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Pakistan

Decision adopted by the Committee on the Human Rights of Parliamentarians at its 163rd session (virtual session, 1 to 13 February 2021)



Security officials of the Anti-Narcotics Force (ANF) escort arrested senior leader of the Pakistan Muslim League-Nawaz (PML-N), Mr. Rana Sanaullah (left), to court in Lahore on 2 July 2019. ARIF ALI/AFP

PAK-24 – Rana Sanaullah

Alleged human rights violations

- ✓ Threats, acts of intimidation
- ✓ Arbitrary arrest and detention
- ✓ Lack of due process at the investigation stage
- ✓ Violation of freedom of movement

A. Summary of the case

Mr. Rana Sanaullah is a member of the National Assembly of Pakistan from the opposition party, Pakistan Muslim League-Nawaz (PML-N), and a vocal critic of the Government. According to the complainant, Mr. Sanaullah was arrested on 1 July 2019 on suspicion of drug possession and trafficking. Mr. Sanaullah's arrest took place amid a wave of purges of former officials linked to former Prime Minister Nawaz Sharif, including members of the Sharif family and the PML-N leadership. The complainant claims that Mr. Sanaullah's trial is politically motivated and maintains that Mr. Sanaullah was framed by the Anti-Narcotics Force at the instigation of the incumbent Prime Minister.

Mr. Sanaullah was arrested by an anti-narcotics squad while he was on his way to a meeting with fellow members of parliament from PML-N and taken to a police station, where he was detained for 16 hours without any charges being brought against him. The next day, he was brought before a judge and presented with 15 kg of heroin that had allegedly been recovered from a suitcase in his car, which Mr. Sanaullah denied. He remained in pretrial detention for six months and was eventually released on bail by the Lahore High Court on 24 December 2019, after several unsuccessful attempts to obtain bail at the court of first instance. In its

Case PAK-24

Pakistan: Parliament affiliated to the IPU

Victim: Minority member of the National Assembly of Pakistan

Qualified complainant(s): Section I.(1).(a) of the [Committee Procedure](#) (Annex I)

Submission of complaint: 28 January 2020

Recent IPU decision: November 2020

IPU Mission(s): - - -

Recent Committee hearing(s): - - -

Recent follow-up:

- Communications from the authorities: - - -
- Communication from the complainant: February 2021
- Communication addressed to the authorities: Letter addressed to the Speaker of the National Assembly (December 2020)
- Communication addressed to the complainant: February 2021

decision, the Lahore High Court made reference to details pertaining to the merits of the case, casting doubt on allegations put forward by the prosecution and finding flaws in the evidence produced by the investigation, which it described as “biased and riddled with deception”. The court decision recognized that it could not ignore the fact that Mr. Sanaullah was a prominent leader of an opposition party, highlighting that “political victimization [of the opposition in Pakistan] is an open secret”.

Mr. Sanaullah has since returned to his seat in parliament. According to the complainant, the Government is “preparing fresh corruption charges” against Mr. Sanaullah and has recently frozen his financial assets, together with the accounts of his family members. In addition, the complainant reports that Mr. Sanaullah was placed on the “Exit Control List”, which does not allow him to travel abroad. Since his return to parliament, Mr. Sanaullah has demanded a parliamentary investigation into what he describes as a politically motivated intimidation campaign in an attempt to frame him and discredit the opposition party. The complainant also mentions that Mr. Sanaullah has also repeatedly requested that incriminating video recordings and other pieces of evidence that the executive authorities have declared they hold against him be made public or presented in a court of law, a request which has been repeatedly denied despite the insistence of Mr. Sanaullah’s counsel that it was his right to obtain them.

B. Decision

The Committee on the Human Rights of Parliamentarians

1. *Regrets* the lack of response from the Pakistani authorities to the Committee’s repeated requests for information and official observations; *recalls*, in this regard, that the Committee, in accordance with its Rules and Practices, does everything possible to promote dialogue with the authorities of the country concerned, and primarily with its parliament, with a view to reaching a satisfactory settlement in the cases before it;
2. *Is concerned* about the allegations that Mr. Sanaullah was arbitrarily arrested and maintained in pretrial detention for a period of six months, which does not appear to be in keeping with Article 10 of the Constitution of Pakistan and other relevant provisions of the Pakistani Criminal Code and the Code of Criminal Procedure, and that he allegedly faced what seem to be violations of his rights to be heard by an independent and impartial tribunal, to be presumed innocent until proven guilty, to be informed promptly of the charges made against him, and to be tried without delay; *is also concerned* by the allegation that the charges brought against Mr. Sanaullah are reportedly politically motivated and not based on substantial evidence, as acknowledged by the Lahore High Court in its the ruling of 24 December 2019, and that Mr. Sanaullah is currently facing threats and acts of harassment and intimidation because of his political affiliation;
3. *Urges* the Pakistani authorities to do their utmost to ensure the impartial and independent processing of Mr. Sanaullah’s case as soon as possible and in strict compliance with national and international standards in terms of a fair trial, and to ensure that effective investigations into the above-mentioned threats, acts of harassment and intimidation are being carried out and protection offered to Mr. Sanaullah; *wishes*, therefore, to receive official information from the parliamentary authorities on any action taken to this effect;
4. *Requests* that the executive authorities provide detailed information on the reasons why they have allegedly refused to make public the video recordings and other pieces of evidence incriminating Mr. Sanaullah that they have declared they hold against him, in spite of repeated requests from Mr. Sanaullah and his counsel in a court of law; *urges*, in this regard, the competent authorities to take all necessary steps to ensure that all available evidence is produced in a timely manner before the competent courts in accordance with Pakistani laws or, otherwise, to immediately put an end to the ongoing criminal proceedings if there is no concrete evidence supporting the thesis of Mr. Sanaullah’s criminal liability;
5. *Reiterates* its request to the parliamentary authorities for their official views on the allegations made by the complainant, including detailed information on the restrictions placed on Mr. Sanaullah, the reasons for the decision to place him on the “Exit Control List” and to freeze his financial assets, as well as those of his family members;

6. *Hereby mandates* a trial observer to monitor the upcoming court proceedings against Mr. Sanaullah; and *requests* the authorities to inform the IPU of the dates of the trials when available and of any other relevant judicial developments in the case;
7. *Requests* the Secretary General to convey this decision to the parliamentary authorities, other relevant national authorities, the complainant and any third party likely to be in a position to supply relevant information, and to proceed with all necessary arrangements to organize the trial observation mission as soon as the COVID-19 pandemic-related travel restrictions are lifted;
8. *Decides* to continue examining this case.