities are busy stopping his party's candidates from contesting. And another ex-premier, previously imprisoned and then in exile, is now back, with the cases against him dropped.

*Less than a month before Pakistan holds its 12th general elections on 8th February (2024); concerns are mounting among analysts and sections of the political class that **the coming vote might rank near the top of the list of most manipulated votes** even in the country's chequered democratic journey."*

Why has Pakistan scrapped a lifetime ban on convicts holding office? — The question was found on most lips of country's populace as well as foreign and local media; see details below:

[8th January 2024: In a major legal development, the Supreme Court of Pakistan lifted a lifetime ban on politicians with convictions from contesting elections. That order overturned a 2018 ruling by the Lahore High Court [LHC] which had prevented any individual convicted of an offence from running for elected or chosen office for life. The LHC had based its decision on Article 62(1)(f) of the Constitution of Pakistan, interpreting the conditions for a parliamentary member

as encompassing '**sagacious, righteous, non-profligate, honest**' characteristics, and suggesting that a conviction in a court of law therefore implies dishonesty and disqualifies a person for life.

*"Article 62(1)(f) had previously empowered the parliament to prescribe qualifications for contesting elections. **A 2018 Supreme Court judgement interpreted this clause to imply lifetime disqualification for politicians deemed ineligible based on morality or integrity grounds.** This decision raised concerns about potential abuse of power and its chilling effect on democratic participation, particularly impacting high-profile figures like former Prime Ministers Nawaz Sharif and Imran Khan."*

In a 6-to-1 decision, the Supreme Court rejected this interpretation of the Constitution, stating it amounted to overruling. It held the lifetime ban to be in violation of Article 17 of the Constitution which establishes the fundamental right of citizens to contest elections and vote for a candidate of their choice. This ruling brought significant implications for major political figures. Notably, former three-time Prime Minister (PM) Nawaz Sharif, who was removed from office in 2017 because of conviction in corruption case prompted by the release of the **Panama Papers**, could contest for a fourth term as PM afresh through 8th Feb 2024 election.

Despite the lifting of the lifetime ban, timing of eligibility was the most crucial and important factor. As per Pakistan Elections Act, 2017, potential candidates were disqualified for five years following a conviction. Therefore, convicted former PM, Imran Khan, removed and convicted of corruption in 2022, was not eligible to contest until 2027. The decision marked a divide in opinions, characterised by the spokesperson for the PMLN, who termed the ruling as 'the end of a dark chapter of judicial injustice'. Contrarily, an attorney of Imran Khan labelled it as the 'death of law and constitution'.

TIME'S ANALYSIS BEFORE ELECTIONS 2024:

IMRAN KHAN was being smashed with over 180 charges ranging from rioting to terrorism, and jailed in a rotten nine-by-11-foot cell following 5th August (2023) corruption-conviction for allegedly selling state gifts. As Pakistan was approaching fresh elections on 8th February (2024), the 71-year-old's

chances of a comeback appeared thin, despite retaining broad public support. Allegedly, Pakistan's kingmakers were using all cannons at their disposal to sideline the nation's most popular politician and his Pakistan Tehreek-e-Insaf (PTI) party. *'Elections are being held but I've got serious doubts whether real democracy or democratic principles are being followed'*; said **Samina Yasmeen**, Director of the Centre for Muslim States and Societies at the University of Western Australia.

In mid-January (2024), Khan's PTI party was banned from using its iconic cricket bat logo on ballot papers, significantly hampering its chances amongst an electorate which was up to 40% illiterate. Most crucially, it effectively banned the PTI as a party; its candidates were to stand as independents using a range of symbols ranging from a rollercoaster to a goat. The election symbol was an integral component of fair elections in Pakistan; **snatching it like rendering the party toothless**. The ECP in collaboration with the then sitting caretaker government and the establishment had done a great loss to the PTI by **taking off its 'BAT'** from PTI.

- *Pakistani lawmakers are constitutionally obliged to vote along party lines for certain key matters, including the leader of the house and financial legislation. But as the PTI-backed candidates were officially independents, they were under no such constraints, making it much easier for the opposition to cobble together a coalition by targeting individuals with inducements.*
- *Additionally, PTI would be ineligible to receive its rightful proportion of the 200-odd parliamentary 'reserved seats' for women and minorities that were allocated according to a party's proportion of the overall vote, which would instead be divvied out to the other registered parties. **AND it actually happened so – a full chapter has been added for this after-election jugglery.***

Then again, *even registering as independents was not been easy for the PTI*. Each candidate must file their nomination in the constituency where they intend to stand, but PTI's candidates frequently find their nomination papers snatched from their hands by shadowy security personnel. To avoid this, the PTI had to take to dispatching several candidates with nomination papers in the hope that one might break through the security cordon.

But even if one would manage to submit papers, each candidate required a proposer and seconder to attend the nomination in person. On many occasions, a PTI candidate presented his papers *only to find either or both had abruptly been 'kidnapped'*; meaning that 90% of its candidates' nomination papers were rejected. - **This was massive pre-poll rigging.**

The hurdles facing Khan and PTI stood in stark contrast to the lot dealt to Nawaz Sharif, who was most recently ousted for corruption in 2017 and sentenced to 10 years imprisonment. In 2018, Sharif traveled to London on bail for medical treatment but absconded and remained a fugitive in exile. But on 21st October (2023), an apparently healthy Sharif returned to Pakistan, where his corruption conviction was swiftly quashed and his lifetime ban from politics also overturned. *'The temperature was going to rise in the next few days when candidates would step out in the form of rallies – There was going to be anger on the streets.'*

It was no secret that Pakistan's military kingmakers had thrown their full, rather undue and unmerited, support behind Nawaz Sharif. Simultaneously, Khan's enduring popularity meant more heavy-handed tactics were required. Despite all PTI's headwinds, and extremely patchy governance record while in power, a Gallup OPINION POLL from December 2023 showed the imprisoned Khan's approval ratings stood at 57%, compared to 52% for Sharif. PTI remained confident that they would win if allowed to compete in a fair play. People, especially at the grass root level, were very pro-Imran Khan; Ref; **WEEKLY TIME OF 14TH JANUARY 2024.**

- *A big question remained why the international community was staying so muted in the face of such brazen irregularities—especially the US – where the stakes were high; nuclear-armed Pakistan was drowning in \$140 billion of external debt, while ordinary people were battling with Asia's highest inflation, with food prices rising 38.5% year-on-year.*
- *The truth was evident that Khan had few friends in the West after prioritizing relations with Russia and China. **'From a Washington perspective, anyone would be better than Khan'**, said Michael Kugelman, the director of the South Asia Institute at the Wilson Center in Washington, DC.*

By contrast, Nawaz Sharif was perceived as business-friendly and pro-America. Following the US withdrawal from Afghanistan in 2021, Washington's foreign policy priorities had shifted to China, Ukraine, and the Gaza. American priorities in Pakistan were keeping a lid on terrorism and stabilizing relations with India—and Sharifs kept a better record on both. There remained 'a lot of bad blood between Nawaz and the military, even if he were to become the next Prime Minister, civil-military relations were to take the same turn for the worse – as it happened three times with Nawaz Sharif in the past.

Might be the reason why Khan had adopted a patient disposition despite the deprivations of his prison cell. *"He is cold in jail but quite happy; he's read so many books, maybe two to three every day, and he's very content to have*

*this retreat time—spiritually, mentally, and physically, he says he feels better”; Aleema Khan told the **weekly TIME**.*

Referring to Charlie Campbell's analysis in **Weekly TIME** magazine of 5th February 2024:

"Khan's trial for allegedly leaking state secrets was conducted in camera inside a makeshift courtroom within a jail complex, with public and media banned. Khan's own defense team were blocked from taking part, with the judge appointing two state-employed colleagues of the prosecution to represent the former national cricket captain instead. "When they gave the sentence, he said, 'Oh, it's only 10 years? I thought it would be....So he's laughing through the whole thing'."

The case heard one of the 180+ separate charges Khan was facing then and that rendered a return to power nearly impossible for Pakistan's most popular politician. He was back in court on 1st February 2024 on separate corruption charges related to the transfer of land for a charitable university he founded [AL-QADIR TRUST CASE]."

On 3rd February 2024; Khan was sentenced to an additional seven years for having an 'un-Islamic marriage' [IDDAT CASE]. But few in Pakistan were laughing as the nuclear-armed nation of 240 million was crawling towards general elections on 8th February 2024. The legal onslaught on Khan merged with expulsion of his Pakistan Tehreek-e-Insaf (PTI) party, which had seen its 2000+ workers arrested, dozens of its leaders abandoned it under duress, its famed **cricket-bat logo banned**, and constituency boundary lines redrawn to allegedly benefit its opponents. Khan's name was brushed away from mainstream media and his own nomination papers were rejected. **'Of course, there is no level playing field and no way can this election be seen as free and fair'**, said Patricia Gossman, Associate Asia Director for Human Rights Watch.

'...but why America remained silent over such drastic human-rights catastrophe in Pakistan?' In truth, American silence was both personality-driven and structural. Khan retained an oddly chummy relationship with the overtly Islamophobic Donald Trump, but he proved no friend to Joe Biden, fuming over the President's failure to call him following his 2020 election victory and furious about a US-sponsored plot to oust him. [The case regarding leaking state secrets was related to allegations Khan released a confidential diplomatic cypher that he vaguely claimed as proof that Washington had pulled the strings of his ouster in an April 2022's No Confidence Vote.]

Imran `Khan shamelessly had cozied up to both Vladimir Putin and Xi Jinping, but the bigger issue for the US was structural. Ultimately, ***it didn't much matter who holds political office in Pakistan because true power lies with its military***. As one former top US diplomat in Islamabad told TIME: 'When we had a [crisis], we didn't call the prime minister—we called the Chief of Army Staff'. The magazine further said:

*"General Asim Munir occupies that rarefied post today, and it is he who has orchestrated Khan's downfall after the two fell out spectacularly over military appointments and other bugbears—not least the ransacking of military properties by PTI supporters on May 9. **It was also Munir's decision to bring back three-time former Prime Minister Nawaz Sharif from exile, quash his corruption conviction, repeal his lifetime ban from politics, and pave the way for a historic fourth stint in power.** But as no Pakistani Prime Minister has ever completed a full term, few are betting on Sharif staying around long. **Relations with Pakistan's top brass take precedence.** Tellingly, US Secretary of State Antony Blinken hosted Munir in Washington in December (2023).*

In the near term, however, from the US perspective Sharif is a safe, predictable pair of hands who won't rock the boat with India."

On another count, Tariq Amin-Khan, a politics professor at Toronto Metropolitan University, commented:

*"The State Department seems to be quite comfortable with Nawaz Sharif, but Sharif's record on the economy is poor and reputation for graft **really quite legendary**. Since the turn of the millennium, per capita GDP in Pakistan has risen by an average of just 1% annually. In 2000, the average Pakistani was some 50% richer than his Indian counterpart; today, they are 25% poorer. Headline inflation rose to 29.7% year-over-year in December (2023) owing to tax hikes and a sharp fall in the currency."*

More precisely, Gareth Leather, senior Asia economist for Capital Economics wrote in the same periodical of 5th February 2024 that:

"Having been prime minister for more time than anyone else since 1990, [Sharif] must take a fair share of blame for Pakistan's poor economic performance over this period. Despite his spotty diplomatic and security record, growth under Khan averaged at 6% for his last two years in office, despite headwinds such as the pandemic."

The PTI refused to give up and had managed to register candidates for the vast majority of constituencies. With the PTI logo banned, the party got set up an online portal to show supporters which officially independent candidate had its backing. *'Give me a free and fair election and I think we will run away with three-quarters [of seats] if not more'*, said Raoof Hasan, PTI's principal spokesman and a former special assistant to Khan.

Various opinion polls put Khan's popularity at around 60% to 80% and the threat of a strong showing from his supporters could prompt the military to take more decisive action to shamble them. *'The election as it is set up is already not free nor fair, [but] the only question, in my view, is if there is overt rigging on Election Day'*; opined one retired Pakistani General.

Street violence and any security response could, above all, make it more difficult to secure another IMF bailout—it was essential to avoid default and potential economic collapse.

Anita Weiss, a professor of international studies at the University of Oregon, floated her candid opinion that:

"My greatest fear is that this election is going to be called out for being a sham. And there will be riots all over Pakistan that it can barely endure because of the severe economic crisis.

The Biden Administration may yet regret not taking a stronger stance to protect the democratic values it claims to hold so dear. It would likely not have changed the overall direction of what's happening, [But] Washington voicing concern would have given Pakistan's military establishment pause, and perhaps softened the extent of the crackdown."

CRACKDOWN ON PTI INTENSIFIED:

Most lawyers and media analysts called it as the crackdown by state authorities against Pakistan Tehreek-e-Insaf (PTI) and its leader, Imran Khan, as evidence of widespread rigging that could deny the former prime minister and his party a shot at a fair contest. Khan was in jail since August 2023, facing multiple charges including corruption, revealing state secrets, and over planning for attacks on military facilities by his supporters. He had denied all the charges. Large numbers of his party's leaders had quit the PTI, seemingly under duress. Many of them went underground, seeking to avoid arrest, while others had defected and joined rival political parties.

Multiple electoral nominees from the PTI, including Khan himself had got their nomination papers rejected by the Election Commission of Pakistan (ECP), the electoral watchdog. Khan was also deprived of his portfolio of

Chairmanship of his party [PTI] due to his imprisonment. Gohar Ali Khan, a relatively unknown lawyer who joined the party less than three years ago, was named the new head. The PTI was also struggling to keep hold of its election symbol, a cricket bat, amid a legal battle with the ECP in the country's Supreme Court. *'This time around, the manner in which PTI and its cadres have been brutalised, it has not happened in the history of Pakistan'*; Shayan Bashir, PTI's information secretary in Punjab, held.

- Bashir also added that: *'Snatching of nomination papers, nomination of candidates in police reports, rejection of nominations on unprecendented scale, forcing PTI candidates to abandon the party under duress, all this evidence is available to show what the party has to endure'*.

Moreover, fears of election manipulation were not new in the country of 240 million people. In fact, longtime observers of Pakistani politics and elections said that historically, most elections in the country have been tainted to various degrees. In 1990, Pakistan President Ghulam Ishaq Khan dismissed the elected Pakistan People's Party government of then-Prime Minister Benazir Bhutto. Elections were held, and the PPP – widely popular at the time – lost to an alliance led by Nawaz Sharif. In 2012, the Pakistan Supreme Court described the 1990 vote as rigged. But the same PMLN were victims of allegedly an unfair election in 2018, after he had returned to power in 2013. Sharif was removed from his premiership again when he was disqualified for concealing his assets in April 2017, and merely days before the elections, along with his daughter Maryam, he was sentenced to jail for 10 years on corruption charges. *'Irrespective of partisan positions, the 2018 election was pretty bad, which many people don't accept'*.

Khan and his PTI emerged victorious in those elections amid harsh complaints of manipulation. Many analysts and Khan's political rivals suggested that the Pakistani military was the kingmaker behind Khan's rise, providing him the platform for success at the expense of his rivals. Pakistan's powerful establishment, even when not directly in power, remained active in political affairs, an admission made by its former army chief Gen Bajwa in November 2022 during his good-bye speech.

Nawaz Sharif had returned to the country in ending 2023 after four years in self-exile. This time, most analysts believed, the military had put bet on Sharif, who returned to the country and had seen courts quickly drop legal hurdles against his candidature. Then the political environment before the polls was ridiculous; *'parties have changed, leaders have changed, but the method and madness remain the same'*. It was correct to describe the run-up to 2024 polls fundamentally *'as unfair as the previous one'*- it was **pre-poll election engineering** instead of calling it **rigging**. See a media analysis then:

- *"Comparing the upcoming and last elections, of 2024 vs 2018, the pre-election period showed the same pattern of manipulation. The major difference remained that those old tactics were facing stronger resistance this time, and secondly the party at the wrong end of the establishment, the PTI, was more successful in popularising its narrative of victimhood, compared to the PMLN."*

That narrative propelled Khan's popularity upwards – which had dropped to 32 percent per a local survey while he was in office – past 60 percent after he was removed from the premiership in April 2022 through a parliamentary vote of no confidence. Khan had blamed a US-led conspiracy, in collusion with the Pakistani military, for removing him from power, and led demonstrations in the country demanding early elections. However, near the elections-2024, Khan was in jail and his besieged and harassed party was engaged in a battle for subsistence.

However, the intelligentsia believed that a deeper political and social shift was under way in Pakistan those days. The main issue was that the contradictions in the Pakistani state had intensified, which was giving rise to resentment in society and institutions. *'The political parties had traditionally played a negative role'*, by bailing out the establishment whenever opportunity arose. Earlier, the PTI was entirely on one page with them, and that was followed by the coalition government [PDM] which came after PTI was ousted. Political parties, whenever the establishment went on the back foot, availed an opportunity to advance their own monetary goals rather than strengthen bonds with voters. That needed change, calling for *political parties to hold themselves accountable'*.

"There are always one or more political parties which are willing to cross the Rubicon and enter some kind of presumed understanding with the establishment. It is unfortunate because the parties refuse to talk to each other. Politics here has now become a zero-sum game"; **AL-JAZEERA** dated 12th January 2024 is once more referred.

IDDAT CASE AGAINST Mr KHAN & 1st LADY:

Another case against Imran Khan was initiated in November 2023 when Bushra Bibi's former husband, Khawar Maneka, filed a complaint against both husband and wife, Imran Khan and Bushra Bibi. The complaint alleged that Bushra Bibi had married Imran Khan without completing her mandatory *Iddat* period. This case was filed almost six years after the couple's marriage.

On 3rd February 2024; a trial court sentenced Imran Khan and Bushra Bibi to seven years in prison for contracting marriage during Bushra Bibi's Iddat period. For ex-prime minister Imran Khan who was sent to jail after his conviction and subsequent disqualification in the Toshakhana Case, the sentence in the Iddat case was the third conviction in merely one week. That conviction was announced after a jail trial, senior civil judge Qudratullah sentenced the both, along with a Rs0.5 million fine each, for contracting marriage during the 'Iddat' [period of waiting as mandated in Islam] of the former first lady.

Bushra Bibi was confined at the Banigala residence of Imran Khan following her conviction in the Toshakhana reference. The judge set aside the 'nikah' of Mr Khan and Bushra Bibi solemnised on 1st January 2018, as he announced the sentence under Section 496 of the Pakistan Penal Code (PPC) – and the court announced the maximum punishment given in the said section. As per court orders, the 'nikah' was solemnised during the 'mandatory Iddat period' of Bushra Bibi.

- *Mr Khan and Bushra Bibi are still in a 'legitimate relationship' as the court ruled that the 'nikah' of 14th February 2018 was legal.*

The fact remains that the ceremony held in Feb 2018 was merely a 'dua (blessings)' for public affirmation, the court ruled it as a '**valid nikah**' on the basis of testimonies of cleric Mufti Saeed and a former federal Minister Awn Chaudhry, once a close aide to Imran Khan. These prosecution witnesses testified that the first '*nikah*' was on 1st January 2018 and the second ceremony was held in Feb 2018. Mr Khan and Bushra Bibi also recorded their statements, saying they entered '*nikah*' after the '*Iddat*' had lapsed.

Imran Khan termed it a politically motivated case, instituted to hurt his dignity and repute. Bushra Bibi also claimed that her ex-husband Khawar Fareed Manika had already divorced her in April (2017), but signed the divorce deed in November 2017. The couple requested the court to allow them to produce the witnesses in their defence. However, the judge, on the other hand, termed the application seeking the same relief as delay tactics and rejected the request.

During his testimony in the court, Mr Manika claimed that Mr Khan had an affair with his wife since 2014 and he was a '*frequent visitor of his house*'. He said he had repeatedly asked Bushra Bibi to avoid meeting Mr Khan but to no avail and as a last resort he divorced her but '*with an intention of reconciliation during the Iddat*'. According to Khawar Manika, the untimely *nikah* of Mr Khan and Bushra Bibi deprived him of availing the opportunity of

reconciliation. He had also accused his ex-wife and Imran of having an adulterous relationship before their marriage.

The Judicial Magistrate Islamabad's court observed in its judgment of 51 pages that the minimum *Iddat* period as 39 days was not relevant in this particular case. The nutshell of the above discussion was that the complainant was trying to prove that the respondents [Mr Khan and Bushra Bibi] had engaged in an unlawful marriage ceremony on 1st January 2018, with dishonest and fraudulent intention. Thus both] were convicted under the provision of section 496 PPC and sentenced to simple imprisonment for a period of seven years each.

In a statement, the PTI denounced the verdict as contrary to '*Sharia*' and said it was a '*reprehensible attack*' on the marriage and family laws and unethical interference in private affairs. The party alleged that:

"The judge removed the mask of honour, modesty, shame and civilisation from the face of the state and exposed it before the [entire] world. After sentences in the Cypher and Tosha-khana references earlier that week, the elements tried to push forward the agenda of hateful political revenge by convicting Imran Khan in the Iddat case through a premeditated and shameful verdict."

RELIEF FOR KHAN IN IDDAT APPEAL:

Imran Khan and Bushra Bibi had appealed against their conviction. During the appeal hearing, Bushra Bibi's lawyer argued that the complaint was filed late [***after six years of the nikah between the two***] and was politically motivated. Moreover, the *Iddat* period had already been completed by the time the complaint was filed, making the marriage lawful.

The appellate court reserved its decision on the appeals filed by former PM Imran Khan and his wife Bushra Bibi against their conviction concerning their marriage during the *iddat* period.

During the hearing of the case in the court of Islamabad District and Sessions Judge Shah Rukh Arjumand, it came to light that initially, an unknown individual, Muhammad Hanif, had filed a complaint, accusing Imran and Bushra of marrying without the completion of Bushra's mandatory *iddat* period – but that complainant Muhammad Hanif never appeared in the trial court; thus,

in May 2023, a district and sessions court in Islamabad declared Hanif's petition inadmissible. Mr Maneka later filed a similar petition through the same counsel, Raja Rizwan Abbasi Advocate.

During the trial, questions were posed to Mufti Muhammad Saeed—the cleric who solemnized Imran's marriage with Bushra on 1st January 2018—to clarify his role. Bushra Bibi, in her statement, mentioned the divorce occurred in April 2017, and she completed the *iddat* period before remarrying. On the other hand, defending the trial court's order, Deputy District Prosecutor Adnan Ali argued that Khawar Maneka and Bushra Bibi were happily married for 28 years with five children until PTI's founder interfered in their lives, leading to the divorce; AND Maneka intended to reconcile, but Bushra Bibi remarried during the *iddat* period. Prosecutor Ali also pointed out that according to Bushra Bibi's statement, the divorce occurred verbally in April (2017), but there were no witnesses to confirm this; adding that Bushra Bibi showed no remorse over the end of her 28-year marriage.

The court noted but reserved its decision to be announced on 29th May 2024.

On 29th May 2024: The appellate court announced its reserved decision on the appeals and quashed the judgment of the Judicial Magistrate Islamabad.

On 13 July 2024; the ADSJ Afzal Majoka passed the judgment for the immediate release of both Imran Khan and Bushra Bibi if they are not wanted in any other case.

OPPOSING VIEWPOINTS ON IDDAT:

The PTI alleged that the delay in announcing the verdict of the case was a pre-planned strategy. Mr Khan accused Maneka of using delaying tactics and responsible for disrupting the court proceedings. During the hearing of the case, there was a disruption when complainant Khawar Maneka insisted on presenting his arguments, leading to a heated exchange with the PTI lawyers. The chaotic situation prompted Judge Shah Rukh Arjumand to request that the case be transferred to another court. The judge referred to the continued efforts of the complainant and his counsel to delay and frustrate the proceedings.

Once there was an acute disturbance in the court room and incident took place outside the court. PTI lawyers allegedly assaulted Maneka with slaps and bottles as they were leaving the court. Next day, due to this incident, a

First Information Report (FIR) was also lodged against several PTI lawyers at Islamabad's Ramna police station. The charges included harsh provisions related to terrorism though it was not at all a terrorist act. Thus, The PTI rejected the registration of a '*false, fabricated and baseless*' case against members of the party's legal team. Most of the bar condemned the inclusion of terrorism charges in the case and demanded immediate action against the police officials and the PMLN activists.

In the above slapping incident, 12 policemen around were made witnesses. The names of 25 accused including PTI lawyers Naeem Panjotha, Ali Ijaz Butter, Zahid Bashir Dar, Usman Gill and Ansar Kayani were included in the FIR.

According to the FIR, as court proceedings commenced in Islamabad, PTI leaders and lawyers began gathering outside the court. The FIR said Advocate Burki then pushed Khawar Manika and Naeem Panjotha. Advocate assaulted him with punches. PTI female workers threw bottles at Manika and even had a scuffle with him while PTI lawyers slapped him inside the courtroom. As the Islamabad district and sessions court did not announce its already reserved verdict in the Iddat case against Imran Khan and Bushra Bibi, the complainant Khawar Maneka, the former husband of Bushra Bibi, was assaulted. The PTI vehemently condemned the inclusion of terrorism-related sections in the false case against the legal team members.

Scenario 277**GENERAL ELECTIONS 2024-I**

- The details of **July 2018 elections** have already been laid down in the previous book titled as **RISE & FALL OF IMRAN KHAN** (456 pages), published in 2024 by the GHP Surrey UK.

ELECTION (2024) SCHEDULE ANNOUNCED:

On 15th December 2023: General elections were programmed to be held in Pakistan on 8th February 2024 to elect the members of the 16th National Assembly. The detailed schedule was announced by the Election Commission of Pakistan [ECP] with following details:

Sr no	Poll Event	Schedule
1	Public Notice Issued by the Returning Officers	19 December 2023
2	Dates of filing Nomination papers with the Returning Officers by the candidates	20 December 2023 to 24 December 2023
3	Publication of names of the nominated candidates.	24 December 2023
4	Last date of scrutiny of nomination papers by the Returning Officer	25 December 2023 to 30 December 2023
5	Last date of filing appeals against decisions of the Returning Officer rejecting/accepting nomination papers.	3 January 2024
6	Last date for deciding of appeals by the Appellate Tribunal	10 January 2024
7	Publication of revised list of candidates	11 January 2024
8	Last date of withdrawal of candidature and publication of revised list of candidates	12 January 2024

- 9 Allotment of election symbol to contesting candidates 13 January 2024
- 10 **Date of Polling and Counting of Votes** **8 February 2024**

The general elections were supposed to be held in Pakistan less than 90 days after the dissolution of the National Assembly, which was dissolved on 10th August 2023 by President Arif Alvi on the advice of the Prime Minister Shahbaz Sharif. This meant that the election must have been held not later than 8th November 2023.

On 5th August 2023; the results of the 2023 digital census were approved by the Council of Common Interests [CCI] headed by Prime Minister Shahbaz Sharif. Therefore, elections were to be delayed to February 2024 at the latest, as announced by the Election Commission of Pakistan (ECP). On 13th September 2023, President Alvi proposed 6th November 2023 as a date to the ECP and advised it to seek guidance from the Supreme Court for the announcement of the election date. On 2nd November 2023, the ECP and the President agreed on 8th February 2024 as the date for the general election.

DE FACTO BAN ON PTI:

On 22nd December 2023, the Election Commission of Pakistan (ECP) decided against allowing the PTI to keep its electoral symbol, asserting that the party had failed to conduct intra-party elections. Subsequently, on the same day, the PTI appealed to the Peshawar High Court [PHC] challenging the ECP's decision. Consequently, a single-member bench suspended the ECP's order until 9th January 2024.

On 30th December 2023, the ECP submitted a review application to the PHC. During the following days, a two-member bench lifted the suspension order while hearing the case. However, on 10th January 2024, the two-member bench deemed the ECP's order ***'illegal, without any lawful authority, and of no legal effect'***. Responding to this, on 11th January, the ECP contested the ruling in the Supreme Court. On 13th January 2023, a three-member bench of the Supreme Court of Pakistan [SCP] sided with the ECP, reinstating their initial decision to deny the PTI its election symbol, the cricket bat, ***due to the party's failure to conduct intra-party elections*** in accordance with its constitution.

Consequently, the PTI was unable to allocate party tickets to any of its candidates, resulting in all party candidates being listed as independent candidates with individual electoral symbols. See the details below....

SAGA OF PTI'S ELECTION SYMBOL:

On 11th January 2024; the ECP challenged the PHC's decision of restoring the PTI's election symbol. Simultaneously, the PTI initiated legal action in the PHC, filing a contempt petition against Chief Election Commissioner [CEC] Sikandar Sultan Raja and other ECP members for not implementing the high court's order in the case.

During the previous hearing, CJP Qazi Isa had observed that democracy was a fundamental right, which should be present in both a country and a political party. Justice Isa had also highlighted that the case was *time sensitive* with the 8th February general elections approaching, adding that the matter required *immediate attention*.

On 12-13th January 2024: A 3-member SCP bench led by the CJP Qazi Faez Isa heard the ECP's plea challenging the Peshawar High Court's decision to restore the PTI's iconic 'bat' election symbol. The ECP's petition, submitted by former attorney general Makhdoom Ali Khan, argued that the PHC should not have proceeded with the case without first issuing a notice to the Attorney General for Pakistan (AGP). That the said procedural step was necessary because the legal question at hand pertained to the federal government, involving the interpretation of Article 17 of the Constitution and its relationship with the provisions of the Elections Act of 2017.

The petition also highlighted that the PHC's order conflicted with previous Supreme Court rulings, which had consistently discouraged high courts from intervening in the electoral process, which, as per the Constitution, was exclusively within the ECP's jurisdiction. Further, the petition emphasized that the PHC's judgement effectively nullified key sections of the Elections Act and Election Rules by restricting the ECP's constitutional and statutory roles in regulating and supervising intra-party elections of political parties. This interpretation contradicted the principles established in previous superior court rulings.

Furthermore, it undermined the fundamental purpose of Section 215(5) of the Act, in conjunction with Rules 157 and 158, which aim to foster democracy, pluralism, and transparency within political parties by ensuring timely intra-party elections, it was added. Moreover, the PHC ruling disregarded the

essence of Section 208(2) of the Elections Act, which is intended to guarantee equal opportunities for all party members to contest elections for any political party office.

ECP's petition also said that the Peshawar High Court order not only rendered relevant provisions practically redundant but also enabled a political party to undertake 'sham' intra-party elections without any checks and balances. This was not only contrary to Article 17 of the Constitution but was also in conflict with the principles of democracy. The petition also pointed out that the PHC's order overlooked the fact that the Elections Act was enacted under a democratic government and led to the repeal of various election laws, some of which were introduced during times of extra-constitutional rule.

ECP counsel Makhdoom Ali Khan had contended that the PTI had held its intra-party polls *secretly* and the elections were not in accordance with the party's own documentation. Upon being repeatedly questioned, he also assured the bench that no discriminatory behaviour had been adopted (by the ECP) with the party.

PTI's INTRA-PARTY ELECTIONS (?)

On 22nd December 2023: The ECP voided, for the second time in less than a month, PTI's internal elections following ***a first-of-its-kind microscopic examination of the inner workings of a political party*** and declared it ineligible to obtain an election symbol to contest the upcoming general elections. The ECP said in its 11-page order:

"It is held that PTI has not complied with our directions rendered therein order dated 23rd November, 2023 and failed to hold intra-party election in accordance with PTI prevailing Constitution, 2019 and Election Act, 2017, and Election Rules, 2017."

Rejecting a certificate and Form-65 filed by erstwhile PTI's chairman Gohar Khan, the commission declared the party ineligible to obtain an election symbol under Section 215 of the Elections Act, 2017. Moments after news of the ECP's decision was aired, the PTI took to X to term the decision part of the ***'famous London Plan and a disgusting and shameful attempt to stop PTI from [participating in the] election.'***

According to the court, the PTI was entitled to the election symbol **"strictly in terms of sections 215 and 217, read with any other enabling provision of the Elections Act 2017 and Election Rules 2017"**. In fact, the scores were being settled with the PTI and Imran Khan since much earlier; might be as a deep- planned strategy. See a media report of dated 23th December 2023 [here](#).

"The ECP took PTI intra-party polls 'unconstitutional', revoked electoral symbol; party vowed to challenge decision. PTI candidates would have to contest as independents, won't be able to join their party unless ECP got it re-listed. ECP's decision came hours after SC; ECP assured party concerns over 'level playing field' would be addressed;"referring to **daily DAWN's** wording of that day.

Earlier the same day, observing that fair elections would give legitimacy to the elected government, the Supreme Court of Pakistan [SCP] had called for the provision of a **level playing field** for all political parties, including the PTI, to foster healthy electoral competition. In an order on a petition, filed by Gohar Ali Khan, a three-member bench of the apex court, headed by Justice Sardar Tariq Masood and comprising Justice Mansoor Ali Shah and Justice Athar Minallah, said the ECP plays a crucial role in the democratic process, especially in conducting elections, adding:

"[The] ECP is to ensure that elections are conducted in accordance with democratic principles and that elections are free from undue influence, coercion, and corruption. (It's) stressed that ECP should also ensure that all political parties and candidates have an equal opportunity to participate in the election process.

Despite assurances of being provided a level playing field, it was evident that the PTI would be playing its election innings without its signature 'bat', as the ECP deemed its intra-party polls **'unconstitutional'** and revoked its claim on the iconic electoral symbol. The reserved verdict was announced a day after the Peshawar High Court (PHC) directed the electoral watchdog to decide the matter of PTI's intra-party polls and electoral symbol on immediate basis.

Some members of the PTI got upset to that extent - claiming that the party would still win the general elections, maintaining that it would appeal the decision at every forum. PTI's that faction also asserted that its candidates would indeed contest the polls with the 'bat' symbol, come what may.

- *It is important to remember that organizing free and fair elections is more important than the results itself. The petitioner or any other person representing any other political party in the electoral process could approach the ECP at 3.00pm for the redressal for their grievance relating to the elections.*

Following the SC order, ECP had assured the SC it would address PTI's concerns regarding the denial of a level playing field ahead of general elections, promising to replace the district returning officers (DROs), returning officers (ROs) creating hurdles in the way of obtaining and submitting nomination papers. The assurance was held out to a PTI delegation, which had met commission officials on Supreme Court directions. PTI's Barrister Gohar Khan, while addressing the media in Islamabad, mentioned that:

"....the withdrawal of the party's electoral symbol had led to the loss of 227 reserved seats, potentially paving the way for corruption. None of the 14 petitioners had ever been PTI members.

None of the 837,950 members has raised objections on party polls. While we accept the apex court's decision, we are confident that people will respond to Imran's call on Election Day."

During that day's hearing, the CJP Qazi Isa said that the detailed order of the PHC restoring the PTI's symbol was issued, at which the party counsels felt pleasant. That day was the last day to submit the party tickets to the ECP; on which the CJP indicated that the court would announce its verdict the same day. Justice Mazhar noted that there were two questions: **whether the court (PHC) had jurisdiction or not** and **whether the ECP had the authority to investigate intra-party polls.**

PTI's Barrister Ali Zafar argued that neither the Constitution nor the Elections Act 2017 granted the electoral watchdog the right to review a party's intra-party elections. Citing Article 17 of the Constitution, he asserted that contesting the elections with an electoral symbol was among a political party's rights and that depriving a party of the same would be in violation of the Constitution. Adding that:

"The election commission has discriminated against the PTI. The ECP has apparently been mala fide by taking away the 'bat' symbol; contending that the watchdog (ECP) was not a court that could grant the right to a fair trial."

Ali Zafar also claimed that none of the PTI members had challenged the intra-party polls, asserting that they were held according to the PTI's constitution. The ECP had given 20 days to hold the intra-party elections, which the PTI complied with due to the fear of the ***party being excluded from the elections***. His basic argument was ***that those challenging the intra-party polls were not party members***; adding that the PTI had responded in writing to the ECP's 32 questions; BUT amazed that the ECP set aside the intra-party elections without pointing out any wrong answer if it was there.

Barrister Ali Zafar further contended that "***the election commission (ECP) had not mentioned any irregularity in its Dec 22 order but said that the reasons given were strange***". Also, that The ECP said it would not accept the intra-party polls as the appointment of the party CEC was not done correctly. The records indicated that only a day before the ECP counsel had raised technical objections and talked about '***democracy within the party (PTI)***'.

At this point, CJP Qazi Isa, reiterating his remarks from yesterday, noted:

"There should be democracy within political parties as well as within the country. The basic question is of democracy, not of complete implementation of the party constitution. It should at least be seen that [intra-party] elections were conducted; (and that) Akbar S. Bar was also a party member even if disliked by the party."

Meanwhile, the CJP asked PTI to share '***whole context of allegations of mala fide against the ECP***' or to keep the arguments strictly legal. The CJP told the PTI counsel: "***Substantiate if you are taking the angle of mala fide. If they're mala fide then we look at them with very suspect eyes or you take away this allegation. I am not saying 'take it away'. It's your call.***"

At this, PTI's lawyer Hamid said he would keep his arguments non-political. When asked if he was withdrawing his allegation of "***mala fide in fact***", the lawyer replied he would not "***go into that arena***". The CJP recalled that the ECP had issued notice to the PTI when the party was in the government. Justice Mazhar asked whether the PTI had followed the election schedule it had issued; exact wording was:

"Were the [intra-party] elections transparent? Was it clear that who could contest the elections and who could not? You ask for a level playing field [but] would also have to give your party members the same; noting that the ECP had not taken action on its own but upon receiving complaints."

The top judge, Qazi Isa, said:

"Nowadays everyone uses the word establishment, the real term is army. We should talk openly and fully; he respects constitutional institutions. If we talk about [General] Ayub's rule, political parties in Pakistan have a history. The PPP's sword symbol was taken from them, after which PPP-Parliamentarian was created. PMLN has seen a similar time; it must be seen who was in the government at the time."

Justice Mazhar noted that any irregularities identified by the ECP were from the PTI constitution itself, to which Ali Zafar replied that the ECP had not identified any irregularities in the election schedule and venue. Here, Justice Isa remarked that the main matter is whether intra-party elections were conducted or not; had PTI let Akbar Babar contest the intra-party elections, and (as) he lacked support, he would have lost anyway. The CJP wondered that: "The PTI founder is facing a trial in jail; if he comes out of jail tomorrow and wonders who these officials are, then what will happen? (Also asked the PTI counsel that) why he does not have faith in the party's 850,000 members."

Ali Zafar said that he was pointing out the laws which the ECP used to withdraw the party's election symbol. One learned judge remarked:

"The basic point is the authority of the ECP. If that is not present, the rest of the matter will end by itself. If the elections were conducted in a regular manner, then the election symbol should be given in any case. Just tell me whether all party members got an equal opportunity in PTI's intra-party elections or not; the ECP cannot be shown a piece of paper and be told that elections were held."

The PTI lawyer Ali Zafar reiterated that the ECP did not have the authority to scrutinize the intra-party polls, to which Justice Mazhar said that **the real issue is of the jurisdiction**. Here, CJP Isa remarked:

"Or you can accept whether you want democracy or not. You cannot say that democracy remains in the house but not outside it. You want politics, not democracy. Politics is democracy; why the PTI did not allow the 14 people challenging the party polls to contest them."

Barrister Gohar's own election became questionable: The PTI lawyer said the ECP could impose a fine for not holding intra-party polls properly but at the same time argued that it did not have authority for other matters. Here, Justice Hilali wondered **'...if the ECP could do nothing (?) even if**

a political party issues a certificate for holding intra-party elections without actually conducting them'.

Meanwhile, Justice Mazhar observed that *the party had gone beyond the stage of fine* by holding the intra-party polls. The chief justice remarked: ***"Barrister Gohar's own election has become questionable. If the PTI founder had given (him) a certificate, then it would have been another situation."***

Justice Hilali said, *"Your party's slogan is to empower people but the same cannot be seen here."* Justice Qazi Isa added that: *"This is talk from three and a half years ago that the ECP had directed you (the PTI) to hold elections; your response was that one year was given. The ECP showed bravery by submitting a notice during the [PTI's] government. Why is PTI afraid of elections?"*

PTI LOST THE 'SYMBOL APPEAL' IN SC:

After long exchange of arguments, the CJP Qazi Isa announced the verdict as the PTI legal team was present in the courtroom. In a massive blow to PTI, the SCP set aside the Peshawar High Court (PHC)'s order which had reinstated 'bat' as the party's electoral symbol for the upcoming general elections. The verdict meant the PTI's ticket holders could (only) contest the elections as independent candidates, if they desired so. The PTI's bid to join the elections using the ***PTI-Nazriati splinter group's*** symbol, the batsman, also hit a snag after the latter went back on an agreement that would have allowed the PTI candidates to stand in the elections with their symbol.

The verdict was announced a little before the midnight after a marathon hearing that lasted two entire days. A three-member bench — comprising the CJP, Justice Muhammad Ali Mazhar and Justice Musarrat Hilali — heard the ECP's petition. The CJP said:

"The ECP has been calling upon the PTI to hold its intra-party elections since 24th May 2021 and at that time the PTI was in the federal government and in some provinces. Therefore, it cannot be stated that ECP was victimizing PTI. Nonetheless we wanted to satisfy ourselves that the ECP had not acted mala fide of ulterior reason or that PTI was discriminated against; it transpired that ECP had passed orders against 13 other registered political parties which were far more severe than the order passed against PTI."

The order said further:

"One such case of All Pakistan Muslim League came before this court on 12th January 2024 and the order of the ECP delisting the said political party was upheld. The ECP wanted to ensure that PTI holds intra party elections. The mere production of a certificate stating that such elections were held would not suffice to establish that intra party elections had (actually) been held when a challenge was thrown to such an assertion. Nor, in our opinion, should ECP concern itself with minor irregularities in the holding of a political party's elections."

The apex court noted that 14 PTI members, with stated credentials, had complained to the ECP that elections had not been held. However, these complaints were brushed aside in the writ petition by simply asserting that they were not members of PTI and thus not entitled to contest elections, but this bare denial was insufficient, particularly when they had credibly established their long association with PTI. The order mentioned: "If any member of a political party is expelled it must be done in accordance with section 205 of the Act, but no evidence in this regard was forthcoming."

The court further observed:

"We also do not agree with the learned judges (of the PHC) that the ECP did not have 'any jurisdiction to question or adjudicate the intra-party elections of a political party.' If such an interpretation is accepted it would render all provisions in the Act requiring the holding of intra party elections illusory and of no consequence and be redundant."

PESHAWAR HIGH COURT'S VERDICT:

However, earlier **ON THE SAME DAY**, the **14th January 2024**, the Peshawar High Court [PHC] passed an order contrary to the decision taken by the SCP. The PHC's judgment said:

"The Election Commission of Pakistan (ECP) has no jurisdiction to issue a decision on political parties' intra-party elections. (The PHC) issued a detailed order on PTI's petition challenging ECP's decision of not allotting the party its election symbol BAT."

The detailed verdict came three days after a two-member bench, comprising Justice Ijaz Anwar and Justice Syed Arshad Ali, overruled ECP's decision. In their order, the judges said in their 26-page detailed judgement that:

"...a political party has the right to contest elections under a common symbol and this constitutional right can't be denied to it on the basis of an absurd provision of law. The impugned decision of the ECP is backed by no legal provision either under the Act [Elections Act] or under the Constitution. Therefore, the same is illegal.

.... The Commission (ECP) can't question intra-party elections."

While setting aside the ECP's order of 22nd December 2023, the bench had also directed the ECP to publish 'bat' as PTI's symbol on its website. Referring to past precedents set by superior courts, the bench ruled:

"The survey of the case law stated above and the enabling provision of the Constitution, as well as the Act, lead us to the conclusion that it is the fundamental right of every citizen of Pakistan not only to form political party but the political party should be provided a conducive atmosphere to contest election for the Parliament, Provincial Assembly, Senate and to form a Government.

Indeed, the Constitution of 1973 has ensured that every citizen in Pakistan has the right to form or to be a member of a political party subject to any reasonable restriction imposed by law in the interest of sovereignty or integrity of Pakistan."

The judgement, authored by Justice Ali, added that different provisions of the Constitution and the Elections Act were discussed, and the outcome of that discussion was that:

"ECP's action of refusing PTI its symbol has 'the effect of depriving the petitioners and its members to freely participate in the affairs and governance of Pakistan through political activities as guaranteed through Article 17(2) of the Constitution."

The bench also discussed ECP's jurisdiction to question, probe and issue an order on intra-party election disputes. About section 208 of the Elections Act, dealing with intra-party polls, the bench observed:

"The verbiage of Section 208 does not authorize the ECP either to supervise the intra-party election or entertain any complaint regarding any irregularity in the said election. However, under Section 209, a political party is bound to submit a certificate signed by office-bearers with the ECP within seven days of the intra party polls to establish that they were held in accordance with the party's constitution of a political party and the Elections Act.

It was ECP's statutory duty to publish the party's symbol on its website within seven days of the submission of intra-party documents. Section 209 of the Elections Act, 2017 does not confer any jurisdiction on the ECP to question the intra-party election process. Any party who has complied with sections 202, 206, 209 and 210 of the Elections Act 2017 becomes eligible for an election symbol for contesting election for national, provincial and local assemblies."

The order added that: "Section 215(5) (— outlining the condition for not allocating an election symbol to a party —) *can be invoked only when a political party, despite a show-cause notice, fails to comply with provision of sections 209 or 210 of the Elections Act, 2017.*"

THE SCP'S JUDGMENT & AFTER:

Referring to Zahid Hussain's essay titled as '***the judgment and after***' published in daily DAWN on 17th January 2024:

"The verdict of the three-member bench led by the chief justice has not only divested a political party of its election symbol, it has, arguably, also taken away the fundamental right of political participation. The controversial ruling depriving the PTI of its iconic bat symbol has seemingly stripped the electoral process of whatever legitimacy it was left with.

There is not even a semblance of fair play as political parties prepare to go to the hustings. The hope for a democratic transition has now been dented further by Saturday's late-night decision."

More importantly, the ruling came as a disappointment to those who believed that things would change at the top judiciary under the new chief justice, with his reputation for integrity. Instead, the verdict announced by the CJP

Qazi Faez Isa, after hearings telecast live, evoked memories of some of the most controversial rulings in the past by the Supreme Court, which had caused irreparable damage to the democratic process in Pakistan.

Reema Omer of the ICJ Organisation [[@reema_Omer at X](#)], and a leading constitutional lawyer, said:

"The SC judgement upholding ECP decision to deny PTI election symbol is an excessive, punitive response to not conducting intra-party polls as per law. It is a huge blow to our fundamental rights jurisprudence regarding political parties + political participation. Extremely unfortunate.

11:35 PM · Jan 13, 2024 185.2K Views"

It may not be the first time a political party has been deprived of its symbol, but there is no precedent of candidates of a major political party being denied the right to fight elections on a common symbol. PTI ticket-holders would have to contest the polls as independent candidates, thus putting a major electoral contender in an extremely disadvantageous position. The decision, just weeks before the polls, was being described by some as part of the political manipulation aimed at keeping the PTI out of the contest. There was hardly any precedent in Pakistan's chequered political history of such action - the hope for a democratic transition was dented further.

By validating the controversial decision of the Election Commission of Pakistan (ECP), the SCP lent itself to criticism of not being nonpartisan. Nothing could be worse than the judiciary getting sucked into the political maelstrom. The ruling intensified the divisions within the institution - reflecting the deepening crisis within.

The controversial ruling on the PTI's symbol apparently reinforced a growing public perception of the superior judiciary becoming part of the prevailing political polarisation. This view gained traction, given the overall persecution of the PTI and the evident aim of marginalising the party. This was certainly not a good omen for a country facing systemic collapse. Indeed, one couldn't justify the PTI's own failure to conduct a transparent intra-party election, and there can also be no two views about the importance of intra-party democracy, as pointed out by the CJP, for democracy to work; but the criteria must not be seen to be applied selectively.

Indeed, it was obligatory for the political parties under the ECP rules to hold intra-party elections and there were flaws in the way the PTI conducted the mandatory exercise. But it was also a fact that elections within other political

parties could hardly be called democratic. In this country, where most political parties stand turned into family enterprises, there was no concept of intra-party democracy.

ECP's PARTISANSHIP (?) - THE SAME DAY:

Interestingly, the ECP never questioned how democratically the elections in other parties were conducted. One glaring example of the double standards being applied on the issue was the **case of the Awami National Party which also had not conducted intra-party elections but the ECP merely imposed a fine and ordered it to hold elections by May 10 that year. The party was not stripped of its symbol**; see the media news dated 14th January 2024 in detail:

"Only a day after delisting 13 political parties over their failure to conduct the mandated intra-party elections, the Election Commission of Pakistan (ECP) in its decision announced on 13th January 2024 allowed the Awami National Party (ANP) to contest polls on its election symbol of 'Lantern' despite its failure to fulfil the legal requirement.

While announcing its reserved verdict, the ECP imposed a fine of Rs:20,000 on the ANP with the direction to hold intra-party polls till 10th May 2024, even some three months after the 8th February general elections. The order made many wondered under which law the ECP could allow one party, and not the other, to participate in general elections on its election symbol without intra-party election. Why the concession was not available to Pakistan Tehreek-i-Insaf, [PTI].

The ECP had earlier noted that ANP's last intra-party polls were conducted in May 2019, and since the term of office-bearers was four years according to its constitution, the same had already expired over eight months back. The verdict, which was reserved on 21st Dec 2023, on the intra-party polls of ANP was announced on the last date for allocation of symbols to the contesting candidates by the returning officers. Sections 208, 209, and 210 of the Elections Act 2017, were invoked to delist over a dozen political parties for failure to meet the legal requirement to be eligible to get poll symbol."

But the rules were applied differently in the PTI's case, despite the fact that most of its leaders were either behind bars or had quit the party allegedly under coercion. Arguably, the PTI was not even allowed to hold public rallies

as part of its election campaign. Also, there were several reports of PTI candidates not being allowed to file their nomination papers.

All the above facts raised the question of whether the ECP was fulfilling its constitutional responsibility of conducting a free and fair electoral exercise. There was a ring of truth to the allegations that the elections had already been stolen. A partisan caretaker administration appeared to be acting NOT for the democracy at least. This state of affairs required the judiciary to play a more active role in protecting the fundamental and democratic rights of the people. Unfortunately, the institution got confronted with its own crisis of credibility that was accentuated by the latest ruling on the PTI's electoral symbol case.

The chief justice remarked on flawed judgements in the past that validated authoritarian rule, and on the need to rectify mistakes. But the court's ruling on 13th January 2024 didn't indicate a departure from the questionable rulings of his predecessors. With his reputation as an upright judge, it had been a valid expectation that Justice Qazi Isa would uphold fundamental democratic rights and restore the credibility of the apex court – but like the earlier, CJs couldn't act differently.

PRE-POLL RIGGING?

Some observers pointed to what appeared to be pre-poll rigging in the run-up to the upcoming elections. There were notable actions against the Pakistan Tehreek-e-Insaf (PTI) party and its leader, Imran Khan, particularly regarding the rejection of their nomination papers. This situation led to widespread allegations of '***election engineering***' and manipulative practices that could potentially favor certain political groups, casting doubts over the fairness of the electoral process.

[Electoral system of Pakistan: The 336 members of the National Assembly consist of 266 general seats elected by general voters in single-member constituencies, 60 seats reserved for women elected by proportional representation based on the number of general seats won by each party in each province, and ten seats reserved for non-Muslims elected through proportional representation based on the number of overall general seats won by each party.

The PTI government had passed a bill that required the next general elections to be held using EVMs (electronic voting machines). This was aimed at bringing an end to the allegations of rigging that have

plagued previous elections in Pakistan, but the opposition's opinion was that it would make it easy for PTI to rig the elections in their favour through security loopholes; a write-up titled as '**PM vows to defeat the corrupt**'. Published in **The Express Tribune** dated **25th April 2021** is referred.

In 2022, when the PTI-led government was ousted through a successful vote of no-confidence in the National Assembly, the 11 opposition parties, some of them being long-time rivals, formed a new government and passed the Elections Amendment Bill, which nullified the use of EVMs in the next general elections.]

It may be of interest for some that on 25th July 2023, the total number of registered voters in Pakistan stood around 127 million as compared to 106 million (including 59.22 million men and 46.73 million women voters) in 2018, according to the data released by the ECP.

{FACTS: Till that date, the gender gap among voters reduced with the addition of 11.74 million women, compared to 9.28m male voters, to the electoral rolls since 2018 general elections, bringing the total number of registered voters in the country to around 127m from the erstwhile 106m.

The latest statistics released by the ECP showed that the difference between men and women of voting age stood at around 10m in the country, where women made up 49pc of the population.

More than 21m voters were added to the electoral rolls since the last general elections of 2018, as the number of women jumped from 46.73m in 2018 to 58.47m till ending July 2023 and the number of men swelled from 59.22m in 2018 to 68.50m.

The official data shows the number of registered voters in the country in 2018 was nearly 106m, including 59.22m men and 46.73m women voters. This difference of 12.49m, however, further increased to an all-time high of 12.72m next year when 62.55m men and 49.83m women became eligible to cast vote. A major drop in the gender gap was witnessed in 2022 when the total number of registered male voters fell from 66.50m to 66.40m, while the number of women jumped from 54.69m to 55.78m.}

In late September (2023), the ECP announced that the citizens over 18 can update their voter details until 25th October 2023. The ECP decided to “un-freeze” the electoral rolls to allow registered voters to rectify or update their details.

On 2nd November 2023; President Arif Alvi and the ECP came to an agreement on holding general elections on 8th February 2024, after a meeting was held in Aiwan-i-Sadr on the orders of the Supreme Court of Pakistan (SCP). The SCP had instructed the ECP to consult with the President on the poll date.

On 15th December 2023, the ECP issued the election schedule; it’s given in above paragraphs.

Coming back....

Looking at the elections 2024 in Pakistan, the intelligentsia couldn’t see any light at the end of the tunnel. What exactly were the political parties fighting for in the upcoming general elections? What were their plans? What promises were they willing to make to their constituents, the vast majority of whom were expecting significant improvement in their social and economic conditions after the elections if at all held smoothly?

The main contestants — the PTI, the PMLN and the PPP — largely avoided providing details about how they planned to conduct their governments. The PPP issued a 10-point to-do list it named as ‘manifesto’, but this could hardly be considered one given how lacking it was in details about how its ambitious promises were to be achieved. Meanwhile, the PMLN kept delaying the unveiling of its long-awaited manifesto, while the PTI made one abortive attempt before fresh challenges to its survival began consuming all its energies.

The arguments remained that the parties haven’t had enough time to prepare. Additionally, Pakistan’s economic troubles had been thoroughly dissected over the past year and a half, meaning each party’s policy tsars had more than enough time and material to come up with their proposals on how best to address them: Clearly, nobody took much interest in doing their homework. The parties were greatly underestimating the burden they would receive if they come to power. Considering the plethora of challenges being faced by the country, navigating through deep mud was an uphill adventure.

BUT, in Pakistan who bothers to judge each party’s suitability to govern at such a critical juncture in the country’s history. Unfortunately, the bigger parties preferred the ad hoc approach: get power first, decide what to do

with it later – pity on such leadership and then on the nation – comprising of irresponsible and mostly un-educated voters.

Scenario 278

ELECTIONS 2024-II

[During the elections in Pakistan [2024], 128 million people were registered to cast their votes, almost half of whom were under the age of 35.

More than 5,000 candidates - of whom just 313 were women - were contesting the 266 directly-elected seats in the 336-member National Assembly.

*As per government documents and planning, the PMLN and the PPP were considered the two major parties going into the vote; however, picking out candidates from Imran Khan's PTI was more difficult, **after it was banned from using the symbol of cricket bat** under which all its candidates could run the voting process.]*

In Pakistan, for 2018's general elections, the two major parties were the Pakistan Muslim League (Nawaz) [PMLN], led by former Prime Minister Nawaz Sharif and the Pakistan Peoples Party [PPP], led by Bilawal Zardari. The Pakistan Tehreek-e-Insaf [PTI], founded by Imran Khan, had surfaced as the largest party then.

For 2024's General elections, however, the PTI had to make choice fielding its candidates **as Independents** after a controversial Supreme Court ruling stripped them of their electoral symbol (cricket-bat) in the run-up to the elections; Khan had also been barred from politics for five years following convictions; **REUTERS** dated 21st December 2023 is referred.

On 8th February 2024: General elections were held in Pakistan to elect the members of the 16th National Assembly. The detailed schedule was announced by the Election Commission of Pakistan [ECP] on 15th December 2023.

Pakistan held general elections for its National Assembly and provincial assemblies in its four provinces of Baluchistan, Khyber PK, Punjab and Sindh. More than 128 million voters across the country were registered to vote in

the general elections, with nearly 18,000 candidates competing for 336 National Assembly seats and 749 Provincial Assembly seats. These seats were to be filled for single-member constituencies as well as the allocation of reserved seats for women and non-Muslims through proportional representation. These elections came at a critical time for Pakistan, as it was facing significant economic, security, and environmental challenges that elected leaders would be responsible for addressing in the next term of five years.

For the 2024 elections, there were 128,585,760 registered voters including 22,000,000 NEW VOTERS in comparison with previous 2018 elections.

WHO WERE IN THE ELECTION-RACE?

Pakistani politics are dominated by men and three parties: the Pakistan Muslim League-Nawaz (PMLN), the Pakistan Tehreek-e-Insaf (PTI) and the Pakistan People's Party (PPP). The top contender is PM-N and on its ballot are two former prime ministers, Nawaz Sharif and his younger brother Shehbaz Sharif.

Their ally the PPP, led by Bilawal Bhutto-Zardari, a member of another political dynasty, has a power base in the country's south. Though it's unlikely to get enough votes to get him the premiership, he could still be part of a Sharif-led coalition government. However, it is the absence from the ballot of PTI's founder Imran Khan, that's at the forefront of public discourse in Pakistan. Though it's become the norm for corruption allegations and court cases to dog prime ministers — many of Pakistan's leaders have been arrested, disqualified or ousted from office — the intensity of the legal action against Khan was unprecedented. Despite the major 3 cases in which he was sentenced to 3, 10, 14 and 3 years, to be served concurrently, there were about 150 more legal cases pending against him.

Smaller, religious political parties that appeal to a section of the conservative Muslim country have no chance of getting a majority but could still be part of a coalition government. The Pakistani military isn't on the ballot but is the real power behind the scenes — it has ruled the nation for half of its history and calls the shots in most government decisions.

Most Pakistanis are fed up after years of political infighting and no improvements in their living standards. People on the street are quick to tell you they don't believe things will be different after this election. Also, there was no guarantee that PTI votes will be fairly counted. The Foreign Ministry says

there will be 92 international election observers, including from the European Union and foreign embassies.

PTI claimed widespread foreign interference in the election; *Hannah Ellis-Petersen's* analysis in **THE OBSERVER & THE GUARDIAN** both papers dated 11th February 2024 are referred. Multiple foreign media outlets pointed at the military-interference in the elections allegedly in favor of PMLN. Many international observers, including United States, European Union and the United Kingdom voiced their concerns about the fairness of the elections. Further details are available on next paragraphs / pages starting from the events of about two months earlier.

On 22nd December 2023; the Election Commission of Pakistan (ECP) decided against allowing the PTI to keep its electoral symbol, asserting that the party had failed to conduct intra-party elections to the Commission's satisfaction. Subsequently, on the same day, the PTI appealed to the Peshawar High Court (PHC) challenging the ECP's decision. Consequently, a single-member bench suspended the ECP's order until 9th January 2024.

On 30th December 2023; the ECP submitted a review application to the PHC. In the following days, a two-member bench lifted the suspension order while hearing the case. However, **on 10th January 2024**, the two-member bench deemed the ECP's order ***"illegal, without any lawful authority, and of no legal effect."***

On 11th January 2024; the ECP contested the above ruling in the Supreme Court of Pakistan [SCP]. Two days later, a three-member bench, headed by the Chief Justice Qazi Faez Isa, upheld and reinstating ECP's initial decision to deny the PTI its election symbol, the cricket bat, due to the party's failure to conduct intra-party elections by its constitution. Consequently, the PTI was unable to allocate party tickets to any of its candidates, resulting in all party candidates being listed as independent candidates with individual electoral symbols. The party also lost the ***right to nominate candidates for 226 reserved seats across the central and provincial legislatures.***

The SCP's decision led some legal experts to describe the ruling as a ***"huge blow to fundamental rights and a defeat for democratic norms"***; daily **DAWN** dated 14th January 2024 is referred.

During the week before elections, Imran Khan was sentenced to jail terms in three separate cases.

- **On 30th January 2024**, with the government seeking a death penalty, he was sentenced to 10 years in a case dealing with the handling of state secrets by Judge Abu al-Hasnat Zulqarnain.
- **On 31st January 2024**; a day later, Judge Muhammad Bashir, sentenced him and his wife, Bushra Bibi, to a jail term of 14 years, along with a fine of Rs:787 million (US\$2.7 million) each for retaining a jewelry set that was a state gift from Saudi Arabia against an undervalued assessment from the country's *Toshakhana*. The ruling also barred Khan from holding public office for 10 years.
- **On 2nd February 2024**; two days later, a civil Judge Qudratullah declared the marriage of Khan and his wife against Islamic law and sentenced both to prison for a term of seven years for allegedly solemnizing their marriage during Bushra's *Iddat* period. The case was lodged on the complaint of Khawar Maneka, Bushra's former husband, five years after her marriage to Khan – considered a laughing stock for many sane religious people.

All three trials were held behind closed doors in Adiala Jail, where Khan was confined since August 2023 on corruption charges, and were marked with rushed proceedings, sudden replacement of defendant's lawyers with state consuls, and other procedural irregularities that led his party to term the decisions baseless. Khan's sentencing in the marriage case was decried by lawyers and members of the civil society as an overreach and a blow to women's rights. Meanwhile, some observers termed the sentences as a continuation of the routine Pakistani revengeful political culture to keep Khan out of power in the upcoming elections – for details see **THE ECONOMIST** of 6th February 2024.

- "Pakistan's Elections Are Being Brazenly Rigged. Why Doesn't the US Seem to Care?" **weekly TIME** of 5th February 2024 & "With Imran Khan Jailed, Pakistan's Election May Be Torpid, But the Aftermath Might Not Be" **COUNCIL ON FOREIGN RELATIONS** dated 7th February 2024 are also referred for commentaries with more facts.

PRE-POLL RIGGING? Some observers, including the United Nations and Human Rights Watch, had pointed to what appeared to be pre-poll rigging in the run-up to the upcoming elections. There were notable actions against the PTI party and its leadership, including snatching of nomination papers, arbitrary arrests of candidates and their supporters, systematic rejection of

nomination papers, and disruption of campaign events. This situation led to widespread allegations of '***election engineering***' and manipulative practices that could potentially favour certain political groups, casting doubts over the fairness of the electoral process. ECP was also accused of gerrymandering in favour of PMLN during the redrawing of voter maps before the elections, with a record 1,300 complaints made; **THE GUARDIAN** dated 29th November 2023 is referred.

Many candidates affiliated with the PTI complained that following the ban on the usage of the cricket bat as the party's logo for the ballots, the ECP provided them with symbols carrying obscure meanings and sometimes awkward connotations such as a calculator, an electric heater, a dice, a bed, a vegetable (like an eggplant), which were deemed anatomically suggestive, and a bottle, which carried suggestions of alcohol consumption in the majority-Muslim country like Pakistan.

On 26th January 2024; PTI's official website, *insaf.pk*, and a separate website made for disseminating information regarding the individual electoral symbols of the party's candidates were blocked in Pakistan. A voter helpline created by the PTI party was also blocked. Previously, social media was blocked in the country during the party's virtual electoral events on at least three separate occasions as per internet watchdog, *NetBlocks*. Journalists covering the elections reported a '*near-blanket ban*' on their ability to cover PTI candidates fairly. News channels allegedly received messages from unknown but powerful individuals instructing them to remove all references to PTI in their visuals, graphics, and talking points; **AL-JAZEERA** dated 20th January 2024 is referred.

PRELIMINARY ELECTION-REPORTS:

As per assessment of the **Dunya News TV**: Approximately 60 million voters went to the polls in Pakistan on the election day of 8th February 2024 to elect their representatives in 265 National Assembly and 590 provincial assembly constituencies in one of the country's most competitive political contests.

Two days later, the Free and Fair Election Network [FAFEN] issued a report saying the elections followed two tumultuous years of political upheaval, discord and polarisation, which left behind ***a debris of constitutional confusions, judicial misadventures, communal stress, economic downturn and growing public distrust in electoral institutions*** (ECP) – issues that must be taken up by the future governments. Fafen added that despite a spiral of allegations by multiple political parties about not getting a

level playing field as well as a spike in militant violence in some parts of the country, none of the political parties backed out of the electoral race. All parties continued until the last minute their efforts to muster up public support, which augured well for Pakistan's pseudo democracy.

On 8th March 2024: Gallup Pakistan Digital Analytics on Elections released on media pages a short report telling the nation that a total of 59.22 million people voted in the 2024 elections, 6.47 million more compared to the 2018 Elections, all top 4 parties (PTI, PMLN, PPP and TLP) gained voters in absolute term between 2018 vs 2024.

It was based on the data released (till then) by the Election Commission of Pakistan (ECP). This Press Release was part of series of Press Releases under this program. OTHER KEY POINTS FROM THIS PRESS RELEASE were:

- *"A total of 59.22 million people voted in the 2024 elections.*
- *Total votes for the 2024 elections were 6.47 million more than the 2018 Elections, where total votes were 52.75 million*
- *PTI / PTI(IND): 18.46 million people voted for PTI Independents in 2024, which is 1.69 million more compared to the votes for PTI in the 2018 Elections*
- *PMLN: 14 million people voted for PMLN in 2024, which is 1.05 million more compared to the votes for PML-N in the 2018 Elections.*
- *PPP: 8.24 million people voted for PPP in 2024, which is 1.36 million more compared to the votes for PPP in the 2018 Elections.*
- *TLP: 2.89 million people voted for TLP in 2024, which is 0.76 million more compared to the votes for TLP in the 2018 Elections.*
- *PTI gained close to 1.5 million votes in Punjab and around 1 million votes in KP between 2018 vs 2024 election. However, it lost close to 800,000 votes in Sindh and around 72,000 in Balochistan and Islamabad.*
- *By receiving close to 400,000 more votes MQM receives a major boost in seats between 2018 vs 2024."*

Fafen: On elections 2024 in Pakistan ... report is out.

I picked up ***one Interesting fact*** in it with respect to **rejected votes**... as follows:

a) 48.2% turn out - app 6 crore votes were casted.

b) 1.6 million votes were rejected.

c) These rejected votes pertain to 25 seats where they were MORE than the ****winning margin**** of the winner for the seat in that constituency.

d) 23 out of those 25 were in Punjab

Only 1 each out of the 25 was in KPK and SINDH.

14 such seats out of the 23 in Punjab were where ****PMLN WON****

Yes..., it is getting interesting... right?

- One of the seats where the statistics were noteworthy - NA 59... Chakwal: total votes casted 355,586 ... 58% & *votes rejected = 25, 547*...And the winner was Sardar Ghulam Abbas of PMLN.
- Ok back to the interesting 'rejected votes stats'... 5 out of those 23 were those where PPP WON
- And 4 out of those 23 were where INDEPENDENTS WON (those may or may not be from PTI?)

Based on Fafen's assessment of the Form 47 (Provisional Consolidated Statement of the Result of the Count) from 235 National Assembly constituencies, as announced by the Election Commission, the voter turnout for these elections was 48.2 percent. Islamabad witnessed the highest voter turnout with over 54.2 percent of registered voters participating in the polls across three NA constituencies, followed by Punjab with 51.7 percent voter turnout in 133 NA constituencies. In Sindh, the voter turnout reached 43.9 percent across 56 NA constituencies; in Khyber PK, it was 41.4 percent across 40 constituencies; and in Balochistan, it was 35 percent across three NA constituencies.

The late delimitation of constituencies, triggered after announcement of the Seventh Digital Population Census days before the dissolution of the National Assembly in August 2023, delayed the elections beyond the constitutionally-stipulated 90-day period, and created a disadvantage for political parties and candidates in their election preparations.

There were sporadic incidents of irregularities, but the voting process on Election Day generally was smooth and orderly. In addition, the voting remained accessible to media, observers and candidates or their agents - BUT NOT the counting process.

Contrary to fears of disorder, discord and violence against the back-drop of a highly polarised political atmosphere and spike in militancy, the Election Day generally remained peaceful, orderly and organised amid heightened security measures by law enforcement agencies across the country. Some political parties including the PTI raised their voices against what they called an unlevel playing field for their candidates. In many cases, the PTI claimed that their rallies were obstructed, candidates were arrested or coerced into withdrawing from the race.

Fafen said the ECP must immediately address the complaints of illegalities and irregularities by political parties and the candidates and initiate proceedings against those responsible under Section 55 of the Elections Act, 2017.

Nearly everyone in Pakistan kept his eyes on only one thing: the election 2024 result board where arch rivals PMLN and PTI with its independent candidates were battling it out, with PPP a close third as at 9pm of 9th February 2024. The key results were:

- **Nawaz Sharif**, who has been famously vying for a fourth term as prime minister, lost Mansehra's NA-15. He managed 80,382 votes while PTI-backed Gustasif Khan claimed victory with 105,249 votes. However, Nawaz had clinched a landslide victory in Lahore over PTI-backed Yasmin Rashid, winning 179,310 votes to her 104,485.
- **Javed Latif**, the chief of PMLN, was thrashed by PTI-backed Khurram Shahzad Virk in NA-115 Sheikhupura III. Latif managed 94,144 votes compared to Virk's 130,255.
- PTI's **Sher Afzal Marwat** had a landslide victory with 117,988 votes over JUI-F's Asjad Mehmood with 68,303 votes.
- PTI-backed **Zain Qureshi**, the son of imprisoned PTI leader Shah Mahmood Qureshi, took an easy win in Multan with 126,770 votes. PMLN's Javed Akhtar had 76,758 votes.
- PTI-backed **Zartaj Gul Wazir**, who was the former minister of climate change, had a landslide victory with 94,881 votes over independent candidate Mehmood Qadir Khan with 32,929 votes.
- **Akhtar Mengal**, the former Chief Minister of Balochistan won his Surab-Kalat-Mastung seat with 3,404 votes over PPP's Sardar Sanaullah Zehri of PMLN came in second with 2,871 votes. However, he had a narrow loss in the Quetta

seat to PPP's Jamal Khan Raisani, who was former caretaker minister. Mengal had 9,929 votes to Raisani's 10,678.

- **Jahangir Tareen**, the chairman of Istehkam-e-Pakistan Party (IPP), faced defeat in both constituencies of the National Assembly. Tareen contested from NA-149 and NA-155 Lodhran-2 but was unable to clinch victory as per unofficial results. The results from 369 polling stations in Lodhran revealed that PMLN candidate Sadique Khan Baloch emerged victorious in NA-155 with 117,671 votes, while Tareen garnered only 71,128 votes. Similarly, Tareen suffered defeat in NA-149 Multan where he secured 50,166 votes. PTI-backed independent candidate Malik Amir Dogar triumphed with 143,613 votes.

Following a reduction in the total strength of the National Assembly from 342 seats to 336 under the 25th Amendment, parties require the support of at least 169 lawmakers to form the government.

The results of 245 out of the total 265 National Assembly constituencies where elections were held had been announced by late Friday, which showed the independents in the lead with 99 seats overall. The PMLN and PPP had won 69 and 52 seats, respectively, and were set to bag most of the 70 reserved seats for women and non-Muslims in the house. The Muttahida Qaumi Movement [MQM] had bagged 15 seats, while the PMLQ had three. The Istehkam-i-Pakistan Party (IPP) and JUI-F had secured two seats each. PkMAP and MWM had clinched one seat each.

RWP COMMISSIONER'S ADMISSION FOR TEMPERING:

On 17th February 2024: Another layer of controversy was added to the already disputed elections when the Commissioner Rawalpindi, Liaquat Ali Chatha, made explosive claims on media, asserting that the results of the 8th February 2024 general elections were '**manipulated under his watch**'. He also resigned from his position. Speaking to reporters outside the Rawalpindi Cricket Stadium, Chatha said:

"I am taking responsibility for all this wrongdoing; also, that the chief election commissioner (CEC) and a top judge of the Supreme Court (the CJP Qazi Isa) were involved in this.

We made independent candidates — who had leads of 70,000-80,000 votes — lost by putting on fake stamps."

In a handwritten letter, the Commissioner said: ***'...he is resigning from his post and service as he was deeply involved in serious crime like mega election rigging 2024'***. The letter was addressed to Punjab Governor Haji Ghulam Ali, interim provincial Chief Minister Mohsin Naqvi and the provincial Chief Secretary. There were ***'irregularities'*** in the electoral process and the local returning officers had delayed the transmission of results – and that ***'irregularities' is a minor word for it'***. The commissioner further said that:

"...stabbing the country in its back does not let him sleep. I should be punished for the injustice I have done and others who were involved in this injustice should also be punished; there was 'pressure' on him to the extent that he contemplated suicide in the morning but then resolved to present matters before the public.

It is my request to the entire bureaucracy to not do anything wrong for all these political people."

Responding to Mr Chatha's claims, both the CJP and the Election Commission of Pakistan (ECP) rejected the allegations, with the former saying the Supreme Court only dealt with election-related petitions. The CJP, while speaking to the reporters in Islamabad, said:

".....the evidence should be produced after Mr Chattha's allegations of rigging. His role in the Feb 8 elections was limited to merely directing President Arif Alvi and the chief election commissioner to decide a date.

Supreme Court judges did not give any order for elections. Let me make this clear... an argument was ensuing between the president and CEC so we merely told them to sit and decide. If someone else did not want them [elections] to take place, it's another thing. Also, that the court may not initiate contempt proceedings over the rigging allegations - I am against contempt myself."

The ECP or the Chief Election Commissioner (CEC) held that the commissioner of any division don't play a direct role in the conduct of elections. However, the ECP ordered an inquiry into the matter as soon as possible. The panel was to be headed by a senior ECP member and include the secretary, special secretary, and the Additional Director General (Law).

Caretaker Punjab Chief Minister Mohsin Naqvi had also ordered an ***impartial probe*** into the allegations levelled by Mr Chatha, the out-going Commissioner. Meanwhile, Punjab's caretaker Information Minister rejected the claims made by Mr Chatha – saying that the commissioner had 'not shown any proof' of the alleged tampering of election results.

- ***The above statement of Punjab's Information Minister made a laughing stock for the media and the general populace because the 'Independent Candidates', who were made to lose after mid-night manipulation of 8-9th February (2024), had bundles of their respective original FORMs-45 with them but no court or tribunal was there to see the same.***

[The ECP appoints officials from the bureaucracy as election officials for the conduct of elections. Deputy Commissioners (DCs) of all the six districts of Rawalpindi Division, including Rawalpindi, Attock, Murree, Chakwal, Jhelum, and Talagang, were appointed as the district returning officers (DROs).]

In fact, there was no avoiding for the ECP; the inevitable was ahead. Rawalpindi Commissioner Liaquat Ali Chattha's press conference, during which he dropped bombshell allegations against the CEC, further strengthened the demands for an immediate and independent audit of election results. The senior officer, while expressing regret ***for facilitating the rigging of election results***, asked to be punished while also holding the respective heads of the judiciary and ECP responsible for ***'the theft of the people's mandate***.

Lending credence to allegations that were made by scores of contestants from different political parties over the past 10 days or so, Mr Chattha said that:

"On his orders, candidates who were winning with large margins in the constituencies of the Rawalpindi division were made to lose, while the losing candidates were declared victorious.

I am taking responsibility for this wrongdoing and telling you that the chief election commissioner and the chief justice are also completely involved."

[A commissioner is no ordinary officer. They are some of the most powerful bureaucrats in service, handpicked by the state to oversee entire administrative divisions. By virtue of their position, they exercise immense power and influence over the machinery of the state.]

It was, therefore, no surprise that Mr Chattha's 'confession' caused quite a storm. It was widely inscribed as an example of a bureaucrat resisting pressures from powerful quarters and choosing to stand on the right side of history. Humans have tendency to believe anything that affirms what one already holds to be true. For this reason, it was in everyone's best interest that any supporting evidence that was unearthed could be brought before the public. The claims he made were not to be dismissed.

These elections would be remembered as the most controversial electoral exercise held in the last few decades in Pakistan. The credit for this unforgettable ignominy would accrue mainly to the ECP, which, despite being empowered by the law in every possible manner to conduct '***free, fair, impartial and inclusive polls, betrayed its mandate in the worst possible way***'.

Its failure to ensure transparency in the vote-counting process, purposefully planned maneuvering, changing the FORMs-45, refabricating the FORMs-47, in particular, caused unaffordable chaos, with multiple stakeholders now unwilling to accept the results given how stark the irregularities were. Instead of addressing the public's apprehensions - the ECP had chosen to stay mum. Later, much more serious allegations were levelled against senior officials of the state.

The ECP's silence caused irreparable harm to the state. On 17-18th February 2024: PROTESTS against the ECP and the sitting government were seen in Pakistan.

MORE MEDIA POSTS ON ELECTIONS-2024:

Few actions / steps of EC / Govt Machinery had laid the foundation to raise eyebrows, genuine or suspected in the minds of public at large.

- -Kicking the candidates from ROs offices during compilation of results on Form 47
- -Thronging of RO offices by LEAs / or *Na-maloom Afraad*
- -delay in announcing results by EC where there was no reason to withhold
- -prima facie lead of thousands of votes for some "chosen" candidates as compared to the data flashed on TV screens around midnight
- -Comments of media men on- or off-screen
- -dented credibility even prior to election process

The misgivings / suspicions have ruined the very purpose for which elections were held.

See a media post from **Iftikhar Kazmi**, a retired Ambassador who served in many key countries representing Pakistan (dated 11th February 2024):

*"*BONAPARTES*, listen to the voice of the people:*

Under constant repression, The Kaptaan (Imran Khan) in jail, the (PTI) party's first, second & third leadership either imprisoned, hounded or under-ground, the entire electoral process rigged, judiciary largely compromised, the state administration bullying, amid hostile media, Imran Khan's supported candidates won over 100 seats, the largest block of MPS.

The Company's incoming, puppet government is devoid of the people's mandate. It has no legal, constitutional, and moral authority. Its foundation is weak. It may blow away with the first hurricane of street dissent. It has no strength to address the challenges that the nation is faced with today.

This is a moment of reflection. There is a wisdom in bowing to the will of the people. It cannot subdue the national sentiment with force."

Cooking election results during that NIGHT clearly indicated that fictitious [Ja'al] Ballot papers were printed by PMLN as was done by Najam Sethi's caretaker....he got them printed from Urdu Bazar and even from hispersonal Connections....**how can there be more ballot papers than the voters in a constituency.**

In those grim moments, see a media post of another **retired Police Chief Fiaz Toru** on the social media pages of the Elections Day:

"I wonder why the International organizations, countries, press & media, slept or kept mum on the happenings in our country relating to the elections. Many a times the question of not providing a level playing field for the parties concerned was raised, but put a side on the pretext that it was our internal matter to be dealt within our laws & constitution. It seems that all of a sudden, they have woken up after a deep slumber, raising hue & cry in a chorus. Be it Aljazeera, BBC, Bloomberg, New York Times, the UN, the state Department,

and many others. Where were they earlier? When all principles & norms of democracy were being trampled, by all & sundry.

Do they want to contribute to more Chaos & disorder? Do they wish to rekindle the fire letting the situation go out of our hands? give credence to these controversial elections."

The United States, Britain and the European Union have separately expressed concerns about Pakistan's electoral process in the wake of a vote on Thursday and urged a probe into reported irregularities. The main battle was between former Prime Minister Nawaz Sharif's party and candidates backed by ex-prime minister Imran Khan. Both declared victory separately.

Some US lawmakers such as Democratic US Representatives Ro Khanna and Ilhan Omar also expressed concerns, with Khanna saying "the military is interfering and rigging the result." Both Khanna and Omar urged the State Department not to recognize a winner until investigations are conducted into allegations of misconduct. Michael Kugelman, director of the South Asia Institute at the Wilson Center think tank in Washington, said: '*...both EU and US State Department statements were relatively mild ... considering the great scale of the rigging that went down.*' British foreign minister David Cameron's statement noted '*...serious concerns raised about the fairness and lack of inclusivity of the elections.*'

See the remarks of a former Inspector General of Pakistan (IGP), **Pervez Rahim Rajpoot**, on media pages dated 29th February 2024:

"Arm twisting and police actions to stifle dissenting voices are least helpful for the image of the rulers. On the contrary these further tarnish their image and bring bad name nationally and internationally. In this age of electronic media it simply impossible to block differing voices opinions. Freedom of expression can be controlled and managed only in regimented societies and dictatorships. Unfortunately, we are passing through a period of undeclared dictatorship in a controlled democracy."

URGE TO AUDIT BOGUS ELECTION RESULTS:

On 18th February 2024: The Free and Fair Election Network (**FAFEN**) proposed a three-stage methodology for the audit of election results, urging the Election Commission of Pakistan (ECP) to scrutinize the results of constituencies that were duly challenged by political parties and candidates at the

appropriate legal fora using data analytics and forensics to establish the legitimacy of the outcome of General Election (GE) 2024.

Such an audit must include representatives nominated by the political parties concerned as well as independent observers to ensure the transparency and credibility of the process. The ECP could have conducted scrutiny of results of all constituencies before the notification of winners in an effort to strengthen the integrity of election outcomes and to minimize the post-election disputes. The post-elections situation warranted an urgent and prompt response by the ECP to ascertain the veracity of the claims of illegalities and irregularities by political parties and candidates.

FAFEN's proposed audit urged for a technical investigation purely based on the physical evidence - official election documentation available with the ECP under Section 99 of the Elections Act, 2017. These documents include tamper-evident bags containing:

- (a) the packets containing the ballot papers each of which shall be sealed with the seal of the Presiding Officer or, if opened by the Returning Officer, with the seal of the Returning Officer;*
- (b) the packets containing the counterfoils of issued ballot papers;*
- (c) the packets containing the marked copies of the electoral rolls used in the poll;*
- (d) the packets containing the Ballot Paper Account;*
- (e) the packets containing results of the count, provisional and final consolidated statement of results of the count and final consolidated results;*
- (f) the packets containing the Tendered Ballot Papers included in the count; the Tendered Ballot Papers excluded from the count; the Tendered Votes List, and the Challenged Ballot Papers included in the count; the Challenged Ballot Papers excluded from the count; the Challenged Votes List; and the Spoilt Ballot Papers; and*
- (g) such other papers as the Commission may direct.*

FAFEN's election result audit methodology also comprised of the following three stages:

- 1. The first stage involves assessing the availability, authentication, completeness and correctness of the election documentation including the result forms, and the consistency of information within and amongst these forms.*

2. *The second stage involves ascertainment of material effect of unverified forms on election outcome and taking corrective action.*
3. *The third stage involves determination of the omission and commission and accountability of election officials.*

For general elections-2024, nearly 1.5 million election and polling officials were appointed. These officials managed the election operations including the counting, tabulation, and consolidation of results, which led to controversies and disputes. The election process entails an exhaustive list of forms to be maintained; however, these forms were never referred to after their preparation - most challenges to election results revolved around Form-45 and their subsequent consolidation.

FAFEN urged the ECP to also clarify the legality of multiple copies of the forms that were generated on the Election Day. Under Election Act, 2017 and corresponding rules, there were multiple copies of Form 45:

- *copy sealed by the Presiding Officer in a temper-evident bag that is placed in the bag of election material;*
- *picture of Form-45 transmitted by the Presiding Officer to the Returning Officer through mobile app;*
- *original copy sealed in a temper-evident bag by the Presiding Officer for physically delivering it to the Returning Officer;*
- *copy that is affixed by the Presiding Officer outside the polling stations;*
- *copy that is retained by the Presiding Officer for own record;*
- *copy sealed in a temper-evident bag by the Presiding Officer for dissemination to the District Election Commissioner;*
- *copies that are given by the Presiding Officer to polling agents at the polling stations; and 8) copy that is given by the Presiding Officer to the observer.*

Pakistan's Elections Act, 2017 does not establish which copy will be considered legal in case the available and produced (duly signed) copies are different - when dispute.

FAFEN also called upon the Election Commission to encourage the political parties and candidates to promptly reach out to it with their complaints of illegalities and violations of the Elections Act, 2017 - under Section 9(1) of the Act.

INTERNET & WI-FI KEPT SUSPENDED ON POLL-DAY:

The Pakistan Ministry of Foreign Affairs announced the closure of its borders with Iran and Afghanistan on the eve of the general elections on 8th February 2024, as a measure to enhance security. Ten minutes before polling stations opened, the interior ministry announced the ***suspension of mobile internet services across the country***, citing some terrorist incidents around. **NetBlocks** director Alp Toker called the outage ***'amongst the largest that they had observed'***. The PPP's Bilawal Zardari demanded that the government should restore services and said its lawyers would challenge the decision in court. The PTI called the outage a ***spineless and pathetic show of guts*** on behalf of the government. An analysis titled as ***"Polls close in Pakistan after millions vote in election"*** appeared at **FRANCE 24 (8th February 2024)** is referred.

In countries like Pakistan, where the journey towards democratic stability is intertwined with governance challenges, economic disparities, and political transitions, elections take on an even greater significance. The 2024 elections in Pakistan were anticipated with hope and scrutiny, given the country's history of electoral controversies and the global emphasis on democratic norms. These elections came when the nation sought to affirm its commitment to democratic principles amidst internal pressures and international expectations. The significance of the 2024 elections laid Pakistan's adherence to the fundamental principles of democracy with the assurance of free and fair elections.

Pity that complex interplay of historical, social, and political factors couldn't shape Pakistan's journey towards democratic governance. Central to this journey was recognition and display of free, fair, and periodic elections as the cornerstone of democracy – ***but country's institutions failed in the sense: the constitutional framework was totally ignored or misinterpreted for many thus the factors of electoral integrity, transparency, and accountability were seen vanished once again.*** The Election Commission of Pakistan (ECP), established under the Constitution, remained a stooge allegedly for PMLN, thus didn't provide level field for other parties taking part in elections.

- As a member of the United Nations and a signatory to various international treaties and conventions, including the International Covenant on Civil and Political Rights (ICCPR) and the Universal Declaration of Human Rights (UDHR), Pakistan is committed to respecting and promoting human rights, including the right to participate in the governance of the country through democratic elections.

Pakistan had voluntarily agreed to adhere to regional and international standards for democratic elections, as articulated in documents; these standards

mainly emphasize on transparency, impartiality, and inclusivity in the electoral process, which Pakistan couldn't uphold in its 2024 elections in more vulnerable way than the previous ones.

The 2024 elections in Pakistan represented a critical moment in the nation's democratic journey. While the electoral process was not without its challenges, including allegations of irregularities and concerns about electoral violence; overall, the elections were conducted with following reservations:

1. Pakistan should have strengthened its electoral institutions, mainly the ECP, to ensure their independence, impartiality, and effectiveness in overseeing the electoral process.
2. Efforts should have been made to enhance transparency and accountability in the electoral process, including measures to address concerns about money's influence in politics.
3. Steps should have been taken to ensure the inclusivity and participation of all segments of society in the electoral process, including marginalized communities, women, and youth. This could involve initiatives to increase awareness about choosing the right candidates and remove political participation barriers.
4. Measures should have been taken to address electoral violence and intimidation, including strengthening law enforcement mechanisms and providing security assurances to candidates and voters.
5. Dialogue and engagement among political stakeholders, civil society organizations, and the public were essential for building consensus and trust in the electoral process. Efforts should have been made to foster constructive dialogue and cooperation among all stakeholders.

Pakistan could further strengthen its democratic institutions and processes; thus, advancing the cause of democracy and the rule of law in the country – but, instead it became a laughing stock for the world media channels. In the whole country, the polls were closed after the state-authorities suspended mobile calls and data while millions voted for a new government in **a controversial election**. Though the interior ministry said incidents of terrorism made the measure necessary – but no one in Pakistan (*and in the whole world, in fact*) believed it.

The elections came almost two years after the previous Prime Minister Imran Khan, was ousted. Three-time PM Nawaz Sharif was on the ballot. Many analysts held this was among Pakistan's least credible elections. Mr Khan, jailed on corruption charges (in 2023), was barred from standing and his party called **the internet cut a cowardly act**.

Counting got under way as soon as polling ended, with first results expected during the same night, but voting patterns actually emerged after TWO days - even then were not clear. **Results must have been released before 12 midnight the polling day.** The ECP and the other government functionaries were not expecting so much turn out of voters which, in fact, flooded the polling booths everywhere in the country. **The presiding officers at most polling stations had started receiving instructions after 3pm that the voting speed should immediately be curtailed.** In real terms, the follow-up of the new conditions was beyond the direct control of the presiding officers – and more especially at the ladies' booths. So, they put all the responsibility to make the voting process slow on the police and the security agencies on duty.

Referring to the **BBC** dated 8th February 2024:

".... It was thought (that low turn-out of voters) would hamper the chances of Pakistan Tehreek-e-Insaf (PTI) party. The suspension of mobile services made it harder for voters to find their polling stations. Both calls and data services were suspended just 10 minutes before voting started, although Wi-Fi networks still appeared to be working.

.... that the internet blackout meant it was not possible to book taxis to go and vote, while others said they couldn't chat to other family members to co-ordinate when to head to polling stations."

The shutdown of the Wi-Fi & internet was also criticized by Pakistan People's Party (PPP) leadership which had **called for services to be re-stored immediately.** The country was purposefully brought on high alert, with heavy security presence at polling stations across the country; armed guards at the entrance were seen and army officers roaming around the area. Border crossings with Afghanistan and Iran remained closed for both cargo and pedestrians **to ensure full security during polling.**

On 18th February 2024: The Human Rights Commission of Pakistan (HRCP) raised serious concerns about the integrity and credibility of the 8th February elections, citing a range of issues that had cast a shadow over the democratic process.

In a REPORT released a day earlier, the HRCP urged an independent audit of general elections - 2024 under the supervision of a parliamentary body. According to HRCP's election observers, who conducted spot-checks in 51 constituencies, **the nationwide shutdown of internet and cellular services on polling day**, coupled with arbitrary changes in polling information, hindered voters' access to polling stations. The report also said:

"This was particularly true for women with restricted mobility, persons living with disabilities, the elderly, and low-income voters. Of particular concern is the protracted delay in announcement of election results by the returning officers."

While the polling process itself was generally transparent and peaceful, the post-polling procedures raised significant concerns. Also, that in a fifth of all polling stations observed by the HRCP, the presiding officer either failed to affix the statement of the count in a conspicuous place for public display or was not observed transmitting a photo of the result to the returning officer and ECP. In many instances, the returning officer's announcement did not tally with the presiding officer's counts. Worryingly, reports of candidates, polling agents and observers being denied permission to witness the provisional consolidation of results – ***a mockery of elections***.

Additionally, HRCP demanded the ECP publish all relevant Forms 45, 46, 48, and 49 in accordance with the Elections Act 2017 – which the ECP and the government didn't follow.

People were able to vote for Nawaz Sharif - the PMLN leader, who at the time of the last election (in 2018) was beginning a sentence for corruption; he was ousted in a 1999 military coup and had his third term cut short in 2017 - but he recently returned from self-imposed exile. He had his lifetime ban on holding office overturned, and also got his criminal record wiped clean at the end of last year (2023), allowing him to stand for what would be a record fourth term. See **BBC's note** dated 2nd February 2024 in this regard:

*"One might say that **Mr Sharif is the king of comebacks**. He's certainly done it before.*

Ousted from his second term in a 1999 military coup, he returned in the 2013 parliamentary elections, staging a triumphant comeback to become prime minister for a record third term.

But Nawaz Sharif's last period in office was marred by upheavals - starting with a six-month opposition blockade of the capital Islamabad, and ending with court proceedings over corruption allegations which eventually led to the Supreme Court disqualifying him in July 2017. He resigned shortly afterwards. In July 2018 he was found guilty of corruption by a court in Pakistan and given a 10-year sentence. But he was released two months later when the court suspended the sentences, pending a final judgement.

*By December 2018 however, he was jailed for corruption again, this time for seven years, in relation to his family's **ownership of steel mills in Saudi Arabia**. He then fought for bail arguing he needed medical treatment in the UK. This was granted in 2019, allowing him to flee to London where he lived in a luxury flat in exile for four years until his return last October (2023)."*

The ECP categorized half of the 90,675 polling stations as either '**sensitive, meaning there is a risk of violence, or most sensitive**', indicating a higher risk. Although voting ended peacefully, strict rules around election coverage - including what could be said about candidates, campaigning and opinion polls - remained in place until 23:59 local time (19:00 GMT) on 8th February 2024, the elections day.

...MORE FOREIGN VOICES ON WI-FI SHUT:

See **VOA's analysis** dated 8th February 2024 on **WHY WI-FI + INTERNET WERE SHUT DURING ELECTIONS** in Pakistan:

*"Pakistan held its long-delayed elections Thursday, but sporadic violence and the nationwide suspension of mobile phone and internet services overshadowed the polls, **raising credibility concerns about an already controversial vote**.*

Polling stations across the South Asian nation closed at 5pm local time after nine hours of balloting. An early morning Interior Ministry announcement just before the polls opened for some 128 million eligible voters said the disruption in phone service was meant to 'mitigate potential security threats and maintain law and order.'

*Analysts say whoever wins the election will serve a public that is **deeply disappointed in the political system, has little faith in the electoral process**"*

Three-time former PM Nawaz Sharif's PMLN was portrayed as the favorite of the powerful military, while the last elected PM Imran Khan, was in jail. JUI's Fazal-Ur-Rehman was among those who did not vote, citing a lack of trust in the process. The Pakistani government deployed more than 650,000 army, paramilitary and police personnel to provide security for tens of thousands of polling stations across the world's fifth most populous country, with an estimated population of 241 million.

Several hours after the polling ended, the interior ministry partially restored the mobile services nationwide; the suspension of phone and internet services sparked widespread allegations on the state-administrators **to rig the polls**, allegedly to prevent candidates loyal to Khan's party from gaining an upper hand.

Imran Khan, the 71-year-old politician, was convicted and sentenced to lengthy prison terms for highly disputed corruption and other charges in the lead-up to the vote. The PTI had been subjected to a months-long nationwide clampdown, in which hundreds of workers and **candidates were arrested without charges and released only after quitting the party or withdrawing from the election**.

Michael Kugelman, Director of the South Asia Institute at the Wilson Center, told the VOA:

*"Despite being in jail, Khan remains a central figure in the election. He retains a large base that will want to vote for the independent candidates sponsored by his party. But it appears the state is creating an enabling environment for **rigging with its suspension of mobile services**. This threatens to deny many Pakistanis the right to vote for who they choose, casting doubt on the government's insistence that this election will be free and fair."*

The United States condemned the situation on the Election Day; Vedant Patel, the State Department principal deputy spokesperson's briefing to the reporters in Washington is referred while saying:

"We're tracking reports of restrictions on internet and cell-phone access across Pakistan on polling day. We along with the international community will continue to emphasize the importance of democratic institutions, a free press, a vibrant civil society and expanded opportunities for political participation of all Pakistanis."

Amnesty International denounced the *Election Day internet shutdown* as "reckless" and a "blunt attack" on the rights to freedom of expression and peaceful assembly. [Pakistan has nearly 190 million cellular subscribers, including 128 million using mobile broadband services.] The suspension of service left many voters unable to access the election commission's data system to retrieve polling station locations and other details.

Referring to an essay placed at **middleeastmonitor.com** dated 13th February 2024: For Pakistan's election-2024, it was predicted that there would

vote rigging and outright fraud as a central feature of the Pakistani ECP's plan, and there was. What not anticipated was that former Prime Minister Imran Khan's party, the PTI would win the most parliamentary seats of any single party. It was a miraculous outcome, given the horrendous levels of repression of the PTI – which was being prevented from even contesting in the election.

Journalists with mainstream Pakistani television channels could not promptly report rigging incidents and other irregularities from the field throughout the day due to the suspension. **Arifa Noor**, a prime-time political talk-show host on the **Dawn News** channel, stated during a live broadcast:

"There are no two opinions about it: This measure was designed to manipulate election results and restrict news coverage. That's what it is. Shutting down mobile networks on polling day is the beginning of Election Day rigging. Cutting candidates off from their agents and staff on Election Day is unacceptable. How's one supposed to keep a check and highlight any irregularity? By the time news comes out, [the] election would have been stolen."

The US-based **Gallup** polling company found in a survey on the eve of the elections that more than two-thirds of Pakistanis **'lack confidence in the honesty of their elections'**. Pakistanis were increasingly discouraged by economic, political, and security challenges. The political atmosphere was equally as glum as the economic one ahead of Pakistan's general election since 2018 - **"Seven in 10 Pakistanis lack confidence in the honesty of their elections"**. In addition to their skepticism about elections, 88% of Pakistanis also believed corruption was widespread within their government. Pakistanis' economic pessimism had hit an 18-year high, with 70% believing conditions were worsening where they live.

Gallup had conducted face-to-face interviews with a random sample of 1,000 adults aged 15 and older in Pakistan between September and October 2023. The poll found that the political landscape in the nuclear-armed South Asian nation of about 241 million didn't help the sitting PDM coalition government. PTI was (and still is being) subjected to months of state crack-downs, with hundreds of grassroots workers, including candidates, detained, abducted, and forced to quit the party or back out of the elections or politics altogether. Many PTI candidates used social media platforms affiliated with the party to campaign and avoid getting arrested. Gallup researchers further said:

*"The state crackdown had been met with **palpable public anger**. It is likely linked in some way to the **low levels of confidence in***

honesty of the elections. *Despite the crackdown, Khan is the most popular politician, with his party the largest political force in Pakistan, according to public polls.*

*Political unrest arising from a disenfranchised voting public may lead to increased instability over the short term. This may further deter the foreign investment Pakistan badly needs to grow its economy and reverse its fortunes in the long term. **They (ECP & the government) underscored the importance of the outcome of Thursday's election in Pakistan for regional stability.***

The United States said on 12th February 2024 that: ***"It was closely monitoring Pakistan's electoral process. We're concerned by some of the infringements we've seen in that space;"*** ref: Vedant Patel, the US State Department principal deputy spokesperson's briefing to reporters in Washington.

Scenario 279

ELECTIONS 2024-III

CRISIS OVER DELAYED ELECTION RESULTS:

On Election-Day eve, the COUNTING process remained at a standstill as candidates for Imran Khan's PTI alleged seats they won were declared for Nawaz Sharif's PMLN.

Referring to *Hannah Ellis-Petersen's* analysis in UK's daily '**the guardian**' dated 9th February 2024:

"Pakistan was thrown into a state of crisis on Friday with its election results still undeclared more than 24 hours after polling closed and the vote marred by widespread allegations of rigging.

Analysts and candidates widely questioned the integrity of the polls that took place on 8th February 2024, raising concerns that there was an attempt to rig the vote to bring back the former PM Nawaz Sharif, and his PMLN to power. Sharif was seen to have the backing of Pakistan's powerful military....."

Voters across the country, however, came out in unprecedented numbers to support Pakistan Tehreek-e-Insaf (PTI), Imran Khan's party. With more than half the votes counted for the 265 seats, PTI-backed candidates had won 88 seats, PMLN 60 and the PPP 46. However, the PTI leadership alleged that the true number of seats the party had won was much higher, and there were widespread allegations of ***rigging as the vote count was delayed***. Protests against the outcome erupted in Khyber PK and Baluchistan provinces, where police retaliated with violence, and PTI supporters also came out on to the streets in major cities like Lahore.

As the day went on, both PMLN and PTI declared victory and there was a growing sense of frustration at the lack of clear results across the country, which was sailing through the worst economic crisis in its history. The lead for Khan's party came as a shock to many. The PDM and the interim governments had since led a sustained attack on Khan and his PTI, making it clear

they would not tolerate his return to power. Khan was arrested in August, and during ONE week before elections received three separate jail sentences that could keep him behind bars for more than a decade.

Just after the vote counting began on Thursday evening, it looked like a landslide for Khan's party. PTI-backed candidates across the country, even in the Sharif's stronghold of Punjab and those who were fighting from jail, surged ahead in over 100 constituencies. At his party headquarters in Lahore, Sharif – who a few hours earlier had given a confident assurance of a simple majority for the PMLN – was forced to cancel plans to give his victory speech, which had been pre-written.

The surge in support for Khan on Election Day was evident at polling stations across Islamabad's NA-47 district **visited by 'the Guardian'**. From first-time voters to elderly women born before Pakistan was established, and from labourers to tech workers and lawyers, the overwhelming majority said they were voting for PTI, or as many put it, giving their full backing to Khan.

At a gathering in Islamabad as results began to break, one independent candidate running against PTI and the PMLN spoke of a ***PTI whitewash***, evident not only in the constituency he was fighting in but being reported by candidates across the country. But the excitement and delight at the apparent triumph of the people's vote was short-lived. Declarations of results began to slow down and then stopped altogether. Polling agents started saying they were unable to collect results and then there was a reported ***'technical error' in counting***. TV stations were said to have received instructions to stop reporting the results.

On Friday morning, about 18 hours after the polls had closed, constituencies began to declare for the Sharifs and their allies in quick succession in their stronghold of Punjab; Nawaz Sharif in his Lahore constituency, as well as his brother Shehbaz Sharif, his daughter Maryam Nawaz and other PMLN heavyweights.

But allegations of inconsistencies and rigging also started emerging. ***More votes were said to have been counted than registered in Lahore, while the officer overseeing the count was transferred abruptly on Friday morning, allegedly for medical reasons.*** In another Lahore constituency, the PTI candidate Salman Akram Raja was declared defeated despite having a significant majority on Thursday night. He alleged that he and his wife were removed from the polling office as they tried to observe the counting.

In NA-47, the central Islamabad constituency, *visited by **the Guardian** on polling day*, the PTI candidate Shoaib Shaheen said officials had declared him a clear winner on Thursday night with a majority of more than 50,000 votes. By Friday afternoon, however, the seat had been awarded to PMLN. Standing outside the office of the ECP in protest, Shaheen accused it, the judiciary and the military of colluding to rig the election. He said: **'We can see clearly how corrupt and broken the system is. My constituency is in the heart of the capital; the Supreme Court, the high court, parliament house, the election commission, all are located here. If they can change and rig the elections here, think what they are doing in the rest of the country.'**

See the world-fame weekly '**the ECONOMIST**' of 12th February 2024 – an article titled as ****Pakistan's voters tell the*** *(Imran Khan's candidates won the most seats despite heavy-handed attempts to totter them):

"The delay was unusual even by the standards of Pakistan's messy politics. Late on February 11th, nearly three days after a legal deadline, the country's election commission at last released provisional results of general elections held on February 8th. No party obtained a majority, but the vote nonetheless produced a clear winner: Imran Khan, the imprisoned former prime minister who was barred from standing and whose party, Pakistan Tehreek-e-Insaf (PTI), was subject to a de facto ban.

Voters disregarded the hints to shun Mr Khan, casting their ballots for Mr Khan's candidates anyway. Members of the PTI, standing as independents, bagged 92 of 264 parliamentary seats. The Pakistan Muslim League (PMLN) of Nawaz Sharif, Mr Khan's chief rival and a three-time former prime minister, was widely expected to win. It limped in second with 75 seats.

....the Pakistan Peoples Party (PPP), which won 54 seats.... PMLN has also approached winning candidates loyal to Mr Khan to switch sides. At least one has already jumped.

*Mr Khan's party claims to have evidence that it would have won a majority of seats if the election had not been rigged by its rivals.... ***Yet signs of tampering are plentiful.*** The election commission, which had been instrumental in obstructing Mr Khan and the PTI in the run-up to the election, blamed the days-long delay in releasing results **on unspecified 'internet issues'**. **Over the week-***

end it initially barred returning officers from certifying results in multiple constituencies and ordered a repeat of the vote in dozens of polling stations...

In at least 24 constituencies, 13 of which were won by PMLN, the number of rejected ballots was higher than the margin of victory.....

The dubious electoral process was preceded by a systematic campaign against Mr Khan and the PTI. It was stripped of its electoral symbol, a cricket bat, in effect dissolving the party. The Supreme Court sealed the deal by overturning a successful challenge to this in a lower court. Many PTI leaders were imprisoned or disqualified. Those who stood as independents were prevented from campaigning openly.

A week before the election, Mr Khan, already in prison on a separate charge, was sentenced to three long prison terms in quick succession on counts of corruption, disclosing state secrets and getting married illegally. On Election Day, a shutdown of mobile phone and data networks hampered voters' ability to find and access polling stations.

....Yet the PTI will probably remain confined to the opposition benches. Mr Sharif looks set to cobble together a coalition similar to one that governed the country for 16 months after Mr Khan was ousted in a vote of no confidence in April 2022. Pakistanis voted for a change...."

Non-PTI candidates also alleged irregularities. Mustafa Nawaz Khokhar, who was standing as an independent in Islamabad and had already voiced fears of vote manipulation, said the PTI candidate in his constituency was clearly winning but that the seat had been declared for the PMLN. ***'This is the worst kind of rigging and playing with fire,'*** said Khokhar.

Among voters who had come out in droves to support PTI, there was anger on the streets. In Islamabad, section 144 was imposed, which banned large gatherings. *'Our votes have been stolen and people will not accept the result. We wanted to trust the system with our votes but they failed us, our trust is completely gone. We see now that we are living under martial law.'*

On the other hand, see the event of setback for **Nawaz Sharif in Mansehra's NA-15** constituency:

MANSEHRA (Dunya News) – Pakistan Muslim League Nawaz (PMLN) supremo Nawaz Sharif has faced defeat in NA- 15, Mansehra; PTI-backed independent candidate Prince Gastasab Khan secured the seat bagging 105,249 votes while Nawaz Sharif clinched 80,382 votes.

Performance of religious parties remained the WORST: *In an editorial column in a daily newspaper, a security analyst Amir Rana explained that how the performance of religious parties in this election (2024) remained the worst compared to their previous runs. The parties struggled to create significant impact of their own in an environment that was dominated by pro-versus anti-establishment discussions. Right-wing Jamiat Ulema-e-Islam (JUI-F), for instance, only secured three seats in the National Assembly, similar to the 1977 elections. 'Several factors contributed to JUI-F's electoral defeat. These included internal differences, flawed candidate selection influenced by the leadership's favouritism (as tickets were mostly given to sons / brothers), and allegedly 'ticket selling'; wrote Rana.*

The far-right *Tehreek-e-Labbaik Pakistan* (TLP), on the other hand, embarked on a pursuit of becoming a mainstream party, damaging their support base of Bareilvi Muslim parties in Punjab and Sindh, he added.

ECP DEGRADED PAKISTAN...WHY SO:

See an **Editorial in daily DAWN** dated 12th Feb 2024:

"FRANTIC negotiations have started behind closed doors over the possible configurations of power, and some quarters will be eager to see the election chapter closed, with results accepted as fait accompli. However, the citizenry — of which many braved a long campaign of intimidation and navigated several hurdles to exercise their vote — seems in no mood to meekly move on. It has good reason not to.

*There were **significant irregularities** in this election that voters must be given answers for, and it is important that their concerns are promptly addressed by the ECP. The most pressing issue is what seems to be the outright theft of the public mandate in some parts of the country, as evidenced by the large discrepancies between various reported results.*

There are growing voices of concern, including in the international community, over why some of the ECP's announced results differ so

widely from the personal tallies kept by the candidates as well as the unofficial, parallel counts maintained by TV channels through their independent sources.

Observers' suspicions have been further strengthened by some obvious anomalies in the Form 47s released by ROs for certain constituencies, as well as the inordinately long time it has taken to 'finalise' results. in many major urban constituencies, where media presence and resources are, in fact, the strongest, the divergence is extremely large. Clearly, something went awry during the results tabulation process in these constituencies, which needs to be promptly investigated and addressed.

Though investigations will get tricky in places where candidates were never given Form 45 — a serious irregularity that has been highlighted by several poll observers — there seem to be quite a few candidates who are in a position to mount a strong challenge.

These include, among others, several PTI-backed independents in Karachi, Lahore, Multan and Islamabad, some of whom saw comfortable victories turn into overnight defeats. At least one, Salman Akram Raja in Lahore, has already contested his RO's result in court, and others will likely follow suit.

Moreover, wherever the rules call for it, the ECP must allow a recount. It should also release any information that can help auditors' cross-check its results. This is an opportunity for the institution to restore its credibility. With international pressure growing, it must act quickly."

Referring to **daily DAWN** dated 09th February 2024 under head ***Rising IR-REGULARITIES:*** (Karachi Report); 'the expected accusations and statements of rigging by political parties started within the initial hours of voting on Thursday, with multiple videos of "malpractice" also flooding social media' - videos circulating on social media showed masked men entering polling stations in the whole city. While mobile internet remained shut across the country during polling, these videos were viewed and shared by overseas Pakistanis on social media and WhatsApp groups.

One of the videos, shared by journalist Naimat Khan on his official X account, showed Qadir Khan Mandokhail, PPP candidate for NA-242, kicking down the door and storming into a polling station while holding a ballot paper. Surrounded by a group of supporters, Mr Mandokhail went straight to a polling

booth and smashed ballot boxes on the ground in presence of the police and polling officers; the ECP said it had taken notice of it.

In yet another video shared on social media, from a polling station in the NA-248 constituency, around five men dismantled the polling booth. From Balochistan, Akhtar Mengal wrote to the ECP, complaining about the '**Quetta SHO who had taken away 900 votes**'. The DAWN wrote further:

"....then, also, comes the fact of who the people actually voted for — a persecuted party, its jailed leader, thousands of detained workers, scores of criminal cases, rolling blackouts in the media, and police raids without end. In voting for Imran Khan and the PTI, the public chose defiance."

See another scenario in the same context....

Fact Check By iVerify Published on 10th February 2024:

- *This fact check has been published in partnership with **iVerify Pakistan** — a project of CEJ and UNDP (<https://pak.i-verify.org>).*

Videos and posts circulating on social media platform X on the Elections-Day quoted foreign media outlets as reporting that the PTI had won over 150 seats in the general elections. No proof was found, however, for such reports having been aired.

On 9th February 2024, an X user, who appeared to be a PTI supporter based on their profile history, shared a post with the video of a foreign journalist, captioned: '**The international media has reported this news after seeing it with its own eyes [...] that PTI has won more than 150 seats. Spread this news as widely as possible.**' The post garnered over 300,000 views and was shared 18,000 times. The official X account of PTI Lahore also shared the same claim which garnered another 14,000 views.

The **iVerify Pakistan** platform sought to determine the veracity of the claim since it is directly related to election results, which had already become controversial due to the delay in their announcement. The video attached to the circulated posts was of **Cordelia Lynch**, Asia correspondent of British news outlet Sky News. **Lynch was one of 37 British journalists issued visas to cover the general elections.**

- She posted this video on her official X account on 9th February (2024) at 12:44pm with the caption: ***"Fascinating dynamics in the Pakistan elections with Imran Khan's independents leading. They say it's a landslide victory. Official results though show a tighter race (with) there complaints of vote tampering."***

The video's transcript is reproduced below: "Well, they say that Pakistan is full of surprises. And this morning (8th February 2024 – the Election-Day), the people of Pakistan are waking up to exactly that. The PTI, the party of Imran Khan, who remains in jail, his candidates forced to run as independents, are claiming what they say is a clear victory."

"But they are also concerned about what they claim is election rigging. Now, behind me, you can see the official results. So far, 53 seats in the National Assembly have been returned. Official results say that the independents are ahead at 18 that the party of Nawaz Sharif, the man that many believe, is at 17, and the Peoples Party of Pakistan, led by Bilawal Bhutto Zardari, is at 16.

So this is all very interesting because people thought it was a foregone conclusion. But the PTI says that there was a big turnout, particularly amongst youth, amongst women, and that they came out in their droves to support Imran Khan, who won't be able to lead the party, who remains behind bars. And yet you're seeing this groundswell of enthusiasm now.

What does it mean for an actual result? Well, potentially, we could be looking by the end of the day at a hung parliament. I think what this board behind us does show is that Sharif is very unlikely to get a clear majority. "But lots of complaints coming in here to the election commission about tampering with results..... So, lots to play for, (and) fascinating dynamics here. And Khan still appears to have maintained that popularity."

Notably, at no point Lynch claimed that the PTI had won 150 seats. In fact, according to her voiceover, this particular report was aired when the results of only 53 National Assembly had come in on the Election Commission of Pakistan's (ECP) official results portal. ***'As of now, the provisional results of 253 out of 266 NA seats have been announced by the ECP, with independent candidates in the lead with 100 seats, followed by the PMLN and the PPP with 71 and 54 seats, respectively'.***

- According to media reports till then, out of the 99 independent winning candidates, 92 were PTI-backed. Meanwhile, the PTI claimed to have won 170 seats as per the tally of Form 45s — statement of count shared with polling agents and candidates present at polling stations — they might have collected from across the country BUT NO INDEPENDENT SOURCE CONFIRMED THAT.

REJECTED BALLOTS EXCEED VICTORY MARGIN:

Referring to ***Iftikhar A. Khan's*** Report published in **daily DAWN** of 12th February 2024:

*"In at least 24 National Assembly constituencies, the number of rejected ballots was found to be greater than the margin of victory, an analysis of provisional results reveals. Twenty-two of these constituencies fall in Punjab, with one each in Khyber Pakhtunkhwa and Sindh. PMLN won the electoral race in 13 of these constituencies, five were claimed by PPP, four by the PTI-backed independents and two by other independents. **Around 2m ballot papers excluded from the count in all 265 NA seats contested.**"*

- In NA-11 (Shangla), PMLN provincial president Engineer Ameer Muqam secured 59,863 votes to defeat the PTI-backed candidate with a margin of 5,552 votes. The number of rejected ballots in the contest was 5,743.
- In NA-50 (Attock), Malik Sohail Khan of PMLN got 119,075 votes, defeating Ch Parvez Elahi's niece Emaan Waseem with a margin of 9,886 votes. The number of rejected votes in this constituency was 9,938.
- In NA-59 (Talagang-cum-Chakwal), Sardar Ghulam Abbas of PMLN secured 141,680 votes against his closest rival PTI-backed Muhammad Ruman Ahmad, who got 129,716 votes. The margin of victory was 11,964 while the number of ballot papers rejected was 24,547, which was the highest number of rejected votes in a single NA constituency.
- In NA-61 (Jhelum), Ch Farrukh Altaf of PMLN beat Shaukat Iqbal Mirza (PTI). They secured 88,038 and 84,584 votes, respectively. The difference was 3,454 against 9,659 votes rejected.
- In NA-65 (Gujrat), Ch Naseer Ahmad Abbas of PMLN secured 90,982 votes to defeat Wajahat Hasnain Shah of PTI, who

got 82,411 votes. The margin of victory and rejected ballots were 8,571 and 9,092, respectively.

- In NA-69 (Mandi Bahauddin), Nasir Iqbal Bosal of PMLN secured 113,285 votes to defeat Kausar Parveen of PTI, who could manage to obtain 108,768 votes, reflecting a margin of 4,517. However, the number of rejected ballots in the constituency was 11,609.
- In NA-79 (Gujranwala), Ahsan Ullah Virk of PTI obtained 104,023 votes to defeat Zulfiqar Ahmed of PMLN, who secured 99,635 votes. The margin was 4,388 against 9,300 ballots rejected.
- In NA-80 (Gujranwala), Shahid Usman of PMLN defeated Lala Asadullah of PTI. They secured 98,160 and 95,007 votes, respectively. The difference was 3,153 while the rejected votes numbered 5,267.
- In NA-86 (Sargodha), Muhammad Miqdad Ali Khan of PTI obtained 105,868 votes defeating Syed Javaid Hussain of PMLN, who got 94,479 votes. The margin of victory comes to 11,389 against 13,237 ballots rejected.
- In NA-92 (Bhakkar), Rasheed Akbar, an independent candidate, defeated Muhammad Afzal Khan, another independent. They secured 142,761 and 131,176 votes, respectively. The difference is 11,585, close to the number of rejected votes that came to 11,750.
- In NA-94 (Chiniot), Qaisar Amjad Sheikh of PMLN got 79,546 votes against his closest rival Muhammad Khalid of PTI, who bagged 72,274 votes. The difference is 7,272 while the rejected votes are 7,802.
- In NA-97 (Faisalabad), Muhammad Saadullah (PTI) defeated Ali Gohar Khan of PMLN. They secured 72,614 and 70,311 votes, respectively. The difference came to 2,303 against 9,474 ballots rejected.
- In NA-106 (Toba Tek Singh), Muhammad Junaid Anwaar of PMLN got 137,629 votes to beat Khalid Nawaz (PTI), who secured 136,924, reflecting a difference of just 705 votes. The number of rejected votes numbered 7,524 votes — 10 times higher than the margin of victory.
- In NA-118 (Lahore), former Punjab chief minister Hamza Shehbaz defeated Aliya Hamza of PTI. They got 105,960 and 100,803 votes, respectively. Against the victory margin of 5,157, the number of rejected votes was 5,324.
- In NA-148 (Multan), former prime minister and PPP leader Yousaf Raza Gilani defeated Taimoor Altaf Malik of PTI with a difference of just 293 votes. The number of rejected votes was 12,665.

- In another constituency of the city of saints, NA-151, Mr Gilani's son Ali Musa Gilani beat PTI-backed Mehar Bano Qureshi with a margin of 7,431 votes. The number of rejected votes in the constituency was, however, as high as 16,555.
- In NA-154 (Lodhran), Rana Muhammad Faraz Noon secured 134,937 votes defeating former minister of state Abdul Rahman Kanju (PMLN), who got 128,438 votes, reflecting a margin of 6,499 votes. The number of rejected votes here was 7,803.
- In NA-164 (Bahawalpur), Riaz Hussain Pirzada of PMLN got 123,360 votes to defeat Ejaz Ahmad Gudan of PTI with a margin of 6,220 votes. As many as 6,636 ballots were excluded from the count as rejected in this constituency.
- In NA-169 (Rahim Yar Khan), Syed Murtaza of PPP defeated Syed Mobeen Ahmad of PMLN with a margin of 7,109 votes against 9,843 votes rejected.
- In NA-173 (Rahim Yar Khan), Syed Mustafa Mehmood of PPP beat Muhammad Nabeel Dhar of PTI with a margin of 2,816 votes. In this constituency, 7,945 votes were rejected.
- The other constituencies where number of rejected votes is higher than the margin of victory include NA-184 and NA-186 (D.G. Khan), NA-189 (Rajanpur) and NA-231 (Malir).

As many as four constituencies had more than 15,000 excluded ballots each. Another 21 constituencies excluded 10,000 to 15,000 ballots. A large number of constituencies (137) reported excluded votes in the range of 5,000 to 10,000. A total of 67 constituencies reported fewer than 5,000 but greater than 1,000 excluded ballots. Only six constituencies reported fewer than 1,000 excluded ballots each. The highest number of ballots excluded from the voter count have been reported from NA-59 Talagang-cum-Chakwal (24,547 ballots), followed by NA-213 Umerkot (17,571 ballots). The lowest number of ballots excluded were reported from NA-236 Karachi East-II (51 ballots).

Abbas Nasir, a former editor of the daily DAWN commented on 11th February 2024 that:

"...it was a remarkable victory; it was, after all, almost a century scored without a bat; it appeared an all-encompassing comment as the snail-paced trickle of the Feb 8 election results started to paint a picture of the PTI voters' anger and defiance at all that the party and its leadership has had to face. The most comprehensive plan appeared in place.

*The voters turned out in enough numbers to have given the 'independents' (read: mostly PTI) almost a century of seats, despite all obstacles in the run-up to polling day; and issues in tabulation and announcement of the results. **The past may be another country as the election demonstrated.** But we aren't known to learn from our mistakes. It is true that you can '**manage the electoral process**' — but only to a point.*

*The PMLN abandoned its '**vote ko izzat do**' slogan; that strategy blew up in the PMLN's face. As he made his 'victory speech', Mr Sharif looked frail, tired, even defeated, despite using brave words. It also marked a sad departure from the Charter of Democracy. The failure to contain the PTI and the influence of its leader may well mean that the apparent media freedom turns out to be temporary and it could well be business as usual before long. Election year 2024 will also mark the point where the majority or at least the largest single entity was excluded from the process by brutal force.*

The only thing I do have the power to do is to tip my hat to those whose bat was taken away and yet they scored, more or less, a century."

PTI / SIC DENIED SPECIAL SEATS:

On 4th March 2024: The Election Commission of Pakistan (ECP) rejected a petition filed by the **Sunni Ittehad Council (SIC)** — the new face of the PTI for that time — seeking the allocation of reserved seats. The 4-1 majority verdict was issued by a five-member bench headed by Chief Election Commissioner (CEC) Sikandar Sultan Raja. ECP member Babar Hassan Bharwana dissented from the judgment in an additional note.

The SIC was joined by PTI-backed lawmakers after winning elections without their poll symbol (the Cricket BAT), and the SIC had written to the ECP seeking allocation of reserved seats in the national as well as three provincial assemblies, excluding Balochistan. The ECP, however, did not consider the plea till applications piled up opposing the allocation of SIC's quota ***on the grounds that it was not a parliamentary party and had not submitted a priority list of candidates for the reserved seats.***

The applications against the allocation of reserved seats to SIC were heard for two days before SIC's applications were

clubbed with the lately filed but sooner heard petitions opposing its quota, and notices were issued to some other parliamentary parties.

The ECP had kept on hold the allocation of 78 out of the total 226 reserved seats for women in the national and provincial assemblies — all of which were to go to SIC, under the formula. Out of the total 60 reserved seats for women in the NA, the ECP allocated 40 seats to different political parties. These included 20 of the total 32 for Punjab, two out of 10 for KP, all 14 from Sindh and all four from Balochistan. Likewise, it allocated seven out of 10 seats reserved for minorities in the NA.

Of the total 66 reserved seats for women in the Punjab Assembly, it had allocated 42 seats and five out of eight reserved for minorities. In the Sindh Assembly, it had allocated 27 of the total 29 seats reserved for women and eight out of nine reserved for minorities. It allocated five out of total 26 reserved seats for women in the KP assembly and one out of four reserved for minorities.

All the 11 reserved seats for women and three for minorities in the Balochistan Assembly had already been allocated to respective parties – PTI didn't merit any in Balochistan.

After hearing arguments from all sides, the commission had reserved its verdict a week earlier, a day before the maiden session of the 16th National Assembly, allowing the controversy to simmer. Subsequently, the ECP earned condemnation for delaying the decision as it paved the way for an incomplete assembly to meet. In the ECP's order issued, the electoral watchdog said it had given a deadline of 22nd December 2023 for the submission of nomination papers by political parties for reserved seats. It said the deadline was later extended till 24th December 2023.

"The records revealed that the SIC did not submit priority list for the reserved seats for women and non-Muslims," the ECP noted; also, highlighting that the party requested the commission for the allocation of seats via four letters after PTI-backed independents joined it. The ECP further stated ***that the SIC didn't contest elections for any seat in the national or provincial assemblies and even the party chairman, Sahibzada Hamid Raza, contested the polls as an independent candidate.*** The ECP further quoted:

"In Article 51 of the Constitution it is clear that political parties that have representation in the National Assembly by way of winning

seats would be eligible for the allocation of reserved seats for women and non-Muslims through proportional representation system."

ECP also cited Section 104 of the Elections Act, 2017 which says:

"For the purpose of election to seats reserved for women and non-Muslims in an Assembly, the political parties contesting election for such seats shall, within the period fixed by the Commission for submission of nomination papers, file separate lists of their candidates in order of priority for seats reserved for women and non-Muslims with the Commission or, as it may direct, with the Provincial Election Commissioner or other authorized officer of the Commission, who shall forthwith cause such lists to be published for information of the public."

In view of above, the ECP's order said:

"Therefore, the commission is of the view that in light of clear provisions of Article 51(6) of the Constitution read with Section 104 of the Elections Act, 2017 [...] SIC is not entitled to claim quota for reserved seats due to having non curable legal defects and violation of a mandatory provision of submission of party list for reserved seats which is the requirement of law.

It rejected the SIC's petition and accepted pleas against the allocation of reserved seats to the council. The seats in the National Assembly shall not remain vacant and will be allotted by proportional representation process of political parties on the basis of seats won by political parties."

The Commission office was directed to calculate the quota of reserved seats accordingly for onward allocation to other parties.

Meanwhile, in his **DISSENT NOTE**, ECP member Babar Hassan Bharwana said that he **partially agreed** with the other members of the bench that reserved seats cannot be allotted to the SIC as the party had failed to submit priority lists in time. Further that:

"However, I have dissenting views with regard to the allocation of seats by way of proportional representation to the other political parties. In my opinion, Article 51(6-d) and Article 106(3-c) of the Constitution clearly state that reserved seats will be allocated to the political parties on the basis of total number of general seats secured

by each political party from the province concerned in the National Assembly or such reserved seats secured by each political party in the Provincial Assembly.

(Thus) the seats should therefore remain vacant till the time any such amendment in Article 51 or 106 of the Constitution was made by the Parliament.”

However, the PTI rejected the ECP’s verdict and termed the election commission’s judgment **‘the last dagger in the heart of democracy’**. The party held that if their share is being given to other parties then that could be is a constitutional mistake that the ECP committed. Also, the said verdict had proven that the electoral watchdog failed to fulfil its responsibility of holding free and fair elections. The party subsequently demanded the immediate resignation of the ECP and sought proceedings against the Chief Election Commissioner under Article 6 (treason) of the Constitution.

Separately, in a post on social media platform X, the PTI said the electoral watchdog **‘continues to disrespect the public mandate’** and called that day’s verdict another step **‘to completely destroy democracy and electoral process in Pakistan’**.

Scenario 280

GEN ELECTIONS 2024-IV

FORM 45 PLAY IN ELECTIONS 2024

The substandard (and failed) conduct in the 8th February 2024 election continued to haunt the Election Commission of Pakistan (ECP) even weeks after the voting day. After failing to meet the ***legal deadline of 22nd February 2024*** to publish all Form 45s, the Commission finally released the documents on 7th March 2024, in the process triggering another storm of complaints regarding blatant and rather crude manipulation of electoral results.

[WHAT's FORM 45: *The Form 45, which is a tally of all votes cast at a polling station for each of the contesting candidates, is the formal documentation of the first and most important step in the post-poll vote-counting exercise. A copy of it is supposed to be issued to the nominee of each candidate who witnesses the count of ballots. Since the result of an election is built on the consolidation of individual Form 45s issued by presiding officers from each polling station, the integrity of these forms is what ultimately legitimizes the poll exercise.*]

In the case of the 2024's general election, many candidates had complained that the Form 45s they received from the presiding officers in their respective constituencies were showing very different results than those announced by the ECP after unlawful and as yet unexplained delays. ***There were several rival candidates and even entire parties endorsing the PTI's claim of victory on various seats based on the Form 45s collected by them, even though official results had declared some other candidate as the winner – all tell the same story of changing stories of ECP's blatant manipulation and fraud.***

Since the ECP's copies of its Form 45s had not been shared till the above said date, it was impossible to determine where exactly the official count and the Form 45s issued to candidates had deviated. ***The documents now released by the ECP seem so full of inconsistencies and errors that they have bolstered the persistent allegations of widespread tam-***

pering with results and strengthened independent observers' demands for a transparent audit of election results, daily **DAWN** dated 8th March 2024 opined officially.

Where, on the one hand, the ECP insisted on rigid interpretations of election rules and laws to deny the PTI its bat and the *Sunni Ittehad Council* (SIC) its share of reserved seats, the nation started looking the other way. The ECP violated its own legal deadlines and failed to explain the glaring anomalies in its announced results – taking sides of the PMLN openly.

In this Form-45 case, duplicity should not have been condoned by the judicial forums, especially by the Supreme Court of Pakistan. Given how crudely vote counts were overwritten in some of the Form 45s shared by the ECP, the Commission must have explained why it considered it appropriate to announce winners and allocate seats based on seemingly tampered documents without conducting some kind of cross-checking first – the whole ECP could have been sent behind the bars.

The higher courts could make out a judicial inquiry committee, comprising of the judges, and must organize an immediate, independent audit of the election results that had been contested; all important stakeholders should have been invited to witness. It would prove extremely difficult for the nation to move forward unless such trends and practices at the level of constitutional bodies be curbed.

Re-writing the words of **Group Captain (Rtd) Parvez Mahmood** in '**THE FRIDAY TIMES**' dated 12th February 2024:

*"The nation has spoken. It has spoken as loudly as it did on 7th December 1970..... Now once again, the nation finds itself at another critical juncture and waits in agony to find out whether those holding the reins of power repeat their fatuous history. **Will they act with fear and hate or with wisdom?**"*

As a wise proverb says: 'One should never act out of fear, nor due to hate and jealousy. These are three sins that convert a man into a beast....' From that infamous night of 10th April 2022, when the Supreme Court assembled at the stroke of midnight to invalidate the National Assembly Speaker's ruling, to the Supreme Court's infamous denial of election symbol to Imran Khan's party, many people were killed, humiliated, tortured and incarcerated. It would be prudent for everyone to remember history - as no tyrant has gone unpunished, either physically, or by the history.

[The Shah of Iran, Videla of Argentina, Pinochet of Chile, the Myanmar juntas and their ilk live in infamy. We all remember Imam Hussain (AS) and Saint Peter. Millions of Muslims proudly trace their lineage to that great tortured family and their companions. However, the world denounces their tormentors ever since - they are not even owned by their own progeny.]

2024's rogue ECP-manipulated elections left a story of outright theft, injustice, fraud and usurpation, during the process of compilation and announcement of results. The nation would suffer for this deceit and deception for a long while. In the previous tragic episode of this nation's history, the elections were held on 7th December 1970 where people had opted for a soft coup. On denial of peaceful transfer of power to the winner, three and half months later, East Pakistanis declared independence on 26th March 1971; a bit later, the GOC of Pakistan's Eastern Command had to sign the instrument of surrender in a publicly humiliating ceremony.

There were some points to ponder for in the after-math of the 2024 Elections:

- Within the country & the world over the impression prevailed that the Elections – 2024 were rigged in Pakistan. - Based on the above presumptions what course could be followed. There were two options; firstly:

- 1- To resort to violence, Chaos, road blocks, damaging public property, & push the country to a situation of no return.
- 2- The other & more pragmatic situation was to keep people within legal & constitutional bounds, & proceed within the ambit of Law. Not letting the tempers over run our patience.

The second option didn't sound to be appealing to the emotion ridden charged voters. But the leaders had to play a sobering & pacifying role. The Doves must prevail over the Hawks. There were sane voices to initiate the process of a round table conference, comprising all stake holders to sit and take the country out of the mess. For intelligentsia, the elections-2024 meant a chance to revive and handle Pakistan in a just way. Pakistan's economy had been consistently fallen behind globally – 2023 year was one of the worst, with the economy actually contracting. **Every macro fundamental was flashing red: inflation, growth, debt & investment, to name a few.**

The general populace had never seen such hopelessness. The mighty establishment that was calling shots from behind was also clueless though was

striving through SIFC. BUT they couldn't expect foreigners to believe in the country when Pakistani people were losing all hope in fact - ***it was in that backdrop the Feb 8 elections were held.***

People were going mad and they were right - 442,353 children died in Pakistan just in year 2023 due to poverty; but the politico-establishment was busy playing its usual games – putting this one in jail, and that one in parliament this time. Through elections-2024, the ***relevant class*** had obviously sensed the people's anger; in post Feb 8 scenario, the distance between the ruler & the ruled went wider. No one had a plan to fix the economy. But even if they magically did somehow, they would hardly survive – because they successively lost all trust with their people; they would be foreigners in their own land if at all they survived. **For some: ELECTION-DRAMA was an interesting 5-day test match 2024 with seats-score:**

- **Day 1: PTI 179/Noon 35;**
- **Day 2: PTI 136/ Noon 57;**
- **Day 3: PTI 96 Noon/78;**
- **Day 4: PTI 95 Noon 79 and then *tea break*.**

The elections took place on the 8th February 2024: ***A soft coup or a bloody anarchy? There was not much time to decide.***

INTELLIGENTSIA CRIED HIGH:

See **A TRIBUTE** - Posted by ***Gen Salauddin Tirmazi*** (Ex- Federal Minister PMLN) about Imran Khan at most media pages on 13th February 2024.

"It no longer matters what we think of him; it is not important anymore whether we regard him as corrupt or innocent, view him as efficient or incapable, place him on a high moral pedestal or at par with his opponents.

*What many of us do not realise is **that his fall was orchestrated**, his rise was ordained, his ouster was managed by a few, and his comeback is destined by the majority.*

His fall from grace may have been planned by humans, his rise to glory is destined by divinity; he has already reached a place where our opinions carry no weight since now, only Allah's decision matters.

What a great drama unfolding right before our eyes.....Historical times; this day will be part of our history remembered for long....One brave man rose to change the fate of 220 million people; one against all, politicians of various ilks joined together by greed, and greed alone.

People had accepted their condition as a given, unchangeable; their future generations condemned to crawl like insects against mafia that had eaten into the vitals of the nation, till one man and one man alone told them that was not their destiny, they were meant for something better.

He showed them how, practically, by standing in front of them - handsome and beautiful, a sublime figure larger than life, too good to be true.

Sacrificing a life of great luxury, his beautiful family, his gorgeous wife his country of adoption to land amidst a miserable country on the verge of collapse, he gave them a vision, hope, dream.

He told them to realize their true worth; he told them not to crawl when they could fly; he told them they were endowed by the Almighty with wings.

He led from the front, rode the caravan fearlessly; debunking all fear and possible instantaneous death.

This is stuff of legends unfolding now in sight of the whole world.

By submitting to the vision cognitively, emotionally even if not behaviorally.

For I wish I could be as brave as MY LEADER.

Bravo Imran Khan, Bravo All Pakistanis.

**Imran Khan is a living legend in political history of Pakistan."*

IK TERMED 'KING OF CHAOS' – WHY SO?

In the above back-drop of Gen Tirmazi, also see an analysis of Mr M Hanif for the general elections-2024 in Pakistan titled as **Pakistan's 'King of Chaos' Imran Khan keeps winning even behind bars** – as appeared in **BBC** dated 3rd March 2024 which said that Pakistan's general elections-2024 were supposed to bring in a period of stability, badly needed to deal with crippling inflation and bitter political divides in the country. But instead, they delivered a minority government - a shaky, reluctant coalition that was unsure of its own mandate.

Two weeks after the elections, the Pakistan Muslim League Nawaz (PMLN) led by former prime minister Nawaz Sharif and Pakistan People's Party (PPP) led by Bilawal Zardari announced that they would form a government but that the PPP wouldn't be part of it. The midnight announcement by the leaders of both parties was made in subdued tones and had the air of a shotgun wedding – in fact, Pakistan was that rare democracy where everybody wanted to be the prime minister. BBC continued:

*"The establishment - a synonym used by local media for Pakistan's powerful military - always believed that **general elections are too sensitive an exercise to be left to civilian politicians. This time around they opened their old election playbook and used every trick deployed successfully in the past.** The main contender Imran Khan was put in jail to face more than 150 criminal and civil charges, all of which he denied vehemently. A week before the elections he was sentenced in three cases - in one he was accused of contracting a marriage in a hurry. His party **(PTI), was denied its election symbol and a united platform; were forced to contest as independents.** Many were evading police raids instead of campaigning in their constituencies. His main opponents were cleared of many cases against them and given a free hand to campaign."*

On the Election Day, social media and mobile phone services were shut down, apparently for security concerns **but in reality, to ensure that Khan's supporters didn't have easy access to the polling booths and would find it hard to identify their (independent) candidates on the ballot paper.** Khan's supporters showed remarkable ingenuity, formed WhatsApp groups, improvised apps and websites overnight and reached polling booths and managed to find their candidates. His party used AI-generated speeches to convey the message of their jailed leader. Imran Khan's prison ID number was turned into an election slogan.

The PTI workers campaigned guerrilla-style and sprang a surprise on Election Day. Despite all types of rigging against it, his Pakistan Tehreek-e-Insaf (PTI) still emerged as the single largest party in elections.

The Khan-wave on Election Day was too strong to be reined in by routine rigging. The establishment used 20th-Century tactics to tame a digitally-shrewd generation - and lost. To the military's tried and tested machinations, the voters' response was polite and defiant:

'...thank you, but no thank you, we are not as ignorant and illiterate as you think we are. We may not be able to take you on in the streets, you have your guns, but here's our stamp on the ballot. Do what you will with it.'

[BBC's analysis dated **3rd March 2024** is again referred]

The seasoned agitator: Imran Khan didn't get a simple majority in parliament, refused to align with any other parties to form the government and decided to sit in opposition. He built his campaign and overall charisma by portraying his opponents as corrupt. He was unwilling to share power with the politicians he had been attacking most of his political career.

The state, judiciary and allegedly the establishment too had denied every public platform to the PTI leadership, workers and supporters – but Khan pulled off an election victory from his prison cell with communiques sent through his lawyers and close family.

HIGH-PROFILE VOICES SPARKED, TOO:

NOW see a mind-blowing script from a former IGP, **Tariq Khosa**, appeared at print and electronic media including daily **DAWN** dated 28th April 2024:

..... Elections have winners and losers, but their legitimacy through a fair process is crucial. (Pakistanis) have the police and armed forces to protect them, but who would protect the people from them? Someone need to answer this question.

"The deep state's behind-the-scenes political engineering (in elections-2024) may be a tactical win for the string pullers, but it reflects their much larger strategic failure with regard to our democratic future. To the declared winners went the spoils, leaving the declared losers with the burning sensation that the election was illegitimate,

and the stolen mandate could not be accepted. What happens when the will of the people is violated? We cannot afford another gridlock leading to misadventure.

In Pakistan's context, institutions like courts, law enforcement and intelligence agencies have lost the trust of the citizens. This is simply a failure of governance because of institutional hubris. The institutions of restraint, that promote the rule of law and enforce accountability, stand exposed. The police, to my mind, is the worst culprit, or a toothless victim, which has acted as an instrument of persecution wielded by conniving, cruel, shadowy and unaccountable elements of the deep state. When exposing a crime is treated as committing a crime, it is nothing other than tyranny.

*Accordingly, humility can be a bulwark against absolutism, and an antidote to the present era of grievance. **Angry democracy**, according to Nobel laureate Prof Daniel Kahneman, **is a "nasty world of critiques, replies and rejoinders, whose aim is to embarrass"**.*

Let us start by admitting our failures. In the recent elections (of 8th February 2024), we messed up counting votes; we manipulated results and cobbled together a coalition of politicians who lack legitimacy and moral authority. However, all major political parties and their leaderships have gained power with overt or covert support of the establishment that includes the deep state. Almost all of them have been the beneficiaries or victims of the machinations of the power brokers. The present dispensation is the product of the project of political persuasion pursued by the establishment. The leadership of the PTI, PML-N and PPP have all faced incarcerations and persecution."

After 9th May 2023, when Imran Khan was arrested for the first time after his government's dismissal, his supporters rioted, and the crackdown that followed was swift and brutal. Most of the PTI top leadership was abducted and pressured to part ways with Imran Khan - some condemned his politics, others quit politics for life. The establishment wanted to send out a clear signal that Imran Khan and his party were finished. With Khan in jail, as the election drew closer, the party was taken over by second-tier leadership and local faithful who were crucial in organizing the battered party's campaign to victory.

The then state actors were certain that the PTI leader would not be allowed to return to power, but the workers showed through their vote that they

wouldn't abandon him just because the army wanted them to. The intelligentsia knew: ***'Imran Khan, when out of power, is the king of chaos, unleashing his wrath not only on his political opponents but the army establishment as well.'***

Before he was arrested and put away, Imran Khan claimed in his speeches that he was ousted at the behest of the US for pursuing an independent foreign policy; famous CYPHER CASE is referred. His opponents say that all his policies while in power were only about his own ego and whimsy. When in power, he spent more time hounding his opponents than he did running the country. While in government Khan seemed distracted and failed to make timely decisions to rein in runaway inflation - it was the whole truth but even then the general populace loved him.

The critics held the opinion that ***'...he is a seasoned agitator'***. When his party lost the 2013 elections, he campaigned relentlessly to get the results overturned and laid siege to the capital Islamabad. He was able to do it with the establishment's backing. Later, that he overturned to the establishment's enemy number one. His party decided to sit in opposition, but Imran Khan was likely to play his politics not in parliament but out on the streets (once more), with public rallies and social media.

The new PMLN+PPP+MQM government was being dubbed as a ***coalition of losers*** - it literally was a coalition of parties that were soundly beaten by Khan in the said elections - for two weeks after the election results there was no enthusiasm to form a government amongst Khan's opponents. For the first time, leading politicians instead of laying claim to power were reluctant to accept responsibility. There's reluctance to govern because Pakistan was facing a crushing debt crisis and rising fuel and food prices made life unbearable for the working classes. With the army's increased role in every sphere of governance, ruling politicians were reduced to going around the world asking international donors for bailouts.

Imran Khan thrived as a dissident-rebel; he didn't opt to turn into a submissive version of himself to become acceptable to the establishment. ***His rage against the redundant political business clans made him the most popular leader in Pakistan*** - even his losing opponents were seen reluctant to govern. This was the perfect environment for Imran Khan to continue his crusade, even from his jail cell as the country's most famous prisoner - number 804.

COURTS & TRIBUNALS FLOODED...:

Pakistani courts were flooded with petitions immediately after the elections 2024 with the main allegations of rigging on the grounds of counting, Form 45 miss-handling and changing the results under the control / advices of the ECP. The Lahore High Court received the majority of these petitions, followed by the Islamabad High Court and the Sindh High Court. Next day, the Election Commission announced the results for 259 out of 265 seats, with PTI-backed independent candidates emerging as the winners in the National Assembly.

The courts in Pakistan faced a downpour of petitions as many of the candidates, supported by Imran Khan's PTI party, alleged rigging in the election. PTI-backed independent candidates emerged as the winners in the National Assembly (NA) with 102 seats, followed by the PMLN with 74 seats, the PPP with 54 seats, the MQM with 17 seats, and other smaller parties winning 12 seats. The result for NA-88 was initially withheld due to complaints of fraud - to be announced after addressing the grievances. The petitions filed in the Lahore High Court also challenged the victories of PMLN leader Nawaz Sharif, his daughter Maryam Nawaz, and Aleem Khan, the President of Istehkam-e-Pakistan Party (IPP).

Various high-profile politicians, including former Punjab chief minister Parvez Elahi and his wife Qaisera, former Khyber PK finance minister Taimoor Jhagra, former speaker Mahmood Jan, former Punjab health minister Dr. Yasmin Rashid, and Rehana Dar, the mother of Usman Dar, had also filed petitions. The petitioners argued that their opponents were declared winners based on Form 45, which was the primary source of election results at the lowest level. However, they claim that their victories were turned into defeats in Form 47, which summarizes the results from each polling station. The candidates alleged collusion in the alteration of election results and demanded that Form 47 should have been prepared according to Form 45s.

Political analysts, local & foreigners both, held that in 70 percent of the seats, the election results were as expected, but disputes arose in 30 percent of the seats. The focus of the debate was on the seats won by the PMLN, with questions being raised about several of their candidates who were initially losing but were declared winners overnight. The formation of the government in Pakistan remained uncertain, with predictions of a minority government.

In addition, a petition was filed in the Supreme Court of Pakistan to require independent candidates who were elected to join a political party within three days of the official notification of their victory. PTI candidates had contested as independents due to restrictions on using the party symbol, a cricket bat. The petitioner argued that independent members in the national or provincial assemblies should be considered unfair, illegal, unconstitutional, and against

the parliamentary form of governance. The petitioner cited Article 51 of the Constitution, which outlines the procedure for determining the number of National Assembly seats and the functioning of the house.

On 5th June 2024: The Election Commission of Pakistan (ECP) accepted for regular hearing applications filed by all three winners of National Assembly seats from Islamabad seeking the transfer of election petitions to some other tribunal. A three-member bench headed by CEC Sikandar Sultan Raja while issuing notices to the respondents fixed next day as the date of hearing.

- The 3 MNA's winning was initially challenged by the PTI on 12th February 2024.

Anjum Aqeel Khan, Dr Tariq Fazal Chaudhry and Raja Khurram Shahzad — declared winners from NA-46, NA-47 and NA-48 respectively — also prayed to stay proceedings in the tribunal till the final disposal of their applications. The counsel for Raja Khurram Nawaz objected to the remarks by the tribunal; as his client felt harassed by the remarks; *'You should not be afraid of jail if you have not done anything wrong,'* the CEC remarked.

The counsel said it was beyond jurisdiction of a tribunal to send some party to jail. He sought orders of the ECP to immediately halt the proceedings before the tribunal; but was told that there was only one tribunal for Islamabad.

The counsel for Anjum Aqeel Khan said the ECP could also transfer the cases to some tribunal in Khyber PK. Objections were also raised over what was called *'speedy trial'* and the comparison of the ECP's record with that provided by the petitioners. Tariq Fazal Choudhry's lawyer claimed that according to the Code of Civil Procedure (CPC) the tribunal was under the ECP; a candidate produced a document from his pocket which the tribunal promptly accepted without being cross-checked. He claimed that no legal regulation had been adopted and the proceedings were initiated.

When the CEC asked whether the tribunal should proceed with the case, the lawyer argued that under the Election Act the commission had the authority to establish and change the tribunals as needed. The CEC queried the legal basis for halting the proceedings. The counsel for petitioners also said the tribunal instead of acting like a trial court was exercising powers of the high court.

The three MNAs in their applications had expressed apprehensions that they will not get justice from the tribunal where their cases were pending; that

the right to fair trial was the corner stone of justice and refers to Article 10-A of the Constitution.

- ***The case came up for hearing two weeks after an audit of key election documents revealed that all the declared winners from Islamabad actually had obtained less votes than the runners-up.***

Under section 155 of the Elections Act, any person aggrieved by the final decision of the Election Tribunal in respect of an election petition challenging election to an Assembly or Senate may, within 30 days of the date of the decision, appeal to the Supreme Court.

On 8th June 2024: CEC Sikandar Sultan Raja indirectly blamed judiciary for the complications witnessed during the process for general elections 2024. While hearing applications filed by all the three MNAs from Islamabad seeking transfer of petitions pending before the tribunal against them, Mr Raja said *'....he went to the then chief justice of Pakistan and chief justice of the Lahore High Court and requested them to spare judicial officers for performing duties as DROs and ROs, but to no avail.'* The remarks came when Faisal Chaudhry, who appeared before the ECP's four-member bench as counsel for PTI-backed candidate from NA-46 Aamer Masood Mughal, termed the 8th February elections **the most rigged polls in the country's history.**

It was discussed before the tribunal that bureaucracy had been tasked with holding the elections twice — in 1977 and 2024 — and on both times they failed Pakistan. The CEC's remarks about non-availability of judicial officers for poll duties were also seen by many as an admission that DROs and ROs drawn from the bureaucracy had failed to deliver. Faisal Chaudhry argued that ECP can neither make redundant the tribunal constituted for the capital, nor can it regulate its proceedings. *'You cannot sit as a revisional or appellate authority on the orders of the tribunal,'* he told the bench.

It remained a fact that the applicant, a respondent in the case before the tribunal, had neither submitted a response, nor did he raise any objection over the election petition being time-barred there. The tribunal had granted extra time to the applicant (MNA Anjum Aqeel Khan) for submission of his reply, yet he had failed to submit his reply; he alleged that the application had been filed with malicious intent to cause damage to the answering respondent's lawful cause - as the application was vague, cursory, and based on surmises and had been prepared on a misunderstanding of law on whim-

sical basis. ***The applicant had brought the presiding officer of the tribunal into ridicule, hatred and contempt*** - aimed at delaying the proceedings before the tribunal.

After hearing the arguments, the ECP reserved its decision on the tribunal transfer case.

ELECTION TRIBUNALS STAYED BY IHC:

On 13th June 2024: The Islamabad High Court (IHC) stayed the proceedings of the newly-appointed Election Tribunal against the election results from the federal capital's three National Assembly seats won by PMLN candidates. IHC Chief Justice Aamer Farooq in a two-page written order stated: *'The proceedings before the Tribunal, constituted vide notification dated 07-06-2024 are stayed. Let main case as well as all pending applications be listed for 24-06-24.'*

- **[On 10th June 2024;** the ECP ordered the transfer of the petitions against the three MNAs from the capital, to the tribunal led by former Justice Shakoor Paracha.]

According to the IHC's written order, the ECP's transfer order was without lawful authority, and the reasons provided by the ECP were erroneous. In the transfer application, allegations of bias were levelled against the tribunal's presiding officer, who was a judge of the IHC. However, no justification or basis for these allegations was provided. That the ECP had wrongly exercised its jurisdiction by invoking Section 151 of the Elections Act, 2017. Also, that the language used against the tribunal was **'contemptuous, vexatious and scandalous'**. Reading of the transfer application shows that *in ground-f of the application, contemptuous language has been used*; CJ Aamer Farooq had expressed anger over the change of the Election Tribunal in Islamabad.

Justice Aamer also inquired:

"Why the tribunal has been changed? The government explain to me that this amendment was abolished years ago, and now they have brought it through an ordinance. How can the acting president issue an ordinance? What was the emergency that the ordinance came overnight? Let the system remain a system."

The petitioner challenged vires of Section 151 of the Elections Act, 2017, along with Ordinance No5 of 2024 and the order dated 04.06.2024 passed by the Election Commission of Pakistan (ECP). Prayed to the court to declare Ordinance V of 2024, namely, the Elections (Amendment) Ordinance, 2024, maybe declared ultra vires; adding that the ECP may be restrained from hearing the application for the transfer of tribunal filed by respondent No 03.

Till 12th October 2024: Only eleven percent (11%) petitions could be disposed of, as ***the election tribunals disposed of only 40 petitions out of the 334***. The FAFEN, systematically tracking the election results' disputed being heard by election tribunals, in its report claimed that legally-preferred deadline had lapsed for many petitions. The FAFEN claimed the tribunals were legally required to dispose of all petitions within 180 days of filing, subject to the time spent resolving objections on petitions. However, the ECP much later notified eight election tribunals in Punjab after a prolonged legal disagreement with the Lahore High Court; those tribunals had yet to commence proceedings till October 2024. The slow pace of disposals in other provinces, coupled with the late start of tribunals in Punjab, made it unlikely that all pending petitions would be resolved.

Of the 40 disposed of petitions, only four pertained to National Assembly seats, while the remaining 36 related to Provincial Assembly seats. Regionally, Baluchistan tribunals disposed of more than half of their petitions (28 out of 51), Khyber PK (KP) tribunals resolved 10 percent (four out of 42), and Sindh tribunals resolved seven percent (six out of 83). In Punjab, only two out of 155 petitions were decided, and none of the three petitions from Islamabad Capital Territory (ICT) had resolved. With the exception of two tribunals in Baluchistan, no tribunal rendered verdict of any petition after a full trial. Most of the petitions were dismissed on technical grounds.

About the National Assembly, two petitions from Sindh and one each from Baluchistan and KP were resolved. For Provincial Assemblies, 27 petitions from Baluchistan, four from Sindh, three from KP, and two from Punjab could be resolved till October 2024.

Of the 40 disposed petitions, three were accepted, and 37 were dismissed. The three accepted petitions were filed by losing candidates for the Provincial Assembly seats in Baluchistan – two by Jamiat Ulema-e-Islam Pakistan (JUIP) and one by a National Party (NP) candidate. These petitions were filed against winning candidates from the Pakistan People's Party Parliamentary (PPPP) and Baluchistan Awami Party (BAP). In all three cases, re-polling in specific polling stations was ordered.

Among the 37 dismissed petitions, 11 were deemed non-maintainable due to non-compliance of mandatory legal requirement in filing the election petitions, 15 were dismissed for lack of evidence, seven were withdrawn by the petitioners, two were dismissed for non-prosecution, and the reasons for two could not be determined due to unavailable judgments. Among the dismissed petitions, nine each were filed against returned candidates of PMLN and PPPP, six against PTI-backed independents, four against JUI-P, three against unaffiliated independents, two against NP, and one each against returned candidates from BNPA, BNP, Muttahida Qaumi Movement Pakistan (MQMP), and BAP.

According to the petitions tracked by FAFEN, the election outcome in more than one-third (36 percent) of geographical constituencies across the National Assembly and four Provincial Assemblies were challenged. This proportion was consistent with the disputes raised following the 2013 and 2018 General Elections, during which 385 and 300 election petitions, respectively, were processed by the tribunals.

For Provincial Assemblies, 211 out of 593 geographical constituencies (36 percent) had their election results challenged. This included 32 percent of constituencies in the Punjab Assembly, 38 percent in the Sindh Assembly, 73 percent in the Balochistan Assembly, and 25 percent in the KP Assembly. Losing candidates of PMLN filed 33 petitions, nine for the National Assembly and 24 for Provincial Assembly constituencies (22 Punjab Assembly and one each for KP Assembly and Baluchistan Assembly). Of these, 32 petitioners were runners-up in their constituencies, while one finished in third place.

PPPP candidates filed 26 petitions – four for National Assembly and 22 for Provincial Assembly constituencies (10 Sindh Assembly, seven Baluchistan Assembly, three KP Assembly, and two Punjab Assembly). Of those, 20 PPPP petitioners were runners-up, while the remaining six placed third in their respective constituencies. JUI-P filed 24 challenges – four for National Assembly and 20 for Provincial Constituencies (nine Baluchistan Assembly, six Sindh Assembly and five KP Assembly). Unaffiliated independent candidates filed 23 challenges – six for National Assembly and 17 for Provincial Assembly seats. Candidates from GDA filed six challenges – one for National Assembly and five for Provincial Assembly constituencies.

Scenario 281**WORLD MEDIA ON ELECTIONS-2024**

See an article published at [//TIME.com](https://www.time.com) dated 9th February 2024:

- **Preliminary results of Pakistan's election Thursday seem to show surprising success by Imran Khan's repressed PTI party. What that means for the future of the country is uncertain.**
 - Charlie.Campbell@time.com

"He's been shot, jailed, had his political party effectively banned, and name purged from mainstream media. But you just can't keep Imran Khan down.

Preliminary results from Thursday's election in Pakistan seem to show that independent candidates affiliated with Khan's Pakistan Tehreek-e-Insaf (PTI) party have a chance of securing a plurality of legislative seats despite myriad irregularities, which continued through polling day, designed to hobble such an outcome.

The PTI already had its famed cricket-bat logo banned, and a nationwide suspension of cellphone networks on Thursday (8th Feb 2024) hindered party officials from informing supporters of their preferred independent candidate for each constituency. (The government claimed the blackout was for security reasons despite such measures being deemed illegal by Pakistan's High Court.) In addition, exit polls were banned and the PTI complained that their agents were barred from monitoring polling stations. 'The amount of rigging going on is beyond ridiculous,' Zulfi Bukhari, a former Minister of State under Khan, tells TIME.

Still, when results finally started trickling in—over 10 hours later than customary, which in itself observers say is highly suspicious—the PTI was neck and neck with the Pakistan Muslim League-Nawaz (PML-N) of three-time former Prime Minister Nawaz Sharif, with the

Pakistan People's Party (PPP) led by Bilawal Bhutto Zardari, son of assassinated ex-Prime Minister Benazir Bhutto, in third place.

Sharif is the preferred candidate of Pakistan's powerful military, which, despite backing his ouster thrice in the past, recently allowed the 74-year-old back from exile in the U.K., quashed his corruption conviction, and repealed his lifetime ban from politics. Sharif's speedy rehabilitation stood in stark contrast to the generals' Khan-and-PTI purge.....

Yet even if the PTI against all odds secures a plurality of legislative seats, many obstacles to forming a government remain.

*Since its lawmakers are officially independents, there's no obligation for them to vote along party lines for key appointments, raising the prospect of coerced defections. Moreover, the PTI is not eligible to its share of the National Assembly's **70 "reserved seats" for women and minorities** that are divvied up according to a party's proportion of the overall vote. And then there's the fact that Khan, 71, remains in prison and was unable to stand as a lawmaker himself. Even before the vote, there were widespread rumors of a power-sharing pact between the PML-N and PPP, with Sharif serving as prime minister and Zardari as president. A coalition between the two remains the most likely outcome.*

Still, the strength of PTI's showing is a bloody nose for Pakistan's military, which previously backed Khan before his 2018 election victory. However, the generals fell out spectacularly with the former national cricket captain and engineered his ouster in an April 2022 no-confidence vote. Since then, Khan has survived an assassination attempt and weathered a tsunami of over 180 legal challenges. In recent weeks alone, he received prison sentences totaling 31 years for corruption, leaking state secrets, and having an "un-Islamic" marriage.

Yet his popularity remained strong leading up to the vote, especially among young Pakistanis, with voters aged 18-35 comprising 45% of the nearly 130 million-strong electorate. 'It's very clear that to see PTI exceed expectations is absolutely a big blow, says Michael Kugelman, director of the South Asia Institute at the Wilson Center.

The Pakistani public and political class now await the full results and, no doubt, much horse-trading to come. The nuclear-armed

nation of 240 million can little afford a power vacuum with whoever ends up taking the top job facing no shortage of crises. Pakistanis are suffering with Asia's highest inflation, which reached 29.7% year-over-year in December (2023). The South Asian nation only narrowly avoided a sovereign default last summer due to a \$3 billion IMF bailout and a new deal by next month is thought essential to avoid economic collapse.

Pakistan also faces an increasingly tense security situation on its borders. Despite strong historic ties with the Afghan Taliban, Islamabad has recently fallen out with Kabul over cross-border terrorist attacks and Pakistan's expulsion of hundreds of thousands of Afghan refugees, many of whom have lived inside the country for decades. And last month, Pakistan and Iran exchanged tit-for-tat air strikes on alleged militant bases on each other's territory. What's more, Islamabad recently accused India of running an assassination campaign inside its territory, further fraying ties with its historic nemesis to the east.

And presuming Pakistan's military continues to pursue its goal of shutting the PTI out of power, the question remains how PTI supporters will react to their disenfranchisement, not least given the grim state of the economy. On May 9, PTI supporters ransacked military premises in response to an earlier, fleeting arrest of Khan. He may remain behind bars, but Thursday's election shows the sporting icon is far from done as a political force.

'The military wants the next government to focus on economic recovery and clearly hoped it could put the Imran Khan genie back into the bottle by having him in jail for a few years. But the challenges are only going to grow because the PTI base will only become more aggrieved', says Kugelman."

LEVEL-PLAYING FIELD FOR ALL?

Taking start from a little before the election-2024, **BBC** dated **31st January 2024** observed that:

"Pakistan is in unprecedented times. Anger, disappointment, and hope are all intertwined. This Muslim-majority country of 241 million is about to vote in a civilian parliament for the third

*time in a row. **But the 8 February vote is still taking place in the shadows of alleged interference (by many).***

No election in the country's history was held without its controversies, but this one was racking up more than most - not least the fact one former prime minister (Imran Khan) was kept behind bars, unable to stand and contest, while another (Nawaz Sharif) re-emerged from self-imposed exile, his criminal convictions were also swept away and also providing him state protocol, facilities and unprecedented welcome everywhere."

Elections 2024's importance: Pakistan has been an arch-rival to India, shares volatile borders with Iran and Taliban-controlled Afghanistan, has a love-hate relationship with the USA and (still) is a close friend of China – and a nuclear-armed state. In 2022, the country's politicians jointly ousted Imran Khan, the last elected prime minister, and replaced his administration with a coalition government – called PDM. That coalition was replaced by an unelected caretaker government in August 2023, which should have held elections by November that year but delayed by the Election Commission of Pakistan (ECP) till the Supreme Court of Pakistan's explicit orders to hold elections on 8th February 2024.

However, a quick look at the election results suggested lack of stability and solidity. ***After six years of exile in a luxury London flat – Nawaz Sharif was back. During the last two months - just in time for the 2024 election - he was cleared of all corruption charges and the lifetime ban through swift proceedings by the high-judiciary of Pakistan.*** Many speculated that the support he garnered was mainly from the military establishment; but Sharif had also a hunch and instinct that the army could turn his royal-table any time as happened to him in October 1999.

Imran Khan, 71, was not there on 2024's ballot; he was behind bars serving a sentence he and his supporters decried as ***'politically motivated and a conspiracy'***. His rise to power - and fall from grace - had both been attributed to the army, despite denials from both sides. His opponents in 2018 accused him of being their proxy, while his supporters alleged the army chief was behind his jailing.

Back in 2018, the PTI leader Mr Khan was portrayed as a ***'candidate of CHANGE'***, promising to end dynastic politics, ensure accountability of corrupt politicians, reform the judiciary and create jobs for young people as part of a revamped economy. But under his rule, the cost of living soared, many

of his political opponents were jailed but with no cogent results, media freedoms were curbed, zero attention was given to EDUCATION & LITERACY, industrialization and infra-structure development.

And yet, a Gallup poll [gallup.com.pk/post/35889], available on all media pages of 10th January 2024 - found ***Mr Khan was still the most popular politician nationally***, though Sharifs had closed the gap considerably in the previous six months. Meanwhile, with just a week to go until the vote, Pakistani courts handed down two more sentences to Khan, who was already serving three years.

There were significant concerns the PTI was not being given a fair chance to campaign. Many of its leaders were behind bars or had defected, its candidates were having to stand as independents and others were on the run. The party was also stripped of its cricket bat symbol, essential to help millions of illiterate voters choose where to mark their ballots.

The above said moves forced PTI-backed candidates, who were running as independents, to use other symbols instead, including calculators, bulbs, heaters and dice etc. Electoral symbols play a key role in a country where more than 40% were unable to read. Other tactics were also used to prevent their candidates from campaigning for and winning seats, including locking up PTI members and supporters and banning them from holding rallies, effectively forcing them underground or fleeing away from their home towns. Imran Khan was serving 14 years in prison, having been sentenced in three separate cases in the space of five days within the earlier week.

See the **BBC's assessment** of political positions BEFORE ELECTIONS-2024; its media analysis dated 5th February 2024 is referred:

"Many Pakistanis are frustrated that his [Mr Khan's] economic and anti-corruption pledges have rung hollow, but his popularity has not waned even from behind bars.

A Gallup opinion poll in December showed his approval ratings stand at 57%, putting him narrowly ahead of rival Nawaz Sharif with 52% of the votes. A Bloomberg survey last month showed Khan to be the top pick among some Pakistani finance professionals to run the country's failing economy.

Some citizens say Khan sparked a political awakening by portraying himself as a 'change candidate' who promised to end dynastic politics. (It was Imran Khan and his party who explained to a villager like me how two parties plundered the wealth of the nation. He taught us how to vote for change; said farmer Muhammad Hafeez, who lives in Nabipura, a village in Punjab)."

At just 35, **Bilawal Zardari** was the chairman of the Pakistan People's Party (PPP), which came third at the last election; but it was as little surprise in a country where dynastic politicians are the norm, rather than the exception. The Oxford-educated son of former PM Benazir Bhutto - assassinated in 2007 - and former president Asif Ali Zardari, he served as foreign minister during the coalition [PDM] government which followed Imran Khan's ousting.

For elections 2024, Bilawal and his party produced a manifesto making a series of expensive pledges, like doubling wages, claiming the budget could be found through government cuts and subsidies for the wealthy. However, it was unlikely the party could win the chance to enact these policies; and political pundits had suggested it could end up a kingmaker in a governing alliance. Speaking to the BBC (*its analysis dated 31st January 2024 is referred*), he said he felt that a decision between the PMLN and PTI put him **'between the devil and the deep blue sea'**.

Much before elections 2024, **Tariq Khosa – a former Police Chief** wrote on media pages:

"In the current environment of spin and cynicism, the choice given to the people is simple: keep your head down and survive, or raise your head and challenge the atrocities and suffer the consequences.

The response must be a principled one: it should be refusal to be part of an immoral, devious regime and a commitment to bring a change through ballot, by being brave enough to reach the polling stations on Feb 8 and casting their votes. Then it would be the test of those who will count the votes. Will they defy the choice of the electorate or become part of a shameless legacy of yet another rigged election?"

– daily **DAWN** dated 3rd February 2024 is referred.

Pakistan is such an unfortunate nation that the western research / media institutions had categorically stated that February 2024's elections in Pakistan would NOT BE DIFFERENT than the earlier ones. See an analysis by Michael Kugelman which appeared in the **FOREIGN POLICY** Magazine of Washington on 7th February 2024 – just a day before the elections:

"Pakistan readies for elections that will follow the usual script. A top Pakistani political party [PTI] is subjected to a harsh crackdown ahead of national elections. Its members are harassed, abducted, and arrested. Media outlets are pressured not to cover any of the party's activities, and critics of this repression are silenced. The party's top leader is given a long jail sentence on the eve of the polls.

This was the situation for the PMLN in 2018. Today, the PMLN is contesting Pakistan's Feb. 8 elections with no problems, and it is former Prime Minister Imran Khan's PTI party that is receiving this treatment. Hundreds of PTI supporters have been arrested, the party's top leadership is hollowed out, and the already-imprisoned Khan received three new sentences within 10 days of Thursday's vote."

The PTI's plight was an especially intense manifestation of a long-running pattern in Pakistan: Somebody else used a range of tactics to shape the electoral environment in its own way. What happened in the lead-up to the 8th February elections was not new, but the backdrop it played out against some 'objectionable people' was unique. The country was facing a convergence of acute crises: economic stress so severe that the upper classes were also feeling the pinch, upsurges in terrorism, worsening border tensions, and dangerous levels of political polarization. After Mr Khan was arrested in May 2023 on corruption charges, protesters attacked military facilities, including Pak-Army's GHQ in Rawalpindi.

Rarely had political violence taken such direct aim at Pakistan's military, which had long held a sanctified status. The military dramatically ramped up its crackdown against the PTI; in turn, PTI's anger with the military surged, fueling a crisis of confidence that went deep: Some military officers had reportedly faced discipline proceedings for retaining support for Khan.

Social media has in part aggravated this anger and polarization leading into the elections. PTI supporters vented on online platforms, and some hardliners developed large followings by directing withering criticism at the military on social media. Many vocal PTI supporters turned to anonymous accounts, fearing retaliation by the state that had restricted internet access during the party's online campaign events. The outcome of the elections next day was unlikely to be stabilizing. Despite everything, Khan's PTI was rallying its supporters with ***get-out-the-vote calls*** and contesting elections with independents on the ballot.

That general elections could set the stage for a new crisis, both political and of economy—especially if PMLN's Nawaz Sharif, who had scuffled with the

Army during his previous terms as prime minister, returned to power. Sharif's relationship with the military was stressed and strained till that day. That day, he was back in the military's good graces: His experience likely made the military think he could stabilize the economy—and he was a bitter rival of Khan, too. *'Any fresh political tensions could distract policymakers from addressing critical social, economic, and security challenges, just as Khan's confrontation with the military did. For many Pakistanis, those elections could be the latest sequel of a movie they prefer not to watch'*; above quoted **FOREIGN POLICY Magazine** is again referred.

IMRAN KHAN LOST POWER OPTIONS:

Pakistan's general elections were held on 8th February 2024, with widespread accusations of rigging and corruption, prompting opposition parties and observers within and beyond Pakistan to question the legitimacy of the official results. The unfolding of the electoral process dealt a significant blow to Pakistan's democratic journey, casting doubt on its commitment to upholding credible and legitimate democratic governance.

A research paper written at the Institute of South Asian Studies (ISAS), an autonomous research institute in the National University of Singapore (NUS) and placed on media pages on 11th April 2024 noted with concern that:

"More than a month after the general elections in Pakistan, the results have left more questions than answers. The allegations of rigging and 'mandate stealing', election-day violence and the delay in receiving the official poll results have called into question the reliability of the February 2024 elections and their outcome. Prime Minister Shahbaz Sharif and the Pakistan Muslim League-N led coalition are set to begin their new term at the outset of political and economic instability. Pakistan's economic challenges, including its heavy reliance on International Monetary Fund and its declining democratic values spotlight grave concerns over the country's future."

CONTROVERSIES AROUND IMRAN KHAN:

The election process was overshadowed by controversies around former prime minister, Imran Khan, and his party, the Pakistani Tehreek-e-Insaf

(PTI). Khan's imprisonment and the continued harassment of his party members deeply troubled many voters. Moreover, the PTI encountered significant obstacles as numerous nomination papers for its candidates mysteriously disappeared or were rejected. The PTI-backed candidates further encountered physical obstructions during the nomination submission process. Additionally, the Election Commission of Pakistan (ECP) opted to ban the use of the cricket bat, the party's iconic symbol, forcing a majority of PTI's candidates to run as independents during the elections.

Elections-2024 apparently marked the triumphant return of Nawaz Sharif, who had been residing in exile in the United Kingdom since 2018. After years of leading the Pakistan Muslim League-N (PMLN) remotely, Nawaz made a powerful comeback, controversially seeing his court cases dismissed. Finally, in contemporary Pakistani politics, there has been a prevalent understanding that the army, *the 'establishment'*, mostly operated as the kingmaker in the country, still seen touching heights. Initially backing Khan, the army allegedly orchestrated his ouster following his critical remarks against the establishment.

The polls-2024 were marred by significant controversy, with widespread allegations of rigging favouring PMLN and its allies. International observers, including the United States (US), were critical of the conduct of the elections. By the late hours of Election Day, surprising both the establishment and their adversaries, the PTI-backed independent candidates were notably ahead of their main rival-parties.

However, the initial spark of hope for Khan and his supporters quickly faded as the opposition experienced a sudden resurgence in votes. This shift raised concerns of political manipulation, with results seemingly changing overnight in areas. Candidates, particularly PTI-backed independents, alleged tampering with voting figures (via Forms 45 & 47) to ensure their defeat. These claims found support from international observers, commentators, and Pakistani political figures including Maulana Fazlur Rehman of JUIF. Most media outlets and TV channels had openly criticized the electoral process for lacking transparency and accountability altogether.

Following the polls, widespread turmoil ensued, accompanied by authentic reports regarding power-sharing arrangements between two traditional rivals, PMLN and PPP. Gohar Ali Khan and the PTI-backed independents tried to assert they had enough seats for a majority; but practically it was not true. Tensions escalated when the Election Commissioner of Rawalpindi, Liaqat Ali Chatha, claimed his involvement in election result manipulation, implicating the Supreme Court and Chief Election Commissioner. The PTI initially supported his claim, but *Chatha later retracted*.

Amidst a haze of political maneuvering, it became evident that the coalition that the new government would be spearheaded by PMLN and Asif Ali Zardari. In the late hours of 13th February 2024, a breakthrough occurred as several prominent parties announced their intention to join the coalition government. Nawaz's PMLN emerged as the election winner, poised to lead a coalition that included the PPP, Muttahida Quami Movement [MQM], Pakistan Muslim League Quaid [PMLQ], Istehkam-e-Pakistan Party [IPP] and the Baluchistan Awami Party [BAP]. The PTI was made to sit on the opposition benches and it pledged to vigorously protest the election results in the near future.

Moreover, to have representation in parliament, the PTI members formed a coalition with the ***Sunni Ittehad Council*** (SIC), enabling them to qualify for the 60 reserved seats for women and religious minorities and making a last-ditch effort to form a government; however, their efforts were unsuccessful, as the *Supreme Court ruled the SIC had violated the requirements for the mandatory submission of the party list for reserved seats, thus making them ineligible to receive any seats from the quota.*

Initial reports of a power-sharing formula, with the Prime Minister's office alternating between the parties, were rejected by the PPP but a consensus on the new government's details was reached late on 20th February 2024. The president of PMLN, Shehbaz Sharif, confirmed meeting the required seat numbers with the PPP's support to form the next government.

On 4th March 2024, amidst weeks of rumours, allegations, protests and confusion, Shehbaz took oath as the prime minister of Pakistan, with his cabinet sworn in on 11th March 2024, which included notable figures from all parties; Zardari was elected Pakistan's president for the second time. On the provincial front, Ali Amin Gandapur of the PTI became Chief Minister of Khyber Pakhtunkhwa, Sarfaraz Bugti of the PPP in Balochistan and Murad Ali Shah of the PPP in Sindh. In Punjab, Maryam Nawaz, daughter of Nawaz, made history as the first female chief minister. The PTI formed only one provincial government, and in the national assembly, Khan's prime ministerial candidate, Omar Ayub Khan, was named the leader of the opposition.

Leaving aside the then top issue of delaying the acquisition of funding from the International Monetary Fund (IMF), *another urgent concern for Pakistan was the increasingly vocal public dissatisfaction with the country's state of political affairs.* The army was facing significant criticism from the masses, with the recent elections demonstrating strong support for Khan and the PTI among the voters. Unofficially, Pakistan was operating as a deep state, where the security establishment appeared to hold greater influence than the civilian leadership. The 9th May 2022 riots marked the steadfast protests against

the army in country's history. Additionally, figures closely aligned with the establishment, such as the Sharifs, were also facing scrutiny regarding their loyalty and ability to govern justly. Nawaz's historically turbulent relationship with the army reflected dynamics of both benefiting from their support and enduring their authority.

*"Finally, according to the **Economist's Democracy Index 2023**, Pakistan experienced the greatest decline of any country in the region, dropping 11 places to 118th globally, with its score falling to 3.25. The index highlighted meddling in the electoral process, government dysfunction and severe curtailment of judicial independence. Moreover, Pakistan was the only Asian country downgraded from a **'hybrid regime to an authoritarian regime'**, with the army cited as the primary force behind Khan's downfall, intentionally hindering his party's day-to-day operations. Furthermore, the Freedom in the World Report of 2023 ranked Pakistan 35 out of 100, a slight decrease from 2022. Pakistan also dropped from 161st to 164th position in the United Nations (UN) Human Development Index, and on the UN's E-Government Development Index, it ranked at 150 of 193, with a ranking of 106 of 193 on the E-Participation Index, based on data collected in 2022."*

NUS's Research Paper, written by *Dr Imran Ahmed & Saad-ul-Haq*, published on world media pages dated 11th February 2024 is referred again.

Pakistan's 2024 general elections marked a crucial juncture in the country's history. Allegations of rigging and corruption had cast a shadow over the integrity of the electoral process, stirring doubt and controversy over their results. However, the polls also served to showcase the profound popular support garnered by Khan and his political party, the PTI. The electoral success of PTI-backed candidates demonstrated protest against the establishment's political machinations, a rejection of the army's political choices as well as a deep-seated disillusionment and frustration with the political landscape of Pakistan.

DEMOCRACY OR FAMILY AFFAIRS: **FOREIGN MEDIA OPINIONS**

[Referring to the **AP NEWS** dated 10th February 2024:

"Pakistani politics is a family affair. Maryam Nawaz Sharif is the daughter of ex-premier Nawaz Sharif. Bilawal Bhutto-Zardari's

mother is the assassinated premier Benazir Bhutto. Benazir's father was Zulfikar Ali Bhutto, also a prime minister.

Maryam Nawaz and Bilawal increased their public visibility in recent years, him with his stint as foreign minister, and her taking on a greater role in party politics, especially during her father's four years of self-exile abroad in the UK to avoid prison sentences.

While Bilawal has been PPP's chairman since 2007 and is likely to be prime minister at some point because of his lineage, Maryam is being groomed for the top job and has been cast as heir of the PMLN, over her uncle Shehbaz and his son Hamza.

She accompanied her father at rallies, giving fiery and uncompromising speeches, and escorted him on polling day when he went to cast his vote. If she doesn't get a role in the cabinet, her father could slot her into the job of chief minister of Punjab province, seen as a stepping stone to the premiership.^{7]}

EU: Pakistani authorities should investigate election irregularities:

Referring to the **DUNYA NEWS** dated 9th February 2024 [at 23:26:54 PKT].

Josep Borrell, High Representative of the European Union for Foreign Affairs and Security Policy, said in a statement on Friday (9th Feb 24):

"In response to claims of election tampering in Pakistan, the European Union has urged the authorities to guarantee a prompt and comprehensive investigation of all documented irregularities in the elections and to execute the suggestions of the forthcoming EU Election Expert Mission report. The EU welcomes the increased number of women registered to vote compared to the last elections.

We regret the lack of a level-playing field due to the inability of some political actors to contest the elections, restrictions to freedom of assembly, freedom of expression both online and offline, restrictions of access to the internet, as well as allegations of severe interference in the electoral process, including arrests of political activists. We therefore call upon the relevant authorities to ensure a timely and full investigation of all reported election irregularities and to implement the recommendations of the upcoming EU Election Expert Mission report.

The participation by the Pakistani people to exercise their right to vote, despite systemic barriers still faced by women and persons belonging to minorities, demonstrates their commitment to democracy and the rule of law."

On 10th February 2024; there was much hue and cry in international media. While UN Secretary-General Antonio Guterres expressed concern about suspension of mobile communications services and violence in Pakistan on election day, the European Union and the US adopted cautious response with the former seeking investigation into irregularities - saying that ***'the State Department is looking forward to timely, complete election results that reflect the will of the Pakistani people'***.

UN spokesperson Stephane Dujarric said:

"It is important for all candidates and supporters to ensure that human rights and the rule of law are fully respected in the interest of the Pakistani people and (to) resolve any disputes that might arise through established legal procedures."

EU & US demand probe: In a statement on the general elections in Pakistan, the European Union [EU] said:

"We regret the lack of a level playing field due to the inability of some political actors to contest the elections, restrictions to freedom of assembly, freedom of expression both online and offline, restrictions of access to the internet, as well as allegations of severe interference in the electoral process, including arrests of political activists."

We therefore call upon the relevant authorities to ensure a timely and full investigation of all reported election irregularities and to implement the recommendations of the upcoming EU Election Expert Mission report."

The US State Department said:

"Millions of Pakistanis made their voices heard by voting in Pakistan's elections on February 8, with record numbers of Pakistani women, members of religious and ethnic minority groups, and youth registered. We now look forward to timely, complete results that reflect the will of the Pakistani people."

*We join credible international and local election observers in their assessment that these elections included undue restrictions on freedoms of expression, association, and peaceful assembly. **We condemn electoral violence, restrictions on the exercise of human rights and fundamental freedoms, including attacks on media workers, and restrictions on access to the Internet and telecommunication services, and are concerned about allegations of interference in the electoral process.***

Comments from UK: In a statement on Pakistan's elections, UK Foreign Secretary Lord Cameron's statement said:

"...we recognize, however, serious concerns raised about the fairness and lack of inclusivity of the elections. We regret that not all parties were formally permitted to contest the elections and that legal processes were used to prevent some political leaders from participation, and to prevent the use of recognizable party symbols.

We also note the restrictions imposed on internet access on polling day, significant delays to the reporting of results and claims of irregularities in the counting process."

International media, too, hinted towards the lack of credibility and rigging. THE ECONOMIST called the election "rigged", stating that '**confusion reigns in Pakistan's rigged election**'. Weekly TIME published an analysis with the title: "**Pakistan's elections are being brazenly rigged. Why doesn't the US seem to care?**", which summed up the chronological history of PTI after the 9th May riots and the expectations of the International Community from these elections.

Referring to the daily **DAWN** dated **1st March 2024**:

"33 US lawmakers, all Democrats like President Biden, in their joint letter, expressed concerns about pre- and post-poll rigging in Pakistan's parliamentary elections of 2024. They called for a transparent and credible investigation before recognizing a new Pakistani government, citing evidence of violations and disruptions on 8th February 2024 – the polling day.

The lawmakers brought attention to concerns about post-poll rigging, citing delays in reporting results, video evidence of abuses, and discrepancies in vote totals. They referenced reports by nonpartisan

observers, which highlighted the necessity of a transparent and credible audit process before acknowledging a new Pakistani government."

Members with influence in Michigan, and who signed the letter, were Rashida, Ilhan Omar, and Andre Carson. Pramila Jayapal, the chairperson of the Progressive Caucus and who often advocates for the Kashmir cause, has endorsed the letter. Additionally, Chair Emeritus Barbara Lee and Whip Greg Casar had also added their signatures.

The dispute centers around discrepancies between polling center results issued to candidates and the final constituency-wide tally. The lawmakers noted that respected election monitors, human rights organizations echoed these findings. They stressed the importance of a comprehensive investigation and adherence to democratic principles.

REUTERS on media pages of 10th February 2024:

"The United States, Britain and the European Union have separately expressed concerns about Pakistan's electoral process in the wake of a vote on Thursday and urged a probe into reported irregularities. The main battle was between former Prime Minister Nawaz Sharif's party and candidates backed by ex-prime minister Imran Khan. Both declared victory separately.

The US and the EU both mentioned allegations of interference, including arrests of activists; claims of irregularities, interference and fraud should be fully investigated.

Imran is in jail and his Pakistan Tehreek-e-Insaf (PTI) party has been barred from the polls. Independents, most of them backed by the PTI founder, had won the most seats — 98 of the 245 until early hours of the day — while Nawaz's Pakistan Muslim League-Nawaz (PML-N) party had won 69 seats."

The EU statement noted a lack of a level playing field, attributing that to the inability of some political actors to contest the elections and to restrictions to freedom of assembly, freedom of expression and internet access. The US State Department said there were **"undue restrictions"** on freedoms of expressions and assembly while noting violence and attacks on media workers. Both Khanna and Omar urged the State Department not to

recognize a winner until investigations are conducted into allegations of misconduct.

- **Michael Kugelman**, director of the South Asia Institute at the Wilson Center think tank in Washington, said both EU and US State Department statements were ***"relatively mild ... considering the great scale of the rigging that went down."***

Earlier that week, the UN human rights office denounced violence against political parties and candidates. It voiced concern over the "*pattern of harassment, arrests and prolonged detentions of leaders and supporters*" of Khan's party. Great Britain's David Cameron's statement noted ***"serious concerns raised about the fairness and lack of inclusivity of the elections."***

MORE OBSERVATIONS OF FOREIGN MEDIA:

Referring to the **theintercept.com** by **Ryan Gim** on 12th Feb 2024:

On Election Day Thursday, polling locations were randomly changed and the internet and cell service was taken down. Western media described the race was over, a fait accompli for the blue-eyed candidate Nawaz Sharif. And yet....

"And yet. Pakistani voters came out in such historic numbers that it caught the think-tanks off guard.... they were swamped by the tsunami they didn't see coming.... they had allowed individual polling locations to release official vote tallies, which parties and TV broadcasters could then total up themselves....According to those broadcasts, watched by millions of people, PTI (or 'independents') candidates had won 137 seats by official counts, well on their way to a majority (there are 342 seats in the National Assembly; 266 are filled by direct elections). There were another 24 seats Opens in a new tab where 90 percent of the vote was counted and PTI was ahead. It was a clear landslide....

Then the people saw shutting down the ECP's website and halting the count; police forces surged into polling locations. Fantastical numbers began to be announced, sometimes just reversing the totals so the winner became the loser. The top state-managers were

clearly unprepared to steal such a resounding victory, and the obviousness of the fraud forced politicians in the UK and US, including even the State Department, to denounce it."

*All of this put the US State Department in a difficult position. It's widely known the **US was no fan of Imran Khan**. The US prefers to work directly with the Pakistan military as a check against China. Khan has long said he wants a better relationship with the US, yet we refused to believe him – **our preferred approach was to oust him, put in more pliant clients.***

On Thursday afternoon at the State Department, told spokesperson Vedant Patel, that if PTI candidates won the election, they would be coerced into changing parties - would the US recognize such a government? One winning candidate, Waseem Qadir, had already flipped. Elected to the national assembly as a PTI-affiliated independent, he claimed he was abducted and was then supporting Nawaz Sharif's party. Skeptics believed he was actually bribed, not tortured - but either way, neither scenario was remotely democratic.

Similar was the story for police raiding the Sialkot home of Usman Dar. At the time, Dar was an opposition candidate representing Khan's PTI; a video showed Pakistani police officials assaulting Dar's elderly mother, Rehana Dar, in her bedroom. Dar's brother, Umar Dar, was also picked up. Rehana Dar was a political beginner, an angry mother who represented the country's frustration with its ruling elite....Nevertheless, she persisted. On Thursday night, election night, with her son Umar still in custody, she shocked the country. With 99 percent of precincts counted, she had beaten that lifetime politician, Khawaja Asif, with 131,615 to 82,615 votes.

- ***Then came one more twist — one that many in Pakistan expected, but which was still shocking. When the full results were announced, Dar's total had been reduced by 31,434 votes, while Asif gained votes, and he was declared the winner.*** Across the country, similar reversals are flowing out from Pakistan's election commission.

But in several key races, results had suddenly swung toward the PMLN allegedly - after hours of unexplained delays. In the NA-128 constituency, where the PTI-backed candidate was senior lawyer Salman Akram Raja, Raja was leading with 100,000 votes in 1,310 out of 1,320 polling stations. On Friday, he was trailing by 13,522 votes. He took the case to high court, which granted him a stay and stopped the ECP from announcing the winner pending

further investigation. Following his lead, multiple PTI candidates had announced that they would take their cases to court – how simple were those losers – ***‘the COURTS were not encouraged to hear such flimsy petitions those days’***.

Returning Officer (RO) from NA 130 from where NS was declared winner against Dr. Yasmin Rashid - was sent on medical leave same day.

See **the TELEGRAPH** dated 9th February 2024:

"Provisional results revealed high turnout for Mr Khan's candidates, even though the former premier and his wife, Bushra Bibi, have been sentenced to seven years in prison after a district court ruled their 2018 marriage violated the law. It was the third sentence for Khan and the second for his wife this week. Mr Khan claimed victory in a video message created using artificial intelligence. The jailed former prime minister rejected his rival Nawaz Sharif's earlier claim to victory, calling on his supporters to celebrate."

Mr Sharif on 9th February 2024 night admitted his party had been unable to secure an outright majority and said he would enter coalition talks with other parties. David Cameron said there were serious concerns about the fairness of the elections. 'We regret that not all parties were formally permitted to contest the elections and that legal processes were used to prevent some political leaders from participation, and to prevent the use of recognisable party symbols - that Britain also noted restrictions imposed on internet access on polling day'.

The US called for an investigation into allegations of electoral fraud:

"We join credible international and local election observers in their assessment that these elections included undue restrictions on freedoms of expression, association, and peaceful assembly. We condemn electoral violence... and are concerned about allegations of interference in the electoral process. Claims of interference or fraud should be fully investigated."

'Even if the PTI was unable to form a government, the elections showed there were limits to political engineering,' said Bilal Gilani, executive director of **Gallup Pakistan**.

The TELEGRAPH said further that early incomplete results after polling closed on Thursday evening hinted at strong PTI support. Results slowed to

a trickle overnight, leading to accusations the counting process was being slowed so that results could be manipulated; results in as many as 50 constituencies had been changed after PTI's strong showing became clear. *The authorities backing Mr Sharif had underestimated public support for Mr Khan; they have been misreading it again and again and again. They misread Khan's resolve, his resilience and his determination - misread the popularity of Khan. They (the government & the ECP) were constantly saying the people would not be coming out – (in fact) they were waiting for the day when they were able to step out and cast their votes and they did it and that was a major surprise to them.*

However, the political turmoil left the country poorly placed to make reforms needed to deal with a severe economic crisis and sharp inflation. Another thinking was also prevailing then that Mr Khan's popularity was likely to have been in part a protest at the PMLN's economic mismanagement – Election Day had spelt what needed for Pakistan next.

WOULD KHAN RISE AGAIN? – NOT LIKELY:

Mr. Khan's success was fueled by social media, which drove Pakistan's young people to turn out to vote and rebuff the country's powerful military.

When Pakistan's government censored the media, former Prime Minister Imran Khan's party posted campaign videos on TikTok. When the police barred his supporters from holding rallies, they hosted virtual gatherings online. And when Mr. Khan ended up behind bars, his supporters relayed speeches using artificial intelligence techniques. Mr. Khan's message resonated with millions across the country who were frustrated by the country's economic crisis and old political dynasties: ***'Pakistan has been on a steep decline for decades, he explained, and only he could restore its former greatness.'***

Referring to ***Christina Goldbaum*** (Bureau Chief of THE TIME in Afghanistan & Pakistan)'s analysis appeared in the **NEW YORK TIMES** dated 12th February 2024:

"The success of candidates aligned with Mr. Khan's party in last week's election — snagging more seats than any other in Parliament — was a stunning upset in Pakistani politics. Since Mr. Khan fell out with the country's generals and was ousted by Parliament in 2022, his supporters had faced a military-led crackdown that experts said was designed to sideline the former prime minister.

His success marked the first time in Pakistan's recent history that the political strategy used by the country's powerful military for decades to keep its grip on power had suddenly veered, off course. It also proved how Mr. Khan's populist rhetoric and the country's internet-savvy youth bulge are rewriting politics in Pakistan, a nuclear-armed nation of 240 million people that has struggled with military coups since its founding 76 years ago."

However, the media intelligentsia held that it would be the first time in Pakistan's history that a civilian government, if at all succeeded by the PTI, would be led by a party at odds with the military and whose leader is behind bars. No matter the outcome, Mr. Khan's PTI ***'proved it is an unshakable political presence, tapping into the dissatisfaction of Pakistan's youth. The old playbook for shaping the country's politics is outdated; social media and youth mobilization have become game changers.'***

PMLN's, and off course joined by many like PPP and JUI(F)'s Fazalur Rehman, military-aligned leaders built political parties around their family dynasties, passing party leadership from one generation to another — and keeping political power within a tightknit circle.

But in recent years, as the country's young population ballooned to around half its electorate, there was a growing frustration with that system. Young people felt shut out of Pakistan's political system because ***someone in the family will always get the top slot.*** The old parties had gone obsolete because they refused to change — and that created a vacuum for someone like Imran Khan; the results of elections-2024 were the witness.

No doubt, Mr Khan initially rose to political prominence with the military's help in July 2018 but after his ouster in April 2022 he capitalized on young people's yearning for change to strengthen his political base independent of the Army-Generals. His party, the PTI, produced political campaigns on social media — outside the reach of state censorship — that young people said stirred a political awakening for the youngster lots.

In viral videos, Mr. Khan railed against the country's key-Generals, whom he had blamed for his ouster in 2022. He described how the military operated like a ***'deep state governing politics from behind the scenes'***, and claimed that the United States had colluded with Pakistani officials on his removal from power. See the public opinion in that regard:

"I'm voting for change. I'm fed up with this whole system of political parties that have been running the country. They've put Imran Khan in jail — that's the main issue — it shows it's all been managed by

the establishment - referring to the military; "the **NYT** of above date is again referred.

But even after his ouster, the country's military leaders appeared to underestimate the country's shifting political sands. As Mr. Khan made a political comeback, some military Generals turned to their old playbook to sideline him – but couldn't succeed.

Authorities slapped Mr. Khan with dozens of charges that resulted in four separate sentences totaling 34 years in prison. They arrested hundreds of his supporters and — for the first time — cast a much wider net, going after Pakistanis in the country's elite, even those with close ties to the military itself. However, that **intimidation campaign** appeared to only bolster support for Mr. Khan.

Because the crackdown was publicized widely on social media, it exposed and turned more of the public against the military's heavy hand in politics. Many people who cast ballots last week for Mr. Khan's party said they did so simply to malice some Generals for allegedly backing exhaustive tampering with vote counts and the promises by Mr. Khan's party of long, bruising court battles to challenge dozens of results it says the military rigged. The PTI leadership held that ***"PTI is a peaceful party that has ushered in a revolution through the ballot. We will not allow our struggle to be hijacked by nefarious designs."***

The political showdown pushed the country on edge. Most agreed that despite the election's results showing just how many Pakistanis were rejecting the country's broken political system. Bilal Gilani, the executive director of Gallup Pakistan, said:

"Even if the balance of power is tilting in favor of the political parties, will they actually act democratic themselves? Or will they become more fascist in their ideologies? Will they exclude the people who haven't voted for them? That's the question now."

FOREIGN NEWSPAPERS' ONE-LINERS:

Here, ***Dawn.com*** looks at some of the reporting and analysis from across the globe on the elections that were, contrary to the pre-poll predictions, anything but predictable. From the pre-poll phase to Election Day irregularities to the post-poll counting process — the attempts to subvert the PTI that

were blatantly executed - NOT gone unnoticed; **Dawn.com** Published on 11th February 2024 is referred:

"You might be wondering why it has taken us a couple of days to talk about Pakistan politics and Pakistani elections, one of our favourite subjects; that's because one, the situation has been fast-moving and second, the situation has been much too cluttered also for me to hold forth on it..."

[The Print's Editor-in-chief Shekhar Gupta - views in Cut the Clutter episode 48 hours after the general elections]

The Guardian — the Observer view on Pakistan voters' rejection of military rule: a victory for democracy

"Attempts to ignore Khan and his supporters may trigger further unrest and instability. That is the opposite of what the country needs. At a time in history when the integrity of democracy in India and Bangladesh also faces serious questions, Pakistanis should take a moment to celebrate the voter revolt of 2024."

Bloomberg — Imran Khan's candidates defy odds to thrive in Pakistan election

"The independents' strong performance points to Khan's enduring popularity among the nation's 129 million registered voters, many of whom are struggling to make ends meet amid the fastest inflation in Asia. It also highlights public disillusionment with the status quo of Pakistani politics, represented by the parties of the Sharif and Bhutto clans."

The New York Times — Shocking opposition victory throws Pakistan into chaos

"The success of Mr Khan's party upended the decades-old political playbook governing Pakistan, a nuclear-armed nation of 240 million. Throughout those years, the military has wielded ultimate authority, guiding its politics behind a veil of secrecy, and civilian leaders have typically risen to power only with its support — or been driven from office by its heavy hand."

The Independent — Pakistan election credibility already marred by internet blackout and slow count amid anxious wait for results

"But whoever ends up winning the election, the way it was conducted will guarantee recriminations over the validity of the result, and serves as a bleak reminder of the power still held by the country's military establishment to try and interfere with its democratic processes."

Sky News — Pakistan is in political limbo after election upset - so what's next?

"To me, the PPP's Bilawal Bhutto Zardari could well be the king-maker. His centrist party will need to decide if it's the status quo of Sharif they want to get behind or the more radical agenda of the independents. What is clear is the military has taken a hit this election. For the first time ever, they appeared to back a candidate at odds with the political winds of the rest of the country."

Time Magazine — Pakistan's military used every trick to sideline Imran Khan—and failed. Now what?

"[...] the question remains how PTI supporters will react to their disenfranchisement, not least given the grim state of the economy. On May 9, PTI supporters ransacked military premises in response to an earlier, fleeting arrest of Khan. He may remain behind bars, but Thursday's election shows the sporting icon is far from done as a political force."

France 24 — The 'generals' elections' in Pakistan that turned against the military

"The country's real power-wielder, however, was not on the ballot paper, and Pakistanis were never given a symbol or say on the issue. The 2024 general election was dubbed the most rigged in Pakistan's history, with wags on social media calling it the 'generals' election', referring to the all-powerful military in the nuclear-armed South Asian nation."

India Today — Jailed Imran Khan steals the show, time for Army to introspect?

"While hobnobbing and cobbling up an alliance to suit the establishment must already be underway, any government by 'selection' is

not acceptable anymore to the people of Pakistan. Should the government formation look different from the mandate of the people, expect chaos in the streets of Pakistan."

CNBC — Pakistan's ex-PM Nawaz Sharif declares victory in fraught election as opponents claim vote-rigging

"The election, voting for which began the morning of Feb 8, comes at an especially turbulent time for the country of 240 million. Known for its decades of volatile politics involving assassinations, imprisonments and military coups, Pakistan is now in the throes of an economic crisis and its largest party has been banned from running in the election."

Financial Times — Imran Khan Loyalists win shock victory in Pakistan election

"Many voters, particularly young people swept up by Khan's promises for a 'new Pakistan', were dismayed by the thought of another term under the Sharif dynasty — Nawaz's brother Shehbaz served as prime minister last year."

CBC News — Imran Khan's party defied the odds in Pakistan election with strong showing

"A stock response after an election, according to Hasan Askari Rizvi, a Lahore-based military analyst who wrote a book about the army's role in Pakistani politics. He said the open question is whether the country's military, used to being the ultimate authority in Pakistan, is willing to accept the message that was sent from the electorate, who came out in large numbers to cast their ballots for Khan."

Scenario 282

RESERVE SEATS SAGA

JANUARY 2024's TRAGEDY:

What happened in January 2024? few verdicts in recent memory have been more ridiculous in reasoning, more corrosive in outcome, and more damaging for democracy than the '**BAT SYMBOL RULING**' by the SC, stripping the country's largest party (PTI) of its electoral sign right before polls.

[On 13th January 2024: In a late-night decision after holding a marathon hearing, the Supreme Court upheld the ECP's decision dated 22nd December 2023, depriving the *Pakistan Tehreek-e-Insaf* (PTI) of its iconic poll symbol — 'BAT' — 'BALLA' in local dialect.

The decision was announced minutes before the expiry of the fifth extended deadline by the election watchdog (ECP) for the intending candidates for the submission of party tickets. The three-member bench consisting of CJP Qazi Faez Isa, J Muhammad Ali Mazhar, and J Musarrat Hilali announced the judgement at 11:15pm, after a delay of several hours. The CJP observed:

"Democracy founded Pakistan, a fundamental aspect of which is the ability to put oneself forward as a candidate and to be able to vote, both within a political party and in general elections. Anything less would give rise to authoritarianism which may lead to dictatorship."

PTI lawyer Hamid Khan, while concluding his arguments, cited Article 2A of the Constitution and highlighted that depriving the PTI from participating in the elections would "virtually mean depriving millions of voters" of their fundamental rights. He added: *'This is a fundamental principle of jurisprudence that courts while interpreting constitutional provisions never ignore political consequences of its decision which may come back to haunt for years.'*

Citing different judgements, the PTI counsel contended that Article 17 of the Constitution always prevails - on mere technicalities the parties should not be sent out of the election arena.

The hearing commenced at 10:00am that day — a day when the court never assembled (at least in near past then) to hear cases. The bench had taken up an appeal by the ECP challenging the Peshawar High Court (PHC) decision regarding the restoration of the PTI's election symbol; it took multiple breaks during the hearing. The ECP staffers, had to extend their deadlines several times due to a delay in the court order AND they were there in the court since morning. First, time was extended from 4:00pm then 7:00pm, then 10:00pm, later 11:00pm, and lastly to 11:30pm. Finally, the apex court held:

".... The ECP did not act in a mala fide manner nor was the PTI discriminated against in the present case.... that ECP had passed orders against 13 other registered political parties which were far more severe than the order passed against PTI; one such case, of All Pakistan Muslim League, came before this court on Jan 12, 2024, and the order of the ECP, delisting the said political party, was upheld.

.... the mere production of a certificate stating that intra-party elections were held would not suffice to establish that the elections had been held when a challenge was thrown to such an assertion.

Nor, in our opinion, should the ECP concern itself with minor irregularities in the holding of a political party's elections. However, in the instant case not even prima facie evidence was produced to show that a semblance of elections had been held.

.... 14 PTI members, with stated credentials, had complained to ECP that elections had not been held. These complaints were brushed aside in the writ petition by simply asserting that they were not members of PTI...but this bare denial was insufficient... And, if any member of a political party is expelled it must be done by Section 205 of the Act, but no evidence in this regard was forthcoming.

Section 208 of the Elections Act 2017 mandates that political parties must hold intra-party elections periodically...every

member of a political party be provided with an equal opportunity.... (that) these aforementioned members were not provided with nomination papers when they went to get them.

Incidentally, the notice issued by the PTI secretariat stated that the elections were to be held in Peshawar but did not mention the venue and then the venue was shifted to Chamkani, which is a village adjacent to Peshawar.

Neither before the Lahore High Court (LHC) nor before the PHC any provision of the [Elections] Act, including Section 215(5), was challenged.... that observation of the judges that the provision of the law was 'absurd' was uncalled for, particularly when no provision thereof was declared to be unconstitutional.

If it had been established that elections had been held then the ECP would have to justify if any legal benefit to such a political party was being withheld, but if intra-party polls were not held, the benefits accruing pursuant to the holding of elections could not be claimed."

The Supreme Court did not agree that ECP did not have "any jurisdiction to question or adjudicate such elections. If such an interpretation is accepted, it would render all provisions in the Elections Act requiring the holding of intra-party elections illusory and of no consequence and be redundant."]'

Despite facing a nationwide crackdown for nearly two years, with its leader, former Prime Minister Imran Khan, imprisoned since August 2023, and its candidates unable to campaign freely, PTI still emerged as the single largest bloc, with its candidates (independents) winning 93 seats. While the party claimed widespread rigging across the country and alleged a **'stolen mandate through forgery in Forms 45 & 47'** its rivals, Pakistan Muslim League-Nawaz (PMLN) and Pakistan People's Party (PPP), managed to cobble together a ruling alliance, with 75 and 54 seats respectively, in coalition with other smaller parties including *Mutahida Qaumi Movement (MQM)*.

RESERVED SEATS (?) **IN PAKISTAN'S PARLIAMRNT:**

On 8th February 2024; Pakistan's general elections for the National Assembly and four provincial assemblies took place. But there were an additional 70 reserved seats (60 for women and 10 for minorities in the National Assembly) which give the body a total size of (266+70) 336 seats. To achieve a simple majority to form a government, a total of 169 seats was required. However, a two-thirds majority — or 224 votes — was necessary to make any constitutional amendments.

{Reserved seats are allocated only to political parties that win seats in the National Assembly, and the distribution is done based on their proportional representation after the general elections. Similarly, reserved seats are allocated in provincial assemblies based on the parties' proportionate performances.

According to regulations, any political party contesting the polls must submit a list of their nominations for reserved seats prior to elections, as per the schedule given by the ECP. However, after the polls, if a party has over-performed and needs to submit additional names for reserved candidates, it has two weeks to do so.

Independents have three days after their win announcement to declare their affiliation with a party in the assembly. The party they join gets a boost in the number of reserved seats it gets, commensurate with the number of independents that join it.}

In Pakistan's National Assembly, after Elections-2024, the Election Commission of Pakistan (ECP) allocated about 40 out of 60 seats to different political parties for their reserved quota for women. Similarly, seven out of 10 seats reserved for the minorities' quota were allocated in the lower house of the parliament. The rest were left vacant because of the pending hearings & decisions over election petitions in various courts of provinces, capital and in the ECP.

In Elections-2024: Forced to contest the general elections on 8th February 2024 without its party symbol – the cricket bat – allegedly due to violation of certain election rules, PTI fielded its members as independent candidates.

On 4th March 2024, the Election Commission of Pakistan (ECP) declared that the PTI-backed *Sunni Ittehad Council* (SIC) would not be able to claim allocated reserved seats in the national and provincial assemblies - it was the latest setback for former Prime Minister Imran Khan's *Pakistan Tehreek-e-Insaf* (PTI). PTI, while he was in jail then, unable to contest the elections due to a ban on their electoral symbol, had instructed its candidates to join

the right-wing peripheral religious party named ***Sunni-Ittehad-Council*** (SIC) in order to extend their numerical strength in the National Assembly.

In its 22-page judgment, the five-member electoral body decided 4-1 that the SIC failed to submit a party list for reserved candidates before the ECP's deadline of 22nd February 2024, two weeks after the 8th February elections that year. (*Pakistan's National Assembly has a total of 70 reserved seats; similarly, the four provincial assemblies have a combined total of 149 reserved seats that are likewise distributed.*) A majority of these reserved seats had already been allocated — leaving about 77 vacant for that decision. PTI criticised the ECP judgement and got recorded its protest immediately before media.

- *'This is the last assault on the heart of democracy,'* Senator Ali Zafar of PTI said during a speech in the Senate, the upper house of the assembly on the same day after the decision was announced.

The PTI leadership, as they had won the most seats, under orders from Imran Khan, decided not to form a government with any of the major parties (***on behalf of the PPP, Mr Zardari had THRICE offered the PTI to form coalition govt***) and instead joined hands with a fringe, right-wing religious party, the *Sunni Ittehad Council* (SIC), to claim reserved seats.

*{ The fact remained that the SIC, despite being a registered political party, did not contest the general elections AS PARTY. Its leader, **Sahibzada Hamid Raza, chose to contest independently**, winning his seat from Faisalabad city of Punjab. }*

Meanwhile, in its verdict, the ECP stated that the SIC was not entitled to claim the quota for reserved seats due to ***'violation of a mandatory provision of submitting a party list for reserved seats, which is a legal requirement'***. The SIC had not done so because it had not participated in the Elections-2024 as a political party. The ECP also said that the then vacant seats in the national assembly, 23 in numbers, ***'will not remain vacant and will be distributed among other parties based on the elected seats they won'***. The ECP wrote further:

".... that they (SIC) were given a specific timeframe to submit a list of nominations, which the party did not. Every political party, while making any decision regarding crucial steps concerning matters of the political party required under law, should be aware of the potential consequences they may face in the future."

Afterwards, in routine schedule of proceedings in the National Assembly, on 3rd March 2024, Shehbaz Sharif of PMLN was elected the country's new prime

minister, securing 201 votes. Omar Ayub Khan, the PTI leader backed by the PTI / SIC, managed to secure 92 votes. Thus, the biggest beneficiary of the ECP's above quoted decision was Sharif's PMLN, along with the PPP and the MQM, which had won the next respective number of seats in the general elections, with 75, 54 and 17 respectively.

It was very likelihood that in case PTI's legal challenge failed to bring them any relief (***AND which was evident from the day to day media news referring to the highly prejudiced and biased ECP***) it was a certainty that the ruling coalition would cross the magic figure of 224, which was required to achieve a two-thirds majority in the National Assembly. The ECP's decision opened the door for a prolonged legal battle, as PTI was going to challenge the decision in higher courts. There was no likelihood that PTI would be able to overturn it in the given circumstances; it could further dent its position in the lower house of parliament, potentially allowing the ruling coalition of PMLN+PPP to gain a two-thirds majority in the 336-member National Assembly.

The ECP decision was widely criticised by lawyers, with many calling the order a 'farce' or even 'unconstitutional'. Most constitutional experts held:

"The ECP's verdict aligns with its previous decisions that have disenfranchised the people of Pakistan. There are precedents expressly barring the minor technicalities on the basis of which the ECP barred the largest party. However, an even greater subversion of the democratic mandate is its division of the remaining seats among the smaller parties.

*Some also questioned the decision to distribute the unallocated seats to other, smaller parties; arguing that no legal or constitutional provision permitted this '**absurd distribution**'. The entire framework of the Constitution and law dictates that a political party should receive reserved seats through a system of proportional representation. It is entirely undemocratic for other political parties to get a share of reserved seats beyond their proportional strength of general seats in the National Assembly.*

*Some noted that the ECP decision lacks any '**convincing justification**' for allocating the unallocated seats to other parties. The impact may well be granting the coalition government a full two-thirds majority in the National Assembly, in fact."*

[AL-JAZEERA dated 7th March 2024 is referred.]

Some constitutional lawyers viewed the ECP verdict as another '**technical knockout**' suffered by PTI – because PTI leadership thought that they were still a political party, albeit without a symbol - whereas the ECP interpreted it otherwise. The PTI, most probably, had decided to challenge the ECP's order before the Supreme Court – BUT was badly mistaken about the Supreme Court's narrow interpretation of election laws - referring to the CJP Qazi Faez Isa's verdict of 13th January 2024 upholding the ECP decision to strip the party of its cricket bat symbol.

However, the SC's decision of 12th July 2024 reversed that PMLN's plan.

SC RESTORED PTI WITH BENEFITS:

On 12th July 2024: Pakistan's Supreme Court ruled that former Prime Minister Imran Khan's PTI would receive 23 additional seats in Parliament, a decision that was expected to deepen the political turmoil that had embroiled the country since Mr Khan was ousted from power in April 2022. The ruling stripped the governing coalition, led by Prime Minister Shehbaz Sharif, of its two-thirds majority in Parliament, weakening his already fragile government and emboldening the opposition led by Khan's party, the PTI.

'As a political party, the PTI is entitled to its reserved seats,' said Chief Justice Qazi Faez Isa while reading out the order, which was supported by eight judges and opposed by five of the 13-member full court bench. That 8-5 decision, broadcast live, overturned an earlier verdict of the Peshawar High Court and the ECP that had deprived the PTI, of about 80 reserved seats in the national and provincial legislatures.

The puzzle started when in earlier months, the ECP took away the party's symbol after it declared PTI's intra-party elections invalid. In 2024's general elections, PTI candidates still won 93 seats in the National Assembly, leaving behind Sharif's PMLN and the PPP of the Bhutto dynasty. To maintain a unified presence in the legislature, PTI-backed candidates joined the *Sunni Ittehad Council* [SIC], making the right-wing religious party the parliamentary face of PTI. **However, the ECP rejected SIC's claim to reserved seats in March 2024, citing technicalities, including that it did not submit a list of names for reserved seats before the election.**

- The ECP then doled out reserved seats to other parties boosting PTI's opponents' position across national and provincial legislatures. Later the same month, the Peshawar High Court upheld the ECP's decision. In May 2024, however, the Supreme Court suspended those verdicts, putting the ruling alliance's two-thirds majority on hold and the status of several lawmakers occupying reserved seats in limbo. Overturning the ECP and Peshawar High Court's decisions that day, ***the top court's majority declared PTI did not lose its status as a political party in the assemblies despite losing its electoral symbol prior to polls and running candidates as independents.***

The apex court asked PTI-backed lawmakers, the independents, to declare their party affiliation with the ECP within fifteen days. It ordered the Commission to allot the party its share of reserved seats across all legislatures. The decision undeniably bolstered the political position of Mr Khan's supporters, whose rallying cry had been that the ECP and a pro-military caretaker government that oversaw the polls indulged in electoral fraud to deprive the PTI of a victory. The Commission and military denied the charges, but questions were raised in the West about the transparency of the polls.

- ***The US House of Representatives, as well as European countries, had called on PM Shehbaz Sharif's coalition government to open a probe into the allegations - The ECP and PM Sharif's ruling coalition had rejected all foreign calls to investigate alleged electoral discrepancies.***

PM Shehbaz Sharif's government came to power in February 2024, just five months ago after general elections that were marred by allegations that the country's powerful military had rigged on dozens of seats and tipped the scales against Khan's PTI. Referring to the **New York Times** dated 12th July 2024:

"Pakistan's some military Generals, who allegedly had long been seen as an invisible hand guiding the nation's politics, were at odds with Imran Khan since he was ousted from prime ministerial slot. But in a stunning rebuke to those few military leaders, candidates loyal to Mr Khan won a majority of seats in the National Assembly in the said elections — a victory that shattered many including the top judiciary and the military in Pakistan.

The opposition's victory reflected the recent swell of discontent with the Generals' influence in politics since Mr. Khan's ouster, which he accused the military of orchestrating. Those accusations sparked mass protests across the country, challenging the military's authority like never before. Mr. Khan, a former captain of the country's popular

national cricket team, was imprisoned in August (2023) on what he says were trumped up political charges."

Despite winning the majority of seats in Parliament during the last election, Mr Khan's PTI, was not allotted any of the 70 unelected seats reserved for women and minorities, which were typically handed out in proportion to the number of elected seats a party secures. Instead, those seats were allocated to parties in Mr Sharif's governing coalition, giving it a critical two-thirds majority. The Top Court ruling on that day forced the National Assembly to redistribute some of those reserved seats to PTI, making it the single largest party in the National Assembly. The NYT further wrote:

".... hailed the decision as a major victory in the country where the military has increasingly taken a front seat in politics, more overtly shaping the country's foreign and domestic policies. At a time when Pakistan's democracy faces severe threats and all democratic norms are being eroded, the Supreme Court's decision is a welcome relief - this ruling is a crucial step forward in fortifying democracy in Pakistan."

The decision came at very crucial time as PM Sharif had planned to introduce broad **judicial reforms, including extending the tenure of the Supreme Court chief justice**. Critics said these measures were aimed at influencing the judiciary for political gain. While PM Sharif's coalition retained a simple majority in Parliament, without a two-thirds majority it was unable to enact those planned reforms. His coalition, which was already considered weak because it lacked popular support, became ripe to face additional questions over its ability to govern. No prime minister has ever completed a full term in office in Pakistan.

- The ruling of that day added to speculation that PM Sharif's government could, too, face an early exit. However, Azam Nazeer Tarar, the federal law minister, said at a news conference: *'As far as the government's stability is concerned, the ruling coalition has a visible majority. A simple majority in the Parliament is 169 out of a total of 336 seats.'*

The fact remained that the PMLN government's ability to pass crucial legislation had been affected. SC's that decision was the latest sign of the country's judiciary growing more assertive; analysts held the opinion. In earlier months, judges in several High Courts had accused the country's intelligence agencies of trying to coerce them and resorted to openly criticize the military's meddling in judicial affairs. The tension between the courts and the military had been exacerbated by the legal cases against Mr Khan. The **NYT** quoted Talat Hussain, an Islamabad-based political analyst, saying:

"The judges are upending everything that the military establishment had put in place. They have on their side the lawyer bars, a popular party, a popular narrative, and an extremely incompetent government that doesn't know whether it is staying or going."

Even before the general election was held in February (2024), anger at the military was brewing across the country among Mr Khan's supporters who took to the streets to criticize military leaders more openly and boldly than ever before. While military leaders hoped the general elections would quell that unrest, it only added to the growing discontent. One major point of contention was that Pakistan's Election Commission (ECP) forced PTI candidates to run as independents — making them ineligible to receive any of the unelected, reserved seats in Parliament. The SC's FULL-13 JUDGES BENCH verdict manifestly overruled the ECP's all dubious decisions, saying that ***'PTI should be afforded all of the constitutional and legal rights of any political party'*** — thrusting PTI back onto the political main stage.

SEAT POSITION IN KHYBER PK:

The Supreme Court's decision to award reserved assembly seats for women and minorities to *Pakistan Tehreek-e-Insaf* (PTI) significantly affected five opposition parties in the Khyber PK Assembly that had previously benefited from the ECP's ruling of 1st March 2024. The affected parties included *Jamiat Ulema-i-Islam-Fazal* [JUI-F], PMLN, PPP-Parliamentarians, *Awami National Party* [ANP], and PTI-Parliamentarians, which were allocated reserved seats in the national and provincial assemblies through various ECP notifications.

Originally, out of KP Assembly's 26 seats reserved for women, the ECP allocated two each to the JUI-F and PMLN, and one to the PPP. However, its decision of 1st March led to the award of the controversial 21 reserved seats to these five parties *with the JUI-F getting eight, PMLN six, PPP five and the ANP and PTI-P one each*. Also, the ECP initially didn't allot any of the four seats reserved for non-Muslims in the provincial assembly to any party. However, after the 1st March order, it allotted two of the seats to the JUI-F and one each to the PMLN and PPP.

Despite the allocation of the controversial reserved seats to different parties in the assembly, ***the MPAs-elect couldn't take oath as after their respective notifications, the assembly wasn't convened until the Supreme Court issued a stay order and suspended their notifications.***

After the apex court's judgement of 12th July 2024, the PTI was entitled to get all 21 seats reserved for women and three for non-Muslims.

Similarly, Khyber PK has 10 reserved seats for women in the National Assembly. Of them, the notification of eight got set aside by the Supreme Court's decision. Initially, one of these seats was allotted to the JUI-F and PMLN each; but the ECP, after its 1st March order, awarded four seats to the PMLN and two each to JUI-F and PPPP. Then, after the SC's verdict, the PTI was entitled to the NA's eight reserved seats.

Of late, 92 of Khyber PK assembly's 115 general seats were held by the PTI-backed MPAs, who had joined the *Sunni Ittehad Council* (SIC). However, Chief Minister Ali Amin Khan Gandapur didn't join the council and maintained his independent status.

Out of the 45 National Assembly's general seats in KP, three were held by PMLN, two by the JUI-F, and one each by the PPPP and *Majlis Wahdat-i-Muslimeen*. The SIC was joined by 34 of the PTI-backed independent MNAs, whereas three of the PTI leaders opted to remain independent, including its Chairman Barrister Gohar Ali, Secretary General Umer Ayub Khan and one Ali Asghar.

PTI dissident Mubarik Zaib was an independent MNA from Bajaur tribal district.

SC's [CORRECTIVE+] JUDGMENT AT LAST:

Finally, the verdict on reserved-seats was there. ***It was the PTI, not 'the independents', which won the most seats in the 8th February 2024 general election.*** Every sane person in Pakistan and abroad knew that if the independents had won 92 seats, over and above the stalwarts of PMLN, PPP, JUI-F or other minions, it was due to Imran Khan's name linked with them. The people voted for them after searching their odd symbols, not searching for the party symbol of BAT – they knew what had happened with their BAT / BALLA in ECP's corridors.

The said distinction, for those not familiar with the twists and turns of the reserved seats saga, was especially significant as it was later by the Supreme Court itself. The majority judgement meant that not only would the PTI be restored as a lawful political party in the national and provincial assemblies,

but it would also be able to claim a large share of reserved seats for minorities and women and, thereby, solidify its position in the various legislatures.

A stunning reversal of fortunes that was, both before and after the 2024's general election, being treated as a defunct entity with seemingly no political rights based on the ECP's gross misinterpretation of the Supreme Court's verdict dated 13th January 2024 that denied PTI the use of its 'bat' as election-symbol.

PTI was and remained a political party, the Supreme Court clarified shortly afternoon to an anxious crowd gathered on its premises on that scorching day. On that point, 11 of the 13 judges seemed to agree. The majority upheld that:

"...the denial of an election symbol to a political party does not affect its constitutional and legal rights to continue functioning as a political entity, including its right to participate in an election or to field its candidates."

It was these rights that the ECP had so blatantly subverted when it repeatedly refused to let PTI candidates contest on their party-issued tickets and insisted on treating its returned candidates as independents. Now, through its judgement, the Supreme Court has, **as a form of restorative justice**, allowed the PTI to reorganise itself in parliament and make a fresh bid for the reserved seats that were denied to it, as was its right.

In so doing, the Supreme Court unfastened and corrected a historic injustice. The PTI-SIC alliance was always seen as an abnormality, a marriage of convenience necessitated by the unique and arbitrary conditions and restrictions imposed on the PTI by the ECP. To make matters worse, the ECP not only refused to recognise the coalition's right to a share of reserved seats, it also gifted the same to other opponent parties. The decision flew in the face of reason and the principles of proportional representation and, therefore, had to be undone.

Fortunately, majority of the judges decided to go further and did complete justice by undoing the series of wrongs that had been caused by the ECP's reprehensible decisions based on the 'bat' judgement. It was a REAL step towards positive change – with the hope that this judgement would preclude the kind of blatant engineering that defined the previous general election. The government and establishment were expected NOT to stand in the way of implementation of the said historical full-court judgment. The salient features remained:

- ***Full court bench ruled 8-5 in favour of awarding reserved seats to PTI.***
- ***All 13 judges backed PTI's claim of being a parliamentary party.***
- ***39 MNAs who declared party affiliation to be considered 'PTI lawmakers'.***
- ***ECP told to seek statements from other independents within fortnight.***
- ***Once party okays their nominations, they would be notified as returned candidates.***
- ***Nothing was there to suggest that the said judgement 'tantamount to rewriting the Constitution'.***

In a unique majority verdict, the Supreme Court declared the opposition *Pakistan Tehreek-i-Insaf* (PTI) eligible to receive reserved seats for women and non-Muslims in the national and provincial assemblies, giving it a new lease on life in the legislature by declaring it to be a parliamentary party.

On that day, as the full bench consisting of 13 judges settled into their seats inside Courtroom No.1, the CJP Qazi Faez Isa asked J Syed Mansoor Ali Shah — the senior judge — to announce the majority verdict he authored, which was supported by seven other judges: J Munib Akhtar, J Muhammad Ali Mazhar, J Ayesha A Malik, J Athar Minallah, J Syed Hasan Azhar Rizvi, J Shahid Waheed and J Irfan Saadat Khan.

Despite the 8-5 split, all 13 judges declared the PTI a parliamentary party. The majority judgement explained that 39 out of the 80 MNAs, shown by the ECP as PTI candidates, belonged to PTI. The rest of the 41 independents were to file duly signed and notarised statements before the commission within 15 days, explaining that they contested the 8th February 2024 general elections as a candidate of (which) particular political party.

Thereafter, under Article 51 of the Constitution, ECP would post on its website a list of the returned candidates and submit a compliance report before the apex court. The order explained that under Article 51(5) of the Constitution, the PTI would be entitled to reserved seats for women and minorities in the National and provincial assemblies of KP, Punjab and Sindh according to the number of general seats secured by the party latest by then.

In case ECP or PTI need any clarification, the majority judgement said, the commission could apply to the court by making an appropriate application, which would be placed before judges constituting the majority in chambers, for directions as would be deemed appropriate.

The majority judgement set aside the Peshawar High Court's judgement dated 25th March 2024 and ECP's decision of 1st March 2024 which had denied reserved seats to the SIC as ultra vires of the Constitution, without lawful authority and of no legal effect, and thus quashed the same. The SC's apex bench wrote in the decision that:

"The lack or denial of an election symbol does not in any manner affect the constitutional and legal rights of a political party to participate in the elections, whether general or by-elections and the commission was under a constitutional duty to act, and construe and apply all statutory provisions, accordingly.

*... for purposes, and within the meaning, of paragraphs (d) and (e) of clause (6) of Article 51 ('Article 51 Provisions') and paragraph (c) of clause (3) of Article 106 ('Article 106 Provisions') of the Constitution, **the Pakistan Tehreek e Insaf ('PTI') was and is a political party**, which secured or won (the two terms being interchangeable) general seats in the national and provincial assemblies in the general elections of 2024".*

The SC's order further said:

"The notifications of various dates, whereby the persons respectively mentioned therein, being the persons identified in the commission's notifications, dated 13th May 2024, have been declared to be returned candidates for reserved seats for women and minorities in the national and provincial assemblies, are declared to be ultra vires to the Constitution, without lawful authority and of no legal effect, and are quashed from 6th of May 2024 onwards, being the date an interim order was made by the court in CPLA no. 13289 of 2024, the leave petitions out of which the instant appeals arise."

Later, CJP Qazi Faez Isa read out **the minority judgement**, written by Justice Jamal Khan Mandokhail, which also declared the PTI a parliamentary party – BUT the minority view explained that those who joined the SIC were presumed to have done so out of their own free will. None of them claimed to have joined the party because of any misunderstanding of any judgement, the law, compulsion, coercion or undue influence and it was not for the Supreme Court to presume otherwise. The minority view added:

"We must ensure that words are not read into the Constitution nor to ascribe artificial meaning to commonly understood words; we must also abide by validly enacted laws and must not do anything either to hinder or facilitate a political party by ignoring the law's mandate."

Meanwhile, Justice Yahya Afridi ordered the ECP to decide the allocation of the reserved seats to the political parties in the National and provincial assemblies after providing an opportunity to the parties concerned and, if required, to revisit its earlier decision within seven days.

- ***Justice Aminuddin Khan and Justice Naeem Akhtar Afghan, however, rejected the appeals by the SIC and upheld the 25th March 2024's Peshawar High Court (PHC) judgement, denying them the reserved seats.***

The minority view explained that women and non-Muslims cannot be deprived of this right by leaving these seats vacant, therefore the reserved seats must be filled in, as provided by Article 224(6) of the Constitution. The impugned judgement however set aside PHC and ECP order to the extent of ECP calculating and allocating the reserved seats to the parties by exclusion of PTI candidates.

During the hearing, it transpired that a number of candidates had submitted their nomination papers declaring on oath that they belonged to PTI supported by an affiliation certificate, though some did not submit affiliation certificates of PTI, however, since they stated on oath that they belonged to PTI and did not contradict themselves, they should be considered PTI members. ***The ECP, by misinterpreting the Jan 13 judgement, mentioned those PTI candidates as independents.*** The ECP had no authority to declare validly nominated candidates of a political party to be independent candidates, the minority judgement explained.

Justice Yahya Afridi dismissed the petitions of SIC, since the party did not fulfil the conditions prescribed for a political party to be allocated reserved seats for women and non-Muslims in the National Assembly or the provincial assemblies.

PTI's SMILES OVER ITS RE-ENTRY:

Outside the courtroom, jubilant PTI supporters, especially the women who had turned out in large numbers, were chanting slogans in favour of jailed

PTI founder Imran Khan and appreciating the Supreme Court's verdict; saying:

"It is a step back from the brink; it is a triumph for the Constitution, democracy and the independence of the judiciary. The senior puisine judge along with his concurring brother judges has righted a grievous wrong. It portends well for the future; an institution publicly reviled for its history of failures and tattered moral authority appears to rise above its former self."

The verdict, as expected, was unambiguous and crystal clear. Complete justice has been done by the court. The verdict also ended the confusion caused by ECP by denying PTI its election symbol."

A post from the PTI's official X account demanded the immediate resignation of Chief Election Commissioner Sikander Sultan Raja for violating [the] Constitution of Pakistan; some also raised voices for trying them under Art 6 of the constitution - that there were serious questions on the *malafide* intent of the ECP.

THE BACKGROUND: the SIC had filed a petition before the SC **on 1st April 2024**; — moved by party chief Sahibzada Hamid Raza — seeking to set aside the PHC judgment dated 14th March 2024. The apex court on 6th May had suspended the said PHC judgment as well as the ECP decision of 1st March 2024 for depriving the SIC of seats reserved for women and minorities.

The SC had also ordered placing the present petitions before the three-judge committee that determines the constitution of the bench for the reconstitution of a larger bench when Attorney General for Pakistan Mansoor Usman Awan highlighted that under Section 4 of the Supreme Court (Practice and Procedure) Act 2023, the present case should be heard by a larger bench since the issue concerns the interpretation of constitutional provisions.

The ECP subsequently suspended victory notifications of as many as 77 members of the national and provincial assemblies elected on those seats. The suspended lawmakers included 44 from PMLN, 15 from PPP, 13 from JUI-F and one each from PML-Q, IPP, PTI-P, MQM-P and ANP. Resultantly, the ruling coalition lost a two-thirds majority in the lower house of Parliament for then, with its numerical strength shrinking to 209 from 228. In the House of 336, the magic figure to attain a two-thirds majority comes to 224. The PMLN's strength in the House reduced from 121 to 107 while PPP's from 72 to 67. Those suspended included 22 members of the National Assembly elected on reserved seats for women and minorities. They included 14 from PMLN, five from PPP and three from JUI-F.

Headed by the CJP, a full-court meeting on 10th July 2024 had considered various aspects of the controversy at length since the case would have a far-reaching impact on the allotment of the reserved seats among political parties in the legislature in the future as well. The real controversy before the court was how to deal with the reserved seats as they were neither doled out to other parties having a presence in Parliament and provincial assemblies nor allotted to the SIC that did not contest the 8th Feb general elections as party and thus failed to secure a single seat — a legal requirement for the allotment of reserved seats according to the ECP.

The SIC, however, argued that under the concept of a proportionate representation system, it was not a constitutional requirement for the allocation of reserved seats that a political party having general seats in the assemblies had contested the general elections.

The voters could consider the chaos: with its bat broken, the PTI fell afoul of Rule 94 of the Election Rules — '*...parties are entitled to reserved seats only if allotted a symbol*'. That was why PTI-backed independents swung far right to join the *Sunni Ittehad Council* (SIC). Then the ECP sprung a second trap: '*... the Election Act requires parties to submit candidate lists to the ECP before polling if they want reserved seats*.' The SIC had a symbol, but no list, just as the PTI had a list, but no symbol.

It all sounded like legal *jiggery-pokery* to suppress the will of the people — how the elected representatives could be denied their rightful strength in the assembly; Article 51(6)(d) and (e) of the Constitution, says general seats against which reserved seats are distributed 'include' independents who join a party post-election.

- It was on record that the ECP had handed the Balochistan Awami Party (BAP) a reserved seat in 2019 without the latter contesting provincial polls or submitting a list. Astonishingly, the ECP shrugged saying that 'it was wrong then but correct now'.

Referring to an earlier article of **daily DAWN** dated 6th July 2024:

{While hearing the said case, the chief justice said: "...I do subscribe to the literal interpretation of the Constitution theory." One could think about a recent development within the personality trait of the CJP that '*... when 'turning lifetime disqualification of one party's leader, he erased Article 62(1)(f), saying the provision was 'non-self-executory' — and didn't mean what it plainly said: **that a court of law could declare an electoral candidate dishonest***'.

- *'His decision didn't reinterpret 62(1)(f); he deleted it outright.'* He was the honourable Judge who had challenged the PTI's reference against him in the Supreme Judicial Council (SJC). This was despite Article 211; which bars council proceedings being taken up by the Supreme Court. BUT the matter was not only taken up, the council was knocked aside.}

Interestingly, the fight for reserved seats has an old and explosive history here. In his destined stand for Indian unity in Calcutta in 1928, Jinnah once staked his future on a core demand: one-third reserved seats for Muslims in the assembly; the far less popular Hindu Mahasabha had mocked at him instead. Nearly a century since, the betrayal of reserved seats not only concerned minority representation, but the fate of democracy itself. Good luck for the country that the 13th Jan dilemma was NOT back in the **said judgment of 12th July 2024.**

AFTER EFFECTS OF THE SC DECISION:

The matter of PTI's reserved seats was resolved but there were several equally pressing issues pertaining to the general election-2024 that needed attention. Foremost among them was the question of how quickly and fairly the dozens of petitions pending before election tribunals could be resolved. In their separate verdicts on the reserved seats case, the judges of the Supreme Court, including the chief justice, had noted ***that the ECP acted unlawfully by disbaring the PTI from contesting the said election*** - a 'damning indictment' of the ECP's decisions.

- The **question** remained: *could the ECP be trusted to ensure that election tribunals would dispense justice fairly and in a timely manner, especially after it was gifted legal powers to appoint retired judges of its own choice to oversee them?*
- The **answer**, after the given experiences, was a resounding 'no' from most observers. In fact, there were growing calls for the chief election commissioner (CEC), as well as the provincial commissioners, to resign and take responsibility for one of the most controversial general elections in recent memory.

Still, the major question regarding to the Senate elections was there, which were conducted after the ECP, in violation of the Constitution, handed over the PTI's share of reserved seats to other parties. Naturally, this action affected the outcome of the Senate elections by giving rival parties more votes than they deserved. If the ECP's illegal and unconstitutional decisions thwarted the public will and distorted the mandate given to each party by the people, then, for the sake of democracy, this injustice, too, could have

to be undone. The process needed to begin with closer scrutiny of all contested results before the election tribunals. It was imperative to set a precedent that could forever dissuade any institution from interfering in the democratic process based on arbitrary decisions made by saleable commodities like CEC and his stooge members.

ECP RELUCTANT TO SC's RULING:

On 14th September 2024: The Supreme Court reprimanded the *misconceived* request by the Election Commission of Pakistan (ECP) seeking clarification from the top court on its verdict of 12th July 2024 in the reserved seats case and ordered the immediate implementation of its original directions.

- *On 12th July 2024, a 13-judge full bench of the apex court had declared that the opposition PTI was eligible to receive reserved seats for women and non-Muslims in the national and provincial assemblies, dealing a major setback to Prime Minister Shehbaz Sharif's ruling coalition and potentially making the PTI the single largest party in both houses of Parliament.*
- *The Supreme Court had also declared the PTI a parliamentary party. The majority judgement explained that 39 out of the 80 MNAs, shown by the ECP as PTI candidates, belonged to the party. The rest of the 41 independents would have to file duly signed and notarised statements before the commission within 15 days, explaining that they contested the February 8 general elections as a candidate of a particular political party.*

The ECP had subsequently finally decided to implement the Supreme Court decision; media reports of 20th July 2024 are referred. Instructions were issued to the ECP's legal team to identify obstacles in the implementation of the judgement so that further guidance could be sought from the top court. The ECP had raised concerns about who in the PTI should be contacted for verification, given the party's lack of structure and unrecognised intra-party elections, suggesting that the commission might need to seek further directions from the court.

However, on 14th September 2024, a written order from the apex court was issued on the ECP's request seeking guidance on certain legal and factual issues said that:

*"...considering all evidence placed before the court left little doubt that the clarification sought by the commission ... is nothing more than a contrived device and the adoption of **dilatory tactics**,*

adopted to delay, defeat and obstruct implementation of the decision of the court. This cannot be countenanced. Even on the application of elementary principles of law, the application filed by the commission (ECP) is misconceived”.

The fact remained that the PTI had attached many notices to it by the ECP which identified Barrister Gohar Ali Khan as the party chairman and there were PTI documents as well identifying him as the chairman. Thus, the court said:

"Having itself recognised Barrister Gohar Ali Khan as the chairman of PTI, the commission cannot now turn around and purport to seek guidance from the court with regard to how the certifications are to be dealt with. The commission cannot approbate and reprobate, taking whatever [shifting] stance as it desires and as may seem to suit its immediate purposes for the moment.

Furthermore, the commission, even if one were to consider the application in the most sympathetic light, has apparently forgotten the well-known de facto doctrine or rule, in terms of which the acts of a person who holds an office are protected even if there may be [and no such conclusion is reached here in relation to the PTI] any issue with the position de jure. It sufficed and the commission was duty-bound in terms of the Constitution to keep in mind that the admitted position [as stated before the court during the hearing of the appeals] is that the PTI was, and is, an enlisted political party."

The apex Court's order said that dissenting judges had also recognised Barrister Gohar's validity as chairman, adding that this sufficed to act on the court's reserved seats verdict.

"It would be completely illogical to assume that a political party, a juristic person, is fully functional yet there are no natural persons who are either de facto or de jure performing its functions or running its affairs. Saying ... that a political party is an enlisted political party, fully functional for the purposes of its formation, yet there is no one that can perform its functions and run its affairs, amounts to blowing hot and cold in the same breath or, as noted, approbating and reprobating one and the same fact.

There could have been no conceivable doubt that the certifications referred to above were correct and valid in terms of the short order and the continued denial and refusal of the commission to accept the same, as and when filed, is constitutionally and legally incorrect

and may expose the commission to such further or other action as may be warranted in terms of the Constitution and the law."

On the issue of the reserved candidates themselves, the order noted that 'the court had categorically declared' in its verdict that on filing the requisite statement and its confirmation by the political party concerned, the seat secured by such a candidate would immediately be deemed to be a seat secured by that political party. The said SC's order said further:

"Therefore, upon submission of the declarations and certifications referred to above, the position of the returned candidates (now respectively MNAs and MPAs) immediately and ipso facto stood determined and fixed as a matter of law as on those dates and no subsequent act can alter what became, on the respective dates, past and closed transactions.

As per the position so determined, the said returned candidates were and are the returned candidates of PTI and thus members of the parliamentary party of PTI in the National Assembly and provincial assemblies concerned, for all constitutional and legal purposes.

The attempt by the commission to confuse and cloud what is otherwise absolutely clear as a matter of the Constitution and the law must therefore be strongly deprecated. The list required to be issued by the commission ... is nothing more than a ministerial act, for the information and convenience of all concerned, and has no substantive effect. Nonetheless, the continued failure of, and refusal by, the commission to perform this legally binding obligation may, as noted, have consequences. This obligation must be discharged forthwith."

In August 2024, SC's senior judge J Mansoor Ali Shah had stressed that there could be no possibility of the top court's orders going unimplemented as such a scenario could amount to a constitutional violation and the executive had no choice but to comply with court orders. The remarks had emphasised that the apex court's orders were not merely recommendations or advisories, but legal mandates which must be trailed and tracked.

In the meantime another development took place; the government had bulldozed a controversial election law in the form of 26th Constitutional Amendment just to avert that SC's Order regarding reinstating the PTI's status. The proposed law apparently aimed at circumventing the Supreme Court verdict on reserved seats and sapping the expected strength of PTI in Parliament, through both houses of parliament. The law had passed despite fierce protest by PTI members, who later approached the top court against the move.

Changes to the election law were set to become the latest legal battleground between the government, the opposition, and the judiciary. The real controversy before the court was how to deal with the reserved seats if neither doled out to other parties having a presence in Parliament and provincial assemblies nor allotted to the SIC that did not contest the 8th February general elections and thus failed to secure a single seat.

- *The SIC, however, argued that under the concept of a proportionate representation system, it was not a constitutional requirement for the allocation of reserved seats that a political party having general seats in the assemblies had contested the general elections.*

The ECP had since, along with the PPP and federal government, filed a review appeal in the apex court against its reserved seats verdict.

- ***That ruling of the SC was later overturned by a seven-judge majority in June 2025.***

Scenario 283

HOPELESS PAK-ECONOMY IN 2024

NO HOPE OF ECONOMIC RECOVERY:

See a piece of **Sustainable Development Policy Institute** (SDPI)'s report dated 31st January 2024 at its official website <https://sdpi.org/>:

*"Pakistan will continue to witness 'worst economic crisis' in 2024. Pakistan **faced the worst economic crisis in its history in 2023 and it is not going to see any improvement in 2024 either.** United Nations (UN) report on 'World Economic Situation and Prospects 2024' has forecast that several challenges including inflationary pressures, currency depreciation, and high levels of sovereign debt would hamper Pakistan's economic growth this year as well.*

Pakistan has figured among the nations whose currency has depreciated by over 20 percent. In 2023, the average inflation rate in Pakistan crossed 30 percent while it is expected to remain high in 2024 as well, close to 20 percent."

On the other hand, Bangladesh which separated from Pakistan in 1971 had managed to keep inflation rate in a single digit. At the time of the survey, Bangladesh's currency was stronger than that of Pakistan, and the country was working to achieve the 5.6 percent target in 2024 – how was it possible. Pakistan was burdened with repaying foreign loans worth USD 27.47 billion by November 2024, according to the State Bank of Pakistan (SBP). The government was facing the daunting task of managing borderline unsustainable debt, along with low SBP reserves, making it difficult to stay financially afloat.

China accounted for about 30 percent of Pakistan's external debt; Islamabad government was advised to refrain from accepting condition-free foreign commercial loans because the 2024 didn't appear to differ from 2023 in terms of yawning external and domestic financing needs. The country was trapped in further debt enslavement, which led to the worst economic crisis in the country's existence. ***Pakistan's real fiscal problem was reckless borrowing and ruthless spending, pushing the country deeper and deeper into the deadly debt trap.***

Pakistan was facing problems on the international trade front as well; the overall trade scenario remained gloomy for Pakistan. The decline in trade deficit did not result from an increase in exports but from a decline in imports thus it became difficult to stop the current account deficit from widening in the coming months of 2024. Contrarily, Bangladesh was set to achieve 5.6 percent growth rate in 2024 while Pakistan's economy was struggling to reach 2 percent. Bangladesh's had become 33rd largest economy in the world with the GDP of USD 455 billion. Pakistan's GDP was pegged at USD 340 billion - about two-third of Bangladesh's GDP.

Besides acute inflation, high unemployment, widening financial deficit, and rising external debt, the World Bank had highlighted basic problems such as the human capital crisis, weak education system, ineffective human resources management, and food crisis, which were going to haunt Pakistan's economy. Malnutrition was a big challenge for Pakistan to overcome as around 80 percent of children were not getting important nutrients, thus causing negative effects on economic growth. Climate change was another big issue that Pakistan could not stop it from affecting its economic prospects.

Pakistan was set to hold general elections in February 2024. In the wake of political instability, the anticipated chaos was likely to affect the economic growth of the country. As the next election was approaching, the potential economic downturn or recession was expected to increase manifold. Pakistan remained in a political quagmire since former Prime Minister Imran Khan was ousted; the political turbulence had its bearing on the country's economy, too. Statistics clearly showed that Pakistan's economy had plunged due to multiple factors during 2022-23 including political and policy uncertainty.

Sergi Lanau, Director of emerging market strategy **at Oxford Economics**, said:

"Political instability did not sound well when Pakistan was facing a series of problems including high inflation, unemployment, and sluggish growth. It made things quite complicated. This was very bad news in a situation that was already very hard."

"Politicians are obsessed with grabbing power when the country was facing the worst economic challenges; Pakistan is set to enter another year surrounded by deep-rooted challenges over its long-term future."

See the **World Bank's Pakistan flagship reports** that discussed the analytical macroeconomic developments and policy issues that are considered

critical to the country's long-term economic development. Below is a repository of the Pakistan Development Updates biannual published reports for years 2022-24:

"6th October 2022 - Pakistan's economy is expected to grow by only 2 percent in the current fiscal year ending June 2023. According to the World Bank's October 2022 **Pakistan Development Update [PDU]: Inflation and the Poor**, the slower growth will reflect damages and disruptions caused by catastrophic floods, a tight monetary stance, high inflation, and a less conducive global environment.

Poverty in the hardest-hit regions will likely worsen in the context of the recent flooding. Preliminary estimates suggest that – without decisive relief and recovery efforts to help the poor – the national poverty rate may increase by 2.5 to 4 percentage points, pushing between 5.8 and 9 million people into poverty. Macroeconomic risks also remain high as Pakistan faces challenges associated with a large current account deficit, high public debt, and lower demand from its traditional export markets amid subdued global growth.

This Update also outlines potential strategies to manage the impacts of high inflation. Inflation in Pakistan is expected to reach around 23 percent in FY23, reflecting flood-related disruptions to the supply of food and other goods, higher energy prices, and difficult external conditions, including tighter global monetary conditions. The Update shows that the high inflation will disproportionately impact the poor.

For October 2023: The World Bank's Pakistan Development Update (PDU) for October 2023, titled '**Restoring Fiscal Sustainability**', highlighted Pakistan's sharp economic slowdown in FY23 (0.6% contraction) due to floods, import curbs, and political issues, while forecasting continued modest growth and high inflation, emphasizing IMF program adherence for stability, tackling fiscal deficits, and noting slow poverty reduction. Key recommendations included boosting tobacco taxes for revenue, as Pakistan faced severe economic volatility, near-default risks, and soaring inflation, needing fiscal discipline for recovery. The key findings remained:

"Economic Contraction: Pakistan's economy contracted by 0.6% in FY23, a result of floods, import restrictions, and global shocks.

IMF Program: The new IMF Stand-By Arrangement (SBA) starting July 2023 was crucial for external inflows, easing import controls, but fiscal discipline (higher rates, energy tariffs) was needed. **Fis-**

cal Challenges: High spending pressures from flood relief and re-

*construction were expected to keep deficits elevated, requiring revenue mobilization. **Poverty Slowdown:** Rising food inflation and informal job volatility meant slower poverty reduction, with modest declines projected. **Taxation Focus:** The rich portion of population went richer due to bad governance and corruption in high circles."*

In short, WB's that PDU painted a picture of an economy emerging from extreme volatility, with the primary focus on fiscal consolidation, managing debt, and implementing reforms under the IMF program to stabilize finances and support gradual recovery, despite significant challenges to growth and poverty reduction.

10th October 2024—Pakistan's economy continued to stabilize from the recent economic crisis, with growth recovering to 2.5 percent in the fiscal year ending June 2024; said the World Bank in its latest country economic update. ***The Dynamics of Power Sector Distribution Reform***, found that following recession in 2023, economic activity strengthened in 2024 reflecting strong agricultural output, lower inflation, prudent macroeconomic measures, and reduced political uncertainty. Though that level of growth was not sufficient to bring down poverty-rate, which increased from 40.2 percent in 2023 to 40.5 percent in 2024 - Pakistan's stabilizing economy was on a path of recovery.

*"To sustain and strengthen that positive momentum, steady steps which include reforming an inequitable and distortive tax system, reducing inefficient expenditures and untargeted subsidies, lessening the large state presence in the economy, and reducing losses in the energy sector could be taken with firm resolve. As the economic stabilization continued, macroeconomic risks remained high reflecting high financing needs, modest foreign exchange reserves, **high debt and debt servicing costs, financial sector vulnerabilities, and a loss-making power sector [PPIs]** that continued to weigh on public finances. World Bank's that edition of the Pakistan Development Update [PDU] more highlighted the challenges in Pakistan's power sector."*

PROTESTS AMIDST ECONOMIC STRESS:

A senior delegation from the International Monetary Fund (IMF) arrived in Islamabad in May 2024 to discuss the possibility of a new, badly needed assistance package. The people at large were feeling disturbed due to acute crunch and continuous price-hikes in daily commodity items since mid-2022.

That ***economic stress*** triggered violent protests in Pakistani-administered Azad Kashmir that week - the unrest couldn't have come at that worse time for Pakistan's government headed by Shahbaz Sharif as premier. The IMF visit came after the fund had released a report signaling concerns about ***Pakistan's capacity to implement austerity policies and economic reforms***. Some of those policies—including electricity hikes and withdrawn subsidies—were exactly what the protesters in Kashmir were rallying against. Pakistan, which nearly defaulted in 2023, had achieved little economic stability in recent months. An IMF package of 2023 brought in much-needed revenue. Inflation was seen cut in half, from 38 percent in May 2023 to a little more than 17 percent in May 2024. Import control measures had eased the external account deficit, and interest from foreign investors was seen enhanced.

However, the economy was looming still in crises, saddled by serious debt and ***only expected to grow by 2 percent*** during that fiscal year, which was ending on 30th June 2024. And it was hitting the public hard, as shown not only by the protests in Kashmir, but also by farmers demonstrating against Islamabad's bizarre decision to import wheat despite bumper harvests, which could result in a drop in prices for farmers-class. Looming over all of that was the question of essential but elusive economic reforms. Pakistan's economy had suffered from serious structural constraints for decades: ***a large but inefficient agricultural sector, an overdependence on a sole export—textiles—that continuously struggling to compete globally, heavy reliance on expensive fuel imports, insufficient tax revenue, and severely indebted public enterprises***.

That gave rise to a picture that Pakistan's economy was vulnerable even in the given best times, and it took devastating hits from external shocks—as was the case over the past few years after supply chain bottlenecks caused by the COVID-19 pandemic and Russia's war in Ukraine. Without reforms to address structural weaknesses, Pakistan's usual tactics during economic crises—especially the pursuit of bailouts and other assistance—only brought temporary reliefs before the next catastrophe hits. In those days, the government's strategy was to search for new partners – thus included a new investment mechanism intended to attract capital from the Arab Gulf states and beyond – which was, no doubt, heavily influenced by Pakistan's powerful army chief.

However, the Shahbaz's government was seen serious insisting that it's committed to reform. The military backed the government completely and likely had a major hand in starting the privatization process for Pakistan's cash-strapped national airline, a key reform agenda point. Past Pakistani governments had defaulted on reform plans for political reasons given the powerful

interests that resisted them - from agricultural lobbies to entrenched bureaucracies. Pakistan's finance minister, Mr Aurangzeb, offered some hope. He was a banker - not a politician, suggesting that he won't be as vulnerable to the political pressures. But unluckily, some forces within Shahbaz's government had their own plans to undermine Aurengzeb, depriving him of key portfolios and giving more power to Ishaq Dar—a former finance minister and the current foreign minister – but acting like a stooge for Nawaz Sharif's business and personal interests at the national cost.

Facing public anger as well as rejection from Pakistanis who had high voices that the country's February election was rigged, the Shahbaz government could conclude that it lacked the political capital to pursue reforms – BUT the military, which had vast holdings across many sectors, eventually could change tack if they felt that the changes would imperil their own economic interests. However, both military and Shahbaz worked seriously to undertake reforms – none of them wanted to miss that hard-earned opportunity from the donors including the IMF.

An American Journal **FOREIGN POLICY** dated 15th May 2024 wrote:

"This time around, the stakes are especially high. Pakistan is experiencing a worsening brain drain problem, with rising numbers of people leaving to work abroad, undermining a key potential economic asset—its large population. It also faces a surging terrorism threat that periodically targets foreign investments in the country. Further down the road, worsening climate change effects could wreak havoc on the economy, including the vulnerable agriculture sector.

Pakistan could reach a point where the costs of letting political expediency prevail over prudent economic policy become prohibitively high—for the economy, and for the country on the whole."

CHINA DISTANCED FROM PAKISTAN:

In the 2nd week of June 2024, Pakistan's Prime Minister Shehbaz Sharif officially visited Chinawhere he met President Xi Jinping, Premier Li Qiang, and other officials, also members of China's business community at the Pakistan-China Business Forum 2024 in Shenzhen. The Pakistani prime minister gave a clear and strong message of commitment to the China-Pakistan Economic Corridor (CPEC). Sharif's views on CPEC were duly appreciated by the Chinese authorities also.

The importance of his trip, however, was not just to convey Pakistan's commitment to CPEC but also to convince his hosts of Pakistan's determination to address two important concerns that China had been consistently raising – namely, political stability and security in Pakistan which had added to the country's economic woes, and a deteriorating security situation inside Pakistan, with Chinese citizens increasingly targeted, was taking the shine off China's Belt and Road Initiative (BRI). Those issues were initially discussed in the 2024 China-Pakistan joint statement released at the end of Sharif's visit in early June that year.

- *The same core issues were the focus of talks & relationships in fact: the 2018 joint statement issued after former Prime Minister Imran Khan's visit to China, the 2022 joint statement after the visit of PM Shehbaz Sharif when he had replaced Khan, and, lastly, the 2023 joint statement after interim Prime Minister Anwaar-ul-Haq Kakar's visit.*

The fact remains that the two mantras of "**stability**" and "**security**" were first raised by China's then-Foreign Minister Qin Gang during his visit to Pakistan in May 2023. His visit had come nearly a year after former PM Imran Khan had been replaced by Shehbaz Sharif, following a vote of no confidence in Parliament. Stability, Qin explained, was a prerequisite for development while security was the foundation for strength and prosperity of a country. Mr Qin had **publicly censured Pakistani officials with friendly advice to build consensus among themselves and to bring stability and development to the country.**

After Qin's visit, more political upheaval followed in Pakistan with the arrest of Khan and riots all over the country. Despite Chinese narratives of continued support for CPEC, political instability and security issues inside Pakistan continued taking a toll on relations between both countries. Both countries described their relations as an All-Weather Strategic Cooperative Partnership. For Pakistan, China was the cornerstone of its foreign policy, evident in all joint statements on record. China, however, appeared to have changed its view on relations with Pakistan, as evident from the 2023 joint statement onwards.

- *In both the 2018 and 2022 joint statements, China described relations with Pakistan as China's "highest priority in its foreign policy." But in the 2023 joint statement, as well as in the 2024 joint statement issued during nearby months, China-Pakistan relations for China were described as just "a priority in its foreign relations." The adjective "highest" to describe Pakistan's priority in China's foreign relations was seen omitted in later statements.*

That phenomenon raised abundant questions. The fact the description was published twice in successive joint statements suggested it was not a mistake; possibility was there that China might have decided to downgrade relations with Pakistan. It was perhaps a reflection of how, 10 years after choosing CPEC as the flagship BRI project in Pakistan, China felt embarrassed, forced by Stability & Security concerns, - thus the gulf in mutual relations widened.

Other changes seen in the 2024 joint statement when compared to previous joint statements was related to **security**, such as the special mention of ***the suicide attack on Chinese engineers working on the Dasu Dam project***. That reflected China's serious concerns with Pakistan's security provisions for their citizens inside Pakistan. Chinese officials wanted Pakistan to not only hunt down the perpetrators but also severely punish them for their crime – BUT the world knows that Pakistan's criminal justice system in 200 years old and the politicians never opted to break the taboo of that status-quo.

Pakistan, after the 2024 Bisham attack, in which five Chinese engineers including a woman were killed, for the first time sacked security officials and police officers in charge of security for the convoy attacked. It was suggested that after that suicide attack, China had pressurized Pakistan to carry out a large-scale military operation against militants – BUT nothing done. In fact, Pakistan appeared to be more concerned with what was happening inside Afghanistan; perhaps because the joint-statement spoke of cooperation and coordination between both countries on Afghanistan. Pakistan made no mention of support for Afghanistan's development, as was seen in 2018 and 2022 joint statements.

During 2024, for the first time Pakistan put the onus of responsibility on the Taliban government in Afghanistan to firmly fight against terrorism and not allow its soil to be used for terrorist activities. Pakistan's security concerns were about terrorist incidents planned inside Afghanistan and carried out in Pak-territory – including attacks on Chinese nationals. Pakistan had specifically asked the Taliban government to arrest and hand over the alleged masterminds of the Bisham suicide attack in which five Chinese engineers and their driver were killed – but the Afghan government showed zero concern in that respect.

- *Somehow or the other, few CPEC projects mentioned in the 2024 joint statement appeared to have undergone minor surface-adjustments. The ML-1 Railway project was still included (it was missing in the 2018 joint statement) but the Karachi Circular Railway, mentioned in the 2022 joint statement as an urgent requirement, was*

not. It was not included in the 2023 joint statement, either, reflecting its fall in priority.

Regarding progress in the ML-1 Railway project, China only agreed to advance the first phase. SINOSURE [*the Chinese state-owned insurance company that approves mandatory insurance for major CPEC projects*], had shown **concerns about unpaid dues Pakistan owed (till then) to Chinese power companies working in the country under CPEC**. Their financial concerns regarding current CPEC projects somewhat help explain why the 2024 joint statement did not reveal new major CPEC projects. With Pakistan's rising circular debt crisis in 2024, hindering the country's growth, new or costly projects were pushed into waiting for indefinite periods of time.

In the 2024 joint statement between the two countries, third-party investment priority areas such as agriculture, IT, industry, science and technology were retained, but oil and gas, present in the list since 2022 joint statement, were replaced with mining; also noticeable was the Chinese government's assurance to encourage Chinese companies to actively invest in Pakistan's offshore oil and gas projects. Similarly, the Chinese government promised to encourage Chinese companies to invest in Pakistan's special economic zones, with a caveat that the projects fulfill global marketing and commercial principles – with no special relationship. Joint statements released by China and Pakistan provided a good barometer to know where CPEC was heading then.

The 2024 joint statement emphasized an upgraded version of CPEC with eight major steps aligning with Pakistan's **5Es Framework**. But more importantly, the statements revealed the then reframed relationship between both countries, such as the dropping of Pakistan from **the highest priority to a priority in China's foreign policy**, both in 2023 and 2024.

Opinion

BRIDGING THE TRUST DEFICIT (2024):

On 7th August 2024: Media headlines told that **Finance Minister M Aurangzeb endorsed a trust deficit as the reason for the reluctance of donors to release the funding promised for helping the country recover its hardships**. Of pledges of \$11 billion which had been made at a donors' conference, only \$2.6 billion had actually been disbursed. Senator Aurangzeb was in fact putting too favourable an interpretation on the reluctance; actually it suggested of an excuse. It was true that the pledged aid consisted of taxpayers' money, which foreign governments had a responsibility to see spent on the purposes, but at the same time, that not disbursing the funds reflected the meaning as if the funds were misused: those in need of help were left without help. **One reason why foreign donors were**

hesitant was how aid had been used in the past, as a means of elite capture, through allowing, even encouraging, embezzlement.

The impression prevailed that the said aid was not for development - at best, it was meant to replace destroyed development; nothing to do with its foreign exchange difficulties. It might be sounding unsympathetic, but it was fortunate that flood aid could be tied down specifically to particular projects, which meant that the element of government corruption was apparently removed. Pakistan was facing ever more extreme weather because of emissions of greenhouse gases made by First World countries, ***so aid was not charity, but simply a form of climate justice.*** The excuse of corruption was meant to absolve the donors, though their contractors and private companies who were included to turn a dishonest dollar as anyone in the Third World. Third World corruption and First World pollution were different issues, but unfortunately, Pakistan was being made to suffer the consequences of both.

Just two days later, on 9th August 2024; Finance Minister Aurangzeb said that:

"....China, Saudi Arabia and the USA have agreed to a rollover of a total of \$12 billion, the IMF is now good to give a 37-month \$7 billion EFF, which is expected now to be approved by the IMF's Executive Board at the end of this month or the beginning of next. There is one problem with these roll-overs; they only provide a one-year relief from the need to repay them. It is likely that the political cost of getting these rollovers will increase when Pakistan attempts to get another rollover - because the deposits will become due for repayment before next review for the IMF program.... And again another roll-over ...and so on...."

(.....**Daily Pakistan Today** dated 9th August 2024 is referred)

Those debts were not just ordinary sovereign debts, but the Saudi and Emirati 'loans' were deposits with the State Bank of Pakistan. They were not meant to be used, but merely boost for the foreign exchange reserves, and give an essentially false sense of security to foreign commercial lenders. The Chinese debt was in the form of money owed to Chinese banks for CPEC loans. [*Chinese rollovers are nerve-racking as they can only be made if the amount owed is actually paid; then there is a fresh loan made.*] That's why the government attempted to issue so-called Panda Bonds - a clever way of rolling over Pakistan's debt but it would still remain debt. The country's central problem was clear; that IMF program was not the ultimate goal. Some way of repaying the debt in real terms was necessary to avoid more rollovers.

On 13th September 2024: News of another loan from the Asian Development Bank (ADB) appeared on media pages; *knowingly that IMF was loaning us NOT for the repayments of principle amount but the INTEREST on its previous loans.*

Point to ponder that why these lending agencies were trying to burden Pakistan with fresh loans, ignoring the fact that these loans were resulting in an increase in suicide rates due to hunger and poverty. Why not write off the previous loans which Pakistan had paid back five times over, as the new IMF loans for this country were on extremely high interest rates despite the fact that previously IMF had decided to offer ZERO interest loans to the poor countries and here Pakistan was definitely a poor country. Had Pakistani Finance Minister put up and tried to win this argument that their WOT left us in such a pathetic state that the state had not enough money for repaying their interest on loans.

Pakistan's Prime Minister Shehbaz Sharif welcomed the International Monetary Fund's (IMF) decision to approve a \$7 billion loan program for the country. In July, the Fund had reached a staff-level agreement on economic policies with Pakistan for 37-month Extended Fund Facility (EFF) of the said amount. The IMF had approved the bailout package for the country after it agreed to strengthen its fiscal and monetary policy and implement reforms to broaden the tax base, secure a level playing field for investment and enhance human capital. The PM reiterated the old mantra again:

"We will continue to struggle to achieve economic progress targets - this will be Pakistan's last IMF program. We are thanking the friendly countries including Saudi Arabia, China and the United Arab Emirates for their support to get the program," the **ARAB NEWS** dated 26th September 2024 is referred.

Economists termed the loan approval a positive development but, more importantly, it managed to buy Pakistan time and breathing space to do the structural work that was necessary to put the economy on a rightful path. IMF expected Pakistan to seriously plan sound economic policies and reforms to strengthen its economy and create conditions for a stronger, more inclusive, and resilient growth. The problems were because the country's vulnerabilities and structural challenges remained tough and difficult and no political party had come forward to take it as challenge; no one was ready to encounter the status quo.

A difficult business environment, weak governance, and an outsized role of the state-investments in continuity spoiled the country's economy. However, there was a light at the end of the dark tunnel; FM Aurangzeb's certain steps

had started bearing fruit in ending 2024; IMF Chief Kristalina Georgieva was seen a little satisfied during a brief meeting with the Pakistani prime minister on the sidelines of the 79th United Nations General Assembly Session.

ON AGRICULTURAL TAX:

On 10th October 2024; the Pakistani finance minister announced in a hefty press conference, a new tax regime for agricultural income (formally agreed to by all provinces under the ***National Fiscal Pact*** framed as per conditions of the latest IMF program), designed to become effective from 1st July 2025. Relevant legislation was scheduled to be passed by January 2025. It was not at all a good omen that reforms were once again being delayed. Status-quo forces once more played their role; ***it is no secret that the most powerful individuals in the country, including politicians, bureaucrats, military men and judges, are direct or indirect beneficiaries of Pakistan's critically deficient agri-income tax regime.***

In July 2024, the IMF had recommended that taxes on agriculture be brought in line with the tax structure for non-salaried individuals. President Asif Zardari had publicly expressed apprehensions regarding the proposal, disowning it as a 'condition' imposed by the IMF when he should have encouraged the measure as a necessity given Pakistan's dire financial condition. This new regime was supposed to take effect within year 2024, not six months later, as the people were being told in press conference.

Mainly due to influential figures, agricultural tax reforms were kept put off year after year, decade after decade. However, given the then prevailing conditions, it was expected that policy circles would show greater urgency in implementing critical reforms. Tax-compliant sectors and the salaried class had already been squeezed to a high limit. It was unfortunate that they would continue to pay through their noses, while the agri-sector would continue enjoying its privileges for another year; even that promise could fizzle away like before – no one was sure in Pakistan.

UAE'S SILENT CONQUEST OF PAKISTAN:

Now see an exhaustive report titled as ***UAE'S SILENT CONQUEST*** which appeared on 26th November 2025 at 'FACEBOOK':

*Imran Khan was bad for Pakistan, because he spoke of **sovereignty and nationalism**! In a nation that is already owned by the new East India Company from the Middle East [Dubai].*

In 2007, a US diplomat captured something extraordinary in a cable back to Washington. Mohamed bin Zayed, de facto ruler of the UAE, was speaking with unusual candor about democracy in the Muslim world. His words were chilling: **"Muslims should never have free elections."** He named three countries that kept him awake at night, Egypt, Saudi Arabia, and Pakistan. The reason? *"If Egypt has free elections, they will elect the Muslim Brotherhood."* This wasn't the musing of a worried observer. This was strategy from a man who runs one of the world's wealthiest states. And Pakistan, nuclear-armed with 240+ million Muslims, was squarely in his sights.

Imran Khan came to power in 2018 and immediately became the embodiment of everything that 2007 cable warned against; he wasn't subtle about it either. During Muslim unity summits in Kuala Lumpur; he was seen inflexible - adamant refusal to normalise with Israel despite intense pressure from Riyadh and Abu Dhabi. Saying **"absolutely not"** to American requests for military bases. Staying neutral on Ukraine when the West demanded alignment. Speaking forcefully about Kashmir and Palestine when silence would have been more profitable. He represented Muslim self-determination not as theory but as lived policy. But by April 2022, he was gone.

International Holding Company doesn't make headlines the way oil giants or tech firms do, but perhaps it should. Chaired by Sheikh Tahnoon bin Zayed who happened to be MBZ's brother and also served as the UAE's National Security Advisor, *this company grew by 42,000 percent between 2019 and 2024*. Think about that number. That's not business success in any normal sense. That's the Abu Dhabi ruling family, which owned 61 percent of the company, deliberately moving \$4.7 billion in state assets into a single vehicle. They were building something. And in the months after Khan's ouster, that 'something' accelerated its moves on Pakistan.

June 2023. **Pakistan leased the East Wharf of Karachi Port to UAE's AD Ports Group for up to fifty years.** The upfront payment was \$220 million for operational control of four berths out of thirty-three. On the surface, it looked like the kind of infrastructure deal. Pakistan had been making so for decades at the cost of the country's vulnerability. But look at what wasn't in the agreement. No competitive bidding process, even though Pakistan's law required it. No independent consultants brought in for price discovery. Any disputes would be settled in London, not Pakistan. And Karachi Port wasn't just another port it handled every single container, every ounce of cargo that entered or left Pakistan by sea.

- For half a century, the throat of Pakistan's economy would be in foreign hands. ***The rental increase over the previous contractor? Seven rupees per square meter. About twenty-five cents.***

The details of the **Karachi Port Deal** read like a masterclass in how to exploit institutional weakness while calling it partnership. *The Karachi Port Trust, Pakistan's own agency, got zero representation on the board of the operating company.* Pakistan secured no right to resolve disputes over its own port in its own courts everything goes to London arbitration. The government never appointed independent consultants to determine fair value, even though that was legally required. They just compared it to the previous contractor's terms and called it good enough. This was taking advantage of a system that's been vulnerable for decades, now with the political obstacle to such deals finally removed. ***Officials who signed it knew exactly what they were doing.***

But Karachi wasn't even the first port to fall. ***DP World, another UAE giant, had locked down Port Qasim back in 2006 through a similar arrangement.*** Over the years since, they'd expanded methodically, freight corridors connecting the port to inland distribution, dredging operations to deepen channels, entire economic zones built around their terminals. *By 2023, when the Karachi deal was signed, UAE companies effectively controlled both of Pakistan's major ports.* Think about what that meant. Every car imported. Every textile exported. Every container of electronics, food, machinery, medicine. Everything that could make a modern economy function flowed through infrastructure that was to answer to Abu Dhabi - permanent control of Dubai; Pakistan ZERO.

The Telecommunications [PTCL] Story showed how long this had been building. In 2005, Etisalat from the UAE bought 26 percent of Pakistan Telecommunication Company along with full management control for \$2.6 billion. At the time, PTCL was humming \$1.4 billion in annual revenue, \$452 million in net profit, technologically sophisticated, a genuine success story. Four years under Etisalat's management and the market value had cratered by 75 percent. Pakistan absorbed a \$3 billion loss in shareholder value. ***And here's the kicker: Etisalat still owes \$800 million from that original 2005 purchase.*** Twenty years later. They control country's telecommunications backbone, they destroyed its value, they never paid in full, and then Pakistan kept borrowing money from the UAE to keep the lights on.

Islamabad's International Airport was next. Not an investment partnership or a management consultancy arrangement, an operational transfer to the UAE through a government-to-government framework. Qatar

was simultaneously in talks to take over Karachi and Lahore airports. Stop and consider what airport control actually meant. 'Who gets entry visas and who doesn't. What cargo gets scrutinized and what flows through. Passenger manifests. Flight data. Intelligence gathering opportunities that would make any security service salivate. The skies above Pakistan's capital, the gates through which everyone and everything must pass, were going to be managed from the Gulf.

- *Pakistan has been making such compromises for thirty years, selling bits of sovereignty to stay afloat. It's the final liquidation phase, with the last resistance finally neutralised.*

February 2025 brought the most symbolically devastating transfer yet. *International Resources Holding, a subsidiary of IHC, signed a joint venture giving it 50 percent plus one share - that "plus one" matters, it meant control of two strategic mineral exploration licenses in Balochistan's Chagai region.* The ceremony wasn't handled by mid-level bureaucrats. The Crown Prince of Abu Dhabi flew to Pakistan personally. He stood there with Pakistan's Prime Minister as the papers were signed. This was statecraft, a formal acknowledgment that Pakistan's mineral wealth, the geological inheritance that should secure generations of prosperity, was being transferred to foreign control. The Crown Prince's presence said everything: that mattered enough for royalty to witness.

Balochistan isn't just another province. It holds over half of Pakistan's natural resources rare earth minerals, natural gas, crude oil, coal, gold, marble etc. *Recent geological surveys revealed massive antimony deposits plus substantial reserves of gold, copper, nickel, and cobalt.* The province is home to Reko Diq, one of the largest undeveloped copper-gold deposits on earth. This was generational wealth. The people who lived above such riches watched them extracted and shipped away, ***controlled by interests in Abu Dhabi.*** Pakistan's elites were selling the country piecemeal for decades.

October 2025. **IHC acquired 82.64 percent of First Women Bank, Pakistan's state-owned institution, for just \$14.6 million.** The plan was to transform it into an *'AI-enabled' banking operation and expand from 42 branches to 200.* See what's actually happening. UAE got control of the digital architecture of Pakistani banking. Customer financial data. Credit allocation patterns. Lending algorithms. Transaction records. The entire information infrastructure of how money moves through a significant segment of Pakistan's economy. Pakistan's whole capital is managed from Abu Dhabi - how Pakistan was made vulnerable - and a big fool.

The **Special Investment Facilitation Council** [SIFC] appeared in June 2023, just weeks after Khan's removal. Officially it's chaired by the

Prime Minister, but the military has direct representation; the deals are being actively orchestrated by them. The incentive structure was elegant and corrupting: senior officers knew they would retire to Dubai properties and lucrative consultancies. The institution gets preferential treatment and budget protection. Pakistan's military has been the kingmaker for decades, but now they're also the auctioneers, selling the country's strategic assets to secure their own futures. Khan was the interruption, perhaps.

The UAE rolled over \$2 billion in Pakistani debt for another year, and the media headlines praised it as a gesture of friendship. ***But debt rollover isn't charity it's leverage. Pakistan's debt-to-GDP ratio has blown past 70 percent.*** Interest payments consume more than half of government revenues. Even with an IMF bailout and \$3 billion in emergency Gulf funding, ***Pakistan was to service \$80 billion in debt over the next three years.*** Watch how the mechanism works: *extend loans, let the country sink deeper, wait for the crisis, then offer to "invest" in strategic assets at distressed prices, acquire them, roll over the debt to keep them dependent, repeat.* The system was always designed to fail.

The contrast between Khan's Pakistan and post-Khan Pakistan wasn't about one being sovereign and the other compromised. The difference was that Khan tried to swim against the current. Under Khan, UAE investment sat around \$3-4 billion spread across telecoms, energy, and ports. Normal commercial relationships within the existing system. But Khan maintained some independence, he refused to normalise with Israel despite enormous pressure. Three years after his ouster, look at the acceleration: Karachi Port gone for fifty years. Both major ports foreign-controlled. 82 percent of one Pakistani bank owned by external interests. Controlling stakes in Balochistan's mineral wealth transferred. National telecom still unpaid for from 2005. The capital's airport being handed over. Not one of these deals went to competitive bidding.

- *Not a single competitive bidding process for any of the above deals. And debt kept mounting sharply. They called it economic development; they called it partnership; they called it foreign direct investment. But that process had been running for thirty years. The difference now was there's no one left to resist; the nefarious plans to sink the ship were finally reaching completion.*

Look at Sudan. Same International Holding Company. Same AD Ports Group. Different geography, identical playbook. IHC farms over 50,000 hectares of Sudanese land and built a major port facility to export agricultural production. How do they secure these investments in an unstable country? *By arming the Rapid Support Forces [RSF], a militia that operates with documented cruelty; UAE supplies weapons. Gold from RSF-controlled mines*

flows to Dubai, where the militia's commander keeps his personal fortune. American intelligence agencies have confirmed UAE is providing Chinese-made drones to the RSF. **Over 40,000 people are dead. Fourteen million displaced.** IHC protects its farmland and port access through a genocidal proxy, and the world shrugs because the UAE hosts American bases and buys American weapons.

- *The **British East India Company** wrote the manual for this. They entered India as merchants looking for trade opportunities. They acquired port facilities for commercial purposes. They cultivated debt relationships with local rulers who needed cash. They converted those financial obligations into territorial concessions. They raised private armies to protect their interests. They achieved dominion over a subcontinent without ever formally annexing it as a crown colony until the very end.*
- *The UAE's approach just updated the vocabulary for Pakistan – and our elite followed it for just few properties in Dubai.*

Pakistan watched Sudan burn and learned exactly how much international law matters when American interests align with the perpetrator [UAE]. The UAE executed that precise agenda, same actions, same outcomes, and same devastation to Pakistan's sovereignty via some politicians and rogue elite. For poors, *the headlines read: foreign direct investment, strategic partnership, deepening bilateral cooperation; the only variable is which flag flies above them.*

Also, look at the full architecture of what's been built over decades and some actions are being finalised. Every major transaction executed without competitive bidding. The entire structure constructed on debt dependency with periodic rollovers. Pakistan didn't suddenly lose its sovereignty. It's been eroding for thirty years through corruption, debt, and a political economy designed to serve elites rather than citizens.

Pakistan has been in institutional decline for three decades, its sovereignty sold off piece by piece by elites who profited from the arrangements. What we're witnessing isn't Pakistan falling. It's the final phase of a plan that's been running for thirty years, now executing at full speed with no resistance left.

[Special thanks for **RAVIANS FORUM** on whatsApp and FaceBook for updating the member's knowledge]

Scenario 284

DUBAI PROPERTY LEAKS

BELL THE ROGUE PAKISTANI CATS:

THE leaked Dubai property data reported on by media organisations around the world during **the 3rd week of May 2024** caused quite a stir. Even though some individuals — including the then defense minister Kh Asif — insisted that there was ‘nothing’ in the published information, others, like Interior Minister Mohsin Naqvi, took strong exception to being named publicly as owners of offshore properties.

On 16th May 2024; in a televised press conference, Mr Naqvi regretted that an impression had been created by the media that the individuals mentioned in the Dubai leaks had bought their properties through illegal means or had hidden them from the tax authorities. Acknowledging that his wife owns properties in Dubai and London, Mr Naqvi insisted that the said assets were duly declared and acquired with his own resources. His resentment, to some degree, was understandable: *‘it is nobody’s business to tell anyone what they should do with their money’*.

A positive sign; that Mr Naqvi supported behind calls for an inquiry into the leaked data, which could determine whether any of the identified properties were acquired unlawfully. The PMLN government could have announced for an investigation without further argument, considering how helpful it could be to establish a zero-tolerance policy for tax evasion and money laundering while negotiating bailouts from international lenders. The country’s authorities had long sought such data from the Dubai administration but remained unsuccessful due to various diplomatic constraints. As then, that the data was available, they had an opportunity to analyze it and compare it with their own records.

However, such investigations previously had harassed law-abiding citizens who simply made investment decisions to purchase property abroad. Instead of catching tax avoiders and violators, new ways of massive corruptions got entry into high profile state organisations. Unfortunately, the country continued to be seen negatively by lenders until the govt puts its own house in order; demonstrating significant seriousness in the matter.

Referring to the Daily **DAWN** dated 19th May 2024: The Lahore High Court (LHC) was approached to order the National Accountability Bureau (NAB) and other investigating agencies to conduct a comprehensive inquiry into the *Dubai Leaks* concerning properties owned by Pakistani citizens, including politicians and armed officers. Citizen Mashkoor Hussain, in his petition filed through Advocate Nadeem Sarwar, stated that he asked the court's verdict for the public good.

The leaked data provided a detailed overview of properties in Dubai owned by around 17,000 Pakistani citizens, with information about their ownership or usage largely from 2020 and 2022. The PMLN government didn't move for a detailed probe to ascertain whether the properties mentioned in the Dubai leaks were fully declared by their owners before the competent authorities; whether these properties had been purchased through tax evasion or illegal means.

The petitioner also asked the court to monitor all investigation proceedings and ordered the federal government to provide all progress reports until the final adjudication of this petition. The respondents listed in the petition included the Federal Investigation Agency, Federal Board of Revenue, and the Election Commission of Pakistan.

The fact remains that Pakistani officials had tried in the past years to unearth details of Pakistani citizens who owned assets in Dubai with an aim to bring undeclared assets and income into the tax net – but failed miserably. Dubai authorities were reluctant to share information about the number of Pakistani citizens having Dubai residence visas, commonly known as *iqamas* or Emirates IDs.

There was also a political element to that resistance: Pakistan didn't have the geopolitical power or influence to demand that information. Those details — a shocking volume of leaked property data that included over 23,000 properties listed as belonging to Pakistani nationals up to the spring of 2022 — were at the fingertips of journalists from scores of media outlets around the world. The leaked data provided a detailed overview of hundreds of thousands of properties in Dubai and information about their ownership or usage, largely from 2020 and 2022.

A mere mention in the data was not evidence in itself of financial crime or tax fraud. Nor does the data contain information such as residence status, sources of income, tax declarations of rental income or capital gains. In fact, several of those approached by media said they were declared to the tax authorities. But it did paint an astonishing picture of contrasts. Pakistan, a

developing country teetering on the edge of economic collapse, begging international lenders and friendly countries for lifelines in single digit billions, featured prominently in the data.

While 17,000 Pakistani citizens are listed owners in the 2022 leak, academics using the data and additional sources put the actual number of Pakistani owners of residential property in Dubai at 22,000. They further estimated that the apartments and villas were worth more than \$10 billion at the start of 2022, but with the more than 25 per cent increase in property prices since then, the real worth of Pakistanis' residential properties in Dubai could be well above \$12.5bn in 2024. Malik Amjed Zubair Tiwana, Chairman of the Federal Board of Revenue (FBR) told the media while commenting on the said 'leaks':

"If we have the data you are talking about, as well as the information on residence status, we will make sure those who are eligible to pay tax in Pakistan on rental income or capital value are doing so. It may be a sensitive matter, and perhaps the law will have to change, but with political will we will go all out against tax evaders. The government is prepared for this.

... (Also) that citizenship has no importance in tax law as taxation is linked to residence status. We have been trying to get information from the immigration department of Dubai to determine tax status, but it has not been materialised."

Both the incumbent FBR chairman and former FBR chairman Shabbar Zaidi told media that the Dubai authorities were not forthcoming about sharing information on iqamas, for instance, despite the existence of a tax treaty between the UAE and Pakistan to avoid double taxation. In 2019, the FBR in a strongly worded handout expressed its frustration at the silence of Dubai authorities on this issue, and threatened to terminate the treaty. And yet, the Dubai authorities remained tight-lipped. Mr Zaidi also shared a revealing incident from the time he was FBR chairman:

"[In December 2019] I asked my Director of Taxes to get iqama details from Dubai authorities to identify which Pakistanis have Dubai iqamas, because those who own property in Dubai typically have iqamas. BUT soon after he was contacted by a senior UAE diplomat who suggested he should not pursue the matter.

I told him, 'I am asking for my own people's information, what is the problem?' [Mr Zaidi continued]

*He left unhappy and then went to **Shah Mahmood Qureshi** [the then foreign minister]. He complained to Qureshi, and Qureshi rang me. I told him 'Leave this, it's my issue not yours'. Then that UAE diplomat went to **Imran Khan** [then prime minister]. IK called me and asked what I was doing. He said '**Haath haula rakho, they just gave us \$1bn**'. Mr Khan was referring to the \$3bn bailout package pledged by the UAE to Pakistan in January 2019."*

Mr Zaidi (also) added:

"Because of Pakistan's bankruptcy and financial dependency on countries like the UAE, it cannot ask for this information. Dubai thrives on non-transparency, and doesn't want to share this information."

SAGA OF VANISHING FILES IN FBR:

Ali Rahim, tax lawyer and former Karachi Tax Bar Association president, explained how tax laws apply to Pakistanis with overseas assets:

"The entire world income of resident Pakistanis is liable to be taxed in Pakistan, but they can get credit against their total tax payment for any taxes paid abroad."

Pakistani residents (those in the country for more than 183 days per year) with assets abroad have to value them at the current exchange rate and pay one per cent tax on that if the value of the asset is more than Rs100 million."

Non-resident or overseas Pakistanis are only liable to pay tax on income generated in Pakistan. They are not required to file a wealth statement or declare overseas assets."

*"Legally speaking, the **same laws apply to politicians and PEPs** (politically exposed persons) as well but we all know the factual position. I know of instances where PEPs' files have been put on the backburner and their cases have vanished into thin air."*

According to the ***Atlas of the Offshore World***, compiled by the EU Tax Observatory and Norway's ***Skatteforsk Cente for Tax Research***, offshore financial wealth (equities, bonds, mutual fund shares, and associated bank

deposits) owned by Pakistan had declined from nearly 17 per cent in 2001 to 2pc in 2022. This was largely on account of the increasing transparency in the global banking system. Consider that in 2001, Pakistan's offshore financial wealth stashed away in Switzerland was \$11bn. In 2022, that figure was down to \$1bn. On the flip side, the growing transparency in the banking system incentivized a shift towards real estate; Dubai was the favoured destination.

Data gathered for the Atlas of the Offshore World showed that London, with \$740 million, comes in a distant second behind Dubai (\$10bn plus) for Pakistanis looking to invest in offshore real estate; Singapore was third, with \$120m.

STARK FACTS ABOUT DUBAI HUB:

Dubai is a global financial hub often described as a playground for the world's rich. It prides itself on being an open economy for companies and individuals who want to make investments. But the glamorous emirate has a darker reputation as a tax haven, and ***top destination for murky sources of cash and money laundering*** — often through real estate transactions. In 2019, *Transparency International* dubbed the emirate a 'money laundering paradise', highlighting that individuals with questionable sources of income were able to invest in Dubai without restrictions. A number of individuals whom the OCCRP interviewed, including a former governor of a central bank in the region, spoke about parallel systems being in place.

"In the UAE, there are two economic, financial and security systems running in parallel at the same time.

One is formal where all rules and guidelines apply and which conforms to international requirements. The other operates outside the formal system; it survives on cuts from criminals, sanctioned persons and entities — shady investors and millionaires who don't like to be asked where they got their money. Private jets full of money are landing frequently in Dubai. No one can ask who the money is for. It's taken out and deposited in special accounts..."

In property buying in Dubai, when talking about the options for payment, the property offices would tell you they can [even] accept crypto currency as well as, or full cash payment, 'even one brings bags of cash we can accept that there is no limit on cash actually; **'zero questions'** about the cash.

- For some people the laws are implemented too. Dubai's one tax-officer told that: '*The UAE has issued fines of more than AED 115 million in relation to money laundering and seized assets of more than AED 925 million in relation to breaches of AML practices and procedures*'.
- *Dubai was added to the FATF's grey list in 2022 but was taken off in February 2024. Some experts, however, expressed concerns that the move was premature and driven by geopolitical concerns.*

That was what made the Dubai property leaks so fascinating, because they gave us a glimpse into how well-heeled Pakistanis played the real estate market in their favourite offshore investment destination. *The level of detail contained in the leaks was astonishing.* There were names, dates of birth, iqama numbers, expiry dates, passport information, telephone numbers and emails of Pakistani passport holders who were listed as having invested in single or multiple Dubai properties. There were also details of purchase and rental transactions.

- *The properties owned by Pakistanis ranged from studio apartments and commercial properties to entire buildings and six-bedroom villas. Pakistanis were listed as owners in some of the most expensive districts of Dubai, including Dubai Marina, Emirates Hills, Business Bay, Palm Jumeirah and Al Barsha.*

For the purpose of this investigation, some media reporters, specifically **daily DAWN** examined data linked to public office holders, elected politicians, military personnel and PEPs and undertook a rigorous verification process. The process involved running checks on listed owners by putting their information through the *Dubai Land Department* (DLD) system. Many of the checks yielded a positive match for ownerships. The data shared with media reporters was a snapshot of Pakistanis' investment in Dubai property during a specific period – still many owners went undetected. Former Chairman FBR Shabbar Zaidi told the media:

"Every elite family [in Pakistan] — armed forces, politicians, business people — everyone rich has property in Dubai. This business of taxing them is a small matter; the larger issue is the lack of transparency and the close ties between the elite in Pakistan and the UAE."

Most of the data came from *Dubai Land Department*, as well as publicly owned utility companies. The data included the listed owner of each property, as well as other identifying information such as his or her date of birth, passport number, and nationality. In some cases, the data captured renters

instead of owners. Journalists used that data as a starting point. They spent months verifying the identities of the people who appeared in the leaked data, as well as confirming their ownership status, using official records, open source research, and other leaked datasets.

They had identified many Dubai property owners whose presence in the emirate was in the public interest to report on, including people who have been accused or convicted of crimes, facing international sanctions, or were politically exposed persons (PEPs); daily **DAWN** dated 15th May 2024 is referred.

PROJECT: 'DUBAI UNLOCKED':

The fact remained that several prominent Pakistanis were named in the latest leaks containing details of individuals who owned properties in the upscale areas of Dubai. The list included political figures, former military officials, bankers and bureaucrats, according to data revealed by the **Organised Crime and Corruption Reporting Project** [OCCRP]'s Dubai Unlocked project. The combined value of properties possessed by Pakistanis were estimated at around \$11 billion.

- *The project — '**Dubai Unlocked**' — is based on data that provides a detailed overview of hundreds of thousands of properties in Dubai and information about their ownership or usage, largely from 2020 and 2022. Properties purchased in the name of companies and those that are in commercial areas are not part of this analysis.*
- *The data was obtained by the **Centre for Advanced Defence Studies** (C4ADS), a non-profit organisation based in Washington, DC. It was then shared with **Norwegian financial outlet E24 and the OCCRP**, which coordinated a six-month investigative project with reporters **from 74 media outlets in 58 countries**, uncovering scores of convicted criminals, fugitives, and political figures who have recently owned at least one piece of real estate in Dubai. The News and Dawn were partners from Pakistan.*

Among the Pakistanis listed in the Property Leaks were President Asif Ali Zardari's three children, Hussain Nawaz Sharif, Interior Minister Mohsin Naqvi's wife, Sharjeel Memon and his family members, Senator Faisal Vawda, Farah Gogi, Sher Afzal Marwat, four MNAs and half a dozen MPs from the Sindh and

Balochistan assemblies. The list also featured the late Gen Pervez Musharraf, former prime minister Shaukat Aziz and more than a dozen retired military Generals as well as a police chief, an ambassador and a scientist – all of whom owned properties either directly or through their spouses and children.

- *In 2014, President Asif Ali Zardari had received foreign property as a gift. By the time he declared it in 2018, he had gifted it to someone. In 2014, a business tycoon co-accused with Zardari in the fake accounts case, Abdul Ghani Majid, declared in his wealth statement that he had granted a gift of Rs329m but neither mentioned its type nor the recipient. The JIT however recovered a memo about the purchase of a penthouse in Dubai during March 2014. The Property Leaks data unveiled that Ghani had then gifted this property to Zardari who gifted it to his daughter.*
- *Omni Group's Chief Financial Officer, Aslam Masood (now deceased), along with his wife was also shown as a listed owner of several properties in the data. The News checked the value of one of them and found out that it was purchased at AED1,060,626 (Rs:80m) in March 2013.*
- *Sohrab Dinshaw was also a property owner in Dubai. A villa he purchased in 2015 carried a purchase price of AED 1271888 (Rs:96m).*
- *The Altaf Khanani network which was sanctioned by the US for involvement in money laundering had also surfaced on the list. His son, daughter, brother, and nephew were listed owners of several properties in Dubai. Three of them were facing sanctions.*
- *Another notable character was Hamid Mukhtar Shah, a Rawalpindi-based physician who was **sanctioned by the US for his involvement in the kidnapping, detention of, and removal of kidneys from Pakistani labourers**. He was listed as the owner of scores of properties.*
- *Also that Interior Minister Mohsin Naqvi's wife owned a property in Dubai which he didn't declare in the nomination papers he submitted in March 2024 for the Senate election. As per the Property Leaks data, Naqvi's wife held a five-bedroom villa in the Arabian Ranches. She received a rental income of AED600,000 (Rs:45m) from this villa, which was purchased in August 2017 for AED4,347,888 (Rs:329m). The villa remained in her ownership till April 2023 when it was sold for AED4,550,000 (Rs:344m) as per the record.*

Disclaimer:

Geo News [the source]
added the disclaimer to the
above material

The fact remained that the said OCCRP 'Property Leaks' had not focused on Pakistan; out of \$389 billion, Pakistanis owned about 2.5% of the value. BUT, one could calculate that for Pakistan's poor economy it was a big drain-out. Because the political top leadership was involved for that '**big fly of Capital**' so no one dared to ask them that why and how those rogue people had managed to titrate that much money from the poor populace of Pakistan.

Owning property outside Pakistan is not an illegal activity per se; many people own properties abroad — because they have worked abroad or have used their taxed income to buy those assets. It is for tax authorities in their respective countries to decide the legality of the matter.

Dubai, was then (till 2024 at least) standing as a beacon of progress and innovation in the Muslim world, exemplifying a unique blend of cultural heritage and futuristic vision. Dubai's pro-business environment was bolstered by state-of-the-art infrastructure, strategic global connectivity, and forward-thinking economic policies that encouraged investment and fostered economic diversification while committing to sustainability and smart city initiatives. Dubai not only celebrated its rich cultural heritage but also embraced diversity, making it a dynamic cosmopolitan metropolis.

However, like any major global city, Dubai was not without its challenges. It was important to acknowledge that in every community, there are individuals who may seek to exploit systems to their advantage, sometimes misusing laws for personal gain. Dubai continued to strive for transparency and legal fairness to minimize such abuses – but later it all proved sham policies to attract illegal global wealth and dark money, legal or illegal, from the world including Pakistan.