

Refugee Review Tribunal

AUSTRALIA

RRT RESEARCH RESPONSE

Research Response Number: PAK30061
Country: Pakistan
Date: 10 April 2006

Keywords: Pakistan – PML-N – Lahore – Party Membership – Elections

This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Questions

1. Is Javed Hashmi still the leader of the PML-N?
2. Is there a deputy leader of the PML-N?
3. Can you find the address and phone number of the PML-N office in Lahore?
4. Can you find the names of PML-N leaders and officials in Lahore?
5. Is there any information on the number of PML-N members in Lahore?
6. Is there any information on how you join the PML-N?
7. Is there any information on how the party is organised in Lahore?
8. Does the PML-N in Lahore hold elections for party offices?
9. Is there any information on the number of members who have left the PML-N to join the PML-Q?
10. Is there any information on PML-N internal elections to party positions?
11. When have local elections in Lahore been held?
12. Did PML-N members take part in these local elections?
13. If so, can you name the members of the PML-N who have participated in the local elections?
14. What were the results of the last local election in Lahore?
15. What were the results for the PML-N in Lahore in the last national elections?
16. Are there any PML-N members from Lahore in the national assembly? If so, can you name them?
17. What were the results for the PML-N in Lahore in the last elections for the Senate?
18. Are there any PML-N members from Lahore in the Senate? If so, can you name them?
19. What were the results for the PML-N in Lahore in the last elections for the provincial assembly?
20. Are there any PML-N members in the provincial assembly? If so, can you name them?
21. Can you provide a list of PML-N members, leaders or activists from Lahore who have been arrested or charged for criticizing the present government from 2003 to 2005?
22. Can you provide details of the legislation under which arrested PML-N activists have been charged?
23. Is there a criminal charge of “creating unrest” under the Pakistan Criminal Code?

RESPONSE

1. Is Javed Hashmi still the leader of the PML-N?

A recent *Pakistan Press International* (PPI) report indicates that Makhdoom Javed Hashmi remains the “parliamentary leader of PML-N [Pakistan Muslim League – Nawaz] as well as ARD [Alliance for the Restoration of Democracy] in the National Assembly”. Javed Hashmi has been in prison since he was arrested in October 2003; charged with treason and with defaming the military government. According to PPI, “Mr Hashmi is [presently] confined in Kot Lakhpatt jail of Lahore and his appeal against his conviction is pending for adjudication before the Rawalpindi Bench of the Lahore High Court from last year” (‘Court – SC notices AG on Javed Hashmi’s petition for costing vote’ 2006, *Pakistan Press International*, 11 March – Attachment 1).

Javed Hashmi is often referred to as the PML-N’s “acting president”. The overall leadership of the PML-N remains in the hands of the PML-N’s exiled former prime minister Mian Muhammad Nawaz Sharif. According to the international Crisis Group: “Nawaz Sharif holds the vague title of ‘Supreme Leader’, while brother Shahbaz is the party president”; Nawaz Sharif remains “[d]isqualified by the military government from contesting party elections” or from re-entering Pakistan (International Crisis Group 2005, *Authoritarianism and Political Party Reform in Pakistan*, Asia Report no.102, 28 September, p.17, n.131 http://www.crisisgroup.org/library/documents/asia/south_asia/102_authoritarianism_and_political_party_reform_in_pakistan.pdf – Accessed 9 December 2005 – Attachment 2).

A *Daily Times* news report of January 2005 provides further background on the complications which attend the PML-N leadership situation, in regard to the exiled Sharif brothers, and also notes that, “because of the imprisonment of Javed Hashmi, PML-N acting president, Chaudhry Nisar Ali Khan” has assumed an important leadership role:

Shahbaz Sharif, Pakistan Muslim League-Nawaz (PML-N) president, still does not command the unanimous support of his own party which plans to hold intra-party elections by September 2005.

Party sources told *Daily Times* that majority of the party’s leaders wanted Nawaz Sharif, the former party head, to become the president again. They are of the view that once Nawaz Sharif takes control of the party, alleged controversies like the Nawaz-Shahbaz rows about party affairs would end. In addition they feel that the move would also rein in some local leaders which are seen to be straining at the leash.

However, the problem is that with Nawaz Sharif as the head of the PML-N, the party would be disqualified under Political Parties Order (PPO) 2002, as the order says that those who have been convicted by a court of law cannot head parties. Nawaz Sharif has been convicted by a court of law.

...The last intra-party elections were held on August 8, 2002, in which the PML-N unanimously elected Shahbaz Sharif president for a three-year term. The decision was taken to avoid the party’s disqualification under PPO 2002.

...PML-N sources said virtually every important decision vis-à-vis the party was taken by Nawaz Sharif even after he left for Saudi Arabia. ...On the other hand, there are people within the PML-N that favour a more active role and more power for Shahbaz Sharif within

the party and hence national politics. However, the party denies any rumours of tension between the two Sharif brothers.

...Sources said because of the imprisonment of Javed Hashmi, PML-N acting president, Chaudhry Nisar Ali Khan, another senior party leader, might be given an important responsibility in the party. Currently, Nisar is the PML-N's acting parliamentary leader. Sources said the PML-N would complete reorganising provincial and central bodies by February 2005. The bodies were dissolved for reorganisation on December 20 on the instructions of Nawaz Sharif. The party would also seek approval from Nawaz Sharif before finalising the members for central and provincial councils which would elect the party's central and provincial office-bearers respectively (Raza, Shahzad. 2005, 'PML-N wants Nawaz as party president', *Daily Times*, 5 January http://www.dailytimes.com.pk/default.asp?page=story_5-1-2005_pg7_40 – Accessed 7 April 2006 – Attachment 3).

It may interest that Article 9A of the 'Constitution of Pakistan Muslim League-N' makes specific note of the aforementioned Political Parties Order regulation that: "No person will be appointed or serve as an office bearer of the party if he/she is not qualified to be or disqualified from being elected or chosen as member of majlis shoora (Parliament),' under article 62 & 63 of the constitution of Islamic Republic of Pakistan except for the condition of Graduation" ('Constitution of Pakistan Muslim League-N' 1996, Pakistan Muslim League – Nawaz (PML-N) website, December <http://www.pmln.org.pk/constitution.php> – Accessed 30 March 2006 – Attachment 4).

The Human Rights Commission of Pakistan's *State of Human Rights in 2004* provides the following information on this case of Javed Hashmi:

Hashmi case: Makhdoom Javed Hashmi, ARD Chief and Acting President of PML (N), was awarded 23 years in prison by the District and Sessions Judge, Islamabad in April. He was convicted under several sections of the PPC including 124 A (defaming government and armed forces), 131 (incitement to mutiny), 505 A (defaming armed forces), 500 (defaming army officers) and 468, 469 and 471 (forging documents).

Since all the sentences were to run concurrently he was likely to serve only seven years in prison. He was also given the benefit of sec 382 CrPC, i.e., the period spent in jail during trial would be treated as part of sentence.

Javed Hashmi was arrested in October 2003 for reading out an unsigned letter on the letterhead of Pakistan Army at a press conference in Parliament House. The letter had allegedly been sent to some parliamentarians by unknown army personnel. The FIR was registered by a retired army officer who said that the letter read out by Javed Hashmi was fake and that he had intended to defame the government and incite the masses to mutiny. The trial was conducted inside Adiala jail near Islamabad. The judgment was widely criticized by lawyers and jurists. The US State Department also expressed concern over the lack of transparency and regretted that the trial was held *in camera* (Human Rights Commission of Pakistan 2005, *State of Human Rights in 2004*, pp.43-44 http://www.hrcp-web.org/pdf/ar_2004/1-2.pdf – Accessed 23 March 2006 – Attachment 5).

2. Is there a deputy leader of the PML-N?

In previous years the Pakistan press has referred to Chaudhry Nisar Ali Khan (Ch Nisar) as the PML-N "deputy parliamentary leader" in the National Assembly. More recently,

however, some publications have tended to refer to Ch Nisar as the “acting parliamentary leader” or as, simply, the PML-N leader (presumably due to Ch Nisar’s ongoing leadership of the PML-N in the National Assembly in the absence of the imprisoned PML-N parliamentary leader, Makhdoom Javed Hashmi, and of the PML-N’s exiled supreme leader, Mian Muhammad Nawaz Sharif) (for reports which refer to Ch Nisar as the PML-N deputy parliamentary leader in the National Assembly, see: ‘Grand alliance against PML’ 2005, *Dawn* website, 23 July <http://www.dawn.com/2005/07/24/nat20.htm> – Accessed 24 March 2006 – Attachment 6; ‘NA session ends after ruckus’ 2003, *Daily Times*, 16 April http://www.dailytimes.com.pk/default.asp?page=story_16-4-2003_pg1_5 – Accessed 24 March 2006 – Attachment 7; for reports which refer to Ch Nisar as the acting parliamentary leader, see: ‘Opposition resents President’s address’ 2006, *The Nation*, 18 January <http://www.nation.com.pk/daily/jan-2006/18/index12.php> – Accessed 24 March 2006 – Attachment 8; ‘Pakistan parties lodge protest with US embassy over envoy’s remarks’ 2005, *BBC Monitoring South Asia*, source: *Dawn*, 14 December – Attachment 9; Abbasi, Waseem. 2005, ‘Nisar to let party decide about allegations against him’, *The Nation*, 3 March – Attachment 10; for reports which refer to Ch Nisar as simply the PML-N leader, see: ‘Nawaz to go anywhere except Pak, says Nisar’ 2005, *The Baluchistan Times*, 14 November – Attachment 11).

3. Can you find the address and phone number of the PML-N office in Lahore?

The website of the PML-N lists the following address and contact number for its Punjab headquarters in Lahore:

Punjab

Tel:- 042-5889231

35 Tariq Block New Garden Town 042-5889232

Lahore 042-75380713

(‘PML Headquarters’ (undated), Pakistan Muslim League – Nawaz website

<http://www.pmln.org.pk/pmlhead.php> – Accessed 27 March 2006 – Attachment 12)

The most recent news article to make reference to the above address as the PML-N’s Lahore office was published on 10 October 2005 (see: ‘PML-N given Rs100m relief goods target’ 2005, *Dawn* website, 11 October <http://www.dawn.com/2005/10/11/nat8.htm> – Accessed 30 March 2006 – Attachment 13).

In addition to the aforementioned address, it would seem that the PML-N has maintained, or also maintains, other offices in Lahore. For instance, on 28 June 2005, *The Nation* reported on the opening of “the new PML-N Lahore office at 4-A Lytton Road”. Further to this, it was reported by *The Daily Times*, on 14 September 2005, that the Lahore chapter of the PML-N had lost its then headquarters to the Pakistan Muslim League – Quaid-i-Azam (PML-Q) party as a consequence of the defection of the owner of the property in question (the owner being the erstwhile “Lahore chapter president Haji Muhammad Hanif”) (‘PML-N to form local govt committees’ 2005, *The Nation*, 28 June <http://www.nation.com.pk/daily/june-2005/28/localnews2.php> – Accessed 30 March 2006 – Attachment 14; Jabbar, Qamar. 2005, ‘Hanif wanted son nominated for nazim office’, *Daily Times*, 14 September http://www.dailytimes.com.pk/default.asp?page=story_14-9-2005_pg7_16 – Accessed 30 March 2006 – Attachment 15).

4. Can you find the names of PML-N leaders and officials in Lahore?

President of the PML-N Lahore Chapter: Mian Marghoob Ahmad

On 6 December 2005, *The Daily Times* reported that “Mian Marghoob Ahmad... [had] been named president of the Pakistan Muslim League-Nawaz (PML-N), Lahore chapter” following “the [aforementioned] defection of former PML-N Lahore President Haji Muhammad Hanif to PML”. Details of the inner-party processes that led to the appointment of the new leader follow below:

Party sources said that after the defection of former PML-N Lahore President Haji Muhammad Hanif to PML, PML-N President Mian Shahbaz Sharif was sent names of Khawaja Ahmad Hassan, former Lahore mayor, former MPA Bilal Yasin and Mujtaba Shujaur Rehman for the PML-N’s Lahore office.

Shahbaz Sharif recommended the name of Bilal Yasin but PML-N Central Finance Secretary Muhammad Pervaiz Malik opposed the decision and proposed Mian Marghoob’s name for the office (Jabbar, Qamar. 2005, ‘Marghoob new PML-N Lahore president’, *Daily Times*, 6 December http://www.dailytimes.com.pk/default.asp?page=2005%5C12%5C06%5Cstory_6-12-2005_pg7_18 – Accessed 28 March 2006 – Attachment 16; for further information on the circumstances which surrounded the appointment of Mian Marghoob Ahmad, see: Jabbar, Qamar. 2005, ‘Hanif wanted son nominated for nazim office’, *Daily Times*, 14 September http://www.dailytimes.com.pk/default.asp?page=story_14-9-2005_pg7_16 – Accessed 30 March 2006 – Attachment 15).

Lahore PML-N Office Bearers: Ch Abdul Ghafoor & Afzal Khokhar

On 16 June 2005, *Dawn* reported on the PML-N’s appointment of “new office-bearers in 104 districts of the country”. “MPA Ch Abdul Ghafoor & Afzal Khokhar” were listed by the report as office bearers for Lahore under the list of PML-N office bearers in prominent districts of the Punjab. Precisely what office these persons hold is not reported (Wasim, Amir. 2005, ‘Nawaz appoints new office-bearers: PML-N reorganization at dist, provincial level’, *Dawn* website, 16 June <http://www.dawn.com/2005/06/17/nat2.htm> – Accessed 7 April 2006 – Attachment 17).

Punjab PML-N President: Zulfikar Khosa

& General Secretary: Zaeem Qadri (office previous held by: Khawaja Saad Rafique)

In August 2002, *The Daily Times* reported on the PML-N’s “provincial intra-party elections” in the Punjab. Events saw the election of Sardar Zulfiqar Ali Khan Khosa to the office of Punjab PML-N President; Khawaja Saad Rafique to the office of Punjab PML-N General Secretary; and Zaeem Qadri to the office of Punjab Information Secretary; “for a period of three years”. According to this report, Khosa’s election gave him the authority to appoint others to certain positions of office in the PML-N: “article 83 of the party constitution, the house authorised Mr Khosa to nominate other office bearers of the PML-N Punjab”. Recent reports indicate that Khosa has maintained his position as Punjab PML-N President through the most recent round of PML-N provincial intra-party elections which took place in mid-2005. The position of General Secretary is no longer held by Rafique and is now held by Qadri. A June 2005 *Daily Times* report provides information which suggests that a power struggle was fought between Khosa and Rafique over this issue (‘Khosa elected PML-N Punjab president’ 2002, *Daily Times*, 1 August

http://www.dailytimes.com.pk/default.asp?page=story_1-8-2002_pg7_1 – Accessed 7 April 2006 – Attachment 18; Waqas, Ch Aamer. 2006, ‘Get out of Kashmir’, *The Nation*, 6

February <http://www.nation.com.pk/daily/feb-2006/6/index1.php> – Accessed 7 April 2006 – Attachment 19; Jabbar, Qamar. 2005, ‘Differences surface in PML-N: Nawaz convenes party meeting in Jeddah’, *Daily Times*, 3 June http://www.dailytimes.com.pk/default.asp?page=story_3-6-2005_pg7_23 – Accessed 7 April 2006 – Attachment 20).

PML-N Punjab Assembly (and Deputy Opposition) Leader: Rana Sanaullah Khan

News reports indicate that Rana Sanaullah Khan is the PML-N parliamentary leader in the Punjab Assembly as well as being the Assembly’s Deputy Opposition Leader. The PML-N is operating in alliance with the Pakistan People’s Party (PPP; also known as the Pakistan People’s Party Parliamentarians or PPPP) in the Punjab Assembly, and within this opposition coalition movement, Khan is deputy to Punjab Assembly’s PPP parliamentary leader, Qasim Zia. This arrangement appears to have been in place for some time (for a recent report referring to “Deputy Opposition Leader in the Punjab Assembly Rana Sanaullah Khan”, see: Jabbar, Q. 2006, ‘Senate polls a challenge for Opp in Punjab’, *Daily Times*, 8 February http://www.dailytimes.com.pk/default.asp?page=2006%5C02%5C08%5Cstory_8-2-2006_pg7_19 – Accessed 10 April 2006 – Attachment 21; for a recent report referring to the “PML-N parliamentary party leader Rana Sanaullah Khan”, see: Mumtaz, Ashraf. 2006, ‘Look who is rallying behind whom’, *Dawn* website, 4 March <http://www.dawn.com/2006/03/05/nat34.htm> – Accessed 10 April 2006 – Attachment 22; for a recent report referring to “Punjab PPP chief and opposition leader Qasim Zia”, see: ‘Bhasha dam also not acceptable, says PPP’ 2006, *Dawn* website, 19 January <http://www.dawn.com/2006/01/20/nat30.htm> – Accessed 10 April 2006 – Attachment 23; for reports dating back to 2003, see: Jabbar, Qamar. 2003, ‘20 Punjab MPAs detained, released’, *Daily Times*, 28 May http://www.dailytimes.com.pk/default.asp?page=story_28-5-2003_pg1_1 – Accessed 10 April 2006 – Attachment 24).

Other PML-N Lahore based officials

Lists are set out below with the names of other PML-N Lahore based officials. Specifically: Lahore based PML-N Members of the National Assembly (MNAs); Lahore based PML-N Pakistan Senators; and Lahore based PML-N Members of the Provincial Assembly (MPAs) for Punjab. For the information on the source of this information, background on the individuals listed, and for information on PML-N local government officials, see the source materials which are discussed below these lists.

Lahore based PML-N MNAs

Khawaja Saad Rafiq;
Muhamamd Pervez Malik;
Sardar Ayaz Sadiq;
Begum Tehmina Daultana (note: holds a seat reserved for women)

Lahore based PML-N Senators

Ishaq Dar

Lahore based MPAs of the Punjab

Dr Asad Ashraf;
Mr Bilal Yasin;
Mr Muhammad Ajasam Shariff;
Mr Mujtaba Shuja-ur-Rahman;
Ch Muhammad Akram Gujjar;
Begum Rehana Jameel;
Rana Mashhood Ahmed Khan;

Mehr Ishtiaq Ahmad;
Mr Ahad Malik;
Chaudhry Abdul Ghafoor Khan;
Mrs Saba Sadiq (note: holds a seat reserved for women);
Mrs Shahnaz Saleem (note: holds a seat reserved for women);
Mrs Abida Javed (note: holds a seat reserved for women)

Lahore based PML-N MNAs and Senators

The PML-N website lists the following PML-N Members of the Pakistan National Assembly as residents of Lahore constituencies: Khawaja Saad Rafiq, Muhamamd Pervez Malik, Sardar Ayaz Sadiq and Begum Tehmina Daultana (Begum Tehmina Daultana holds a seat reserved for women). The same source lists Ishaq Dar as the only Lahore based PML-N Member of the Senate of Pakistan ('Pakistan Muslim League (List of Central Parliamentary Party)' (undated), Pakistan Muslim League – Nawaz website <http://www.pmln.org.pk/pmlhead.php> – Accessed 27 March 2006 – Attachment 25).

Lahore based MPAs of the Punjab

The website of the Provincial Assembly of Punjab (Lahore, Pakistan) website lists the following PML-N Members of the Provincial Assembly in Punjab as representatives of Lahore constituencies: Dr Asad Ashraf, Mr Bilal Yasin, Mr Muhammad Ajasam Shariff, Mr Mujtaba Shuja-ur-Rahman, Ch Muhammad Akram Gujjar, Begum Rehana Jameel, Rana Mashhood Ahmed Khan, Mehr Ishtiaq Ahmad, Mr Ahad Malik and Chaudhry Abdul Ghafoor Khan (for further information on these individuals, see: 'Lahore (PP-137 to PP-161)' (undated), Provincial Assembly of Punjab (Lahore, Pakistan) website <http://www.pap.gov.pk/legislators/present/dist18.htm> – Accessed 27 March 2006 – Attachment 26; see also: 'Pakistan Muslim League (List of Central Parliamentary Party)' (undated), Pakistan Muslim League – Nawaz website <http://www.pmln.org.pk/pmlhead.php> – Accessed 27 March 2006 – Attachment 25).

The website of the Provincial Assembly of Punjab (Lahore, Pakistan) website lists the following PML-N Members of the Provincial Assembly in Punjab as representatives who hold seats reserved for women, and who reside in Lahore: Mrs Saba Sadiq, Mrs Shahnaz Saleem and Mrs Abida Javed (for further information on these individuals, see: 'Seats Reserved For Women' (undated), Provincial Assembly of Punjab (Lahore, Pakistan) website <http://www.pap.gov.pk/legislators/present/women.htm> – Accessed 27 March 2006 – Attachment 27; see also: 'Pakistan Muslim League (List of Central Parliamentary Party)' (undated), Pakistan Muslim League – Nawaz website <http://www.pmln.org.pk/pmlhead.php> – Accessed 27 March 2006 – Attachment 25).

Lahore PML-N Union Council Nazims and Naib-Nazims

On 27 August 2005, *The Daily Times* reported that the PML-N had won 23 of the 150 Union Council (UC) Nazim seats in Lahore's local council elections. The following representatives are listed as PML-N UC Nazims (mayors/governors) and Naib-Nazims (or deputy mayors/governors) respectively, which were elected on a joint-ticket for the following numerically listed seats (note: at the time of publication at least four seats remained undecided):

- UC No. Nazim Naib-nazim...
- 4. Rana Muzzafar Hussain (PML-N) Muhammad Sarfaraz Khan...
- 7. Nadeem Hamid (PML-N) Muhammad Afzal...
- 13. Malik M Nawaz (PML-N) Malik Zahid...
- 16. Asif Jatt (PML-N) Muhammad Shahzad...

- 22. Mian Shahbaz Ahmad (PML-N) Hafiz Moeen Ahmad
- 23. Ghzali Saleem Butt (PML-N) Mohammad Shafiq...
- 26. Basit Qayyum Butt (PML-N) Mohammad Younas...
- 44. Mohammad Naveed Anjum (PML-N) Abdur Rehman Bakhsh...
- 48. Mian Asghar (PML-N) Kaleem Ullaha...
- 50. Muhammad Javed (PML-N) Muhammad Islam...
- 55. Shahid Sarwar (PML-N) Salman Shahid...
- 69. Amjad Nazir (PML-N) Ayaz Ahmad...
- 72. Waheed Alam Khan (PML-N) Sher Bhadar Khan...
- 78. Majid Zahoor (PML-N) Rao Muhmmad Javed
- 79. Mian Tariq (PML-N) Haji Muhmmad Zahid
- 80. Mohammad Ilyas Khan (PML-N) Abdul Jabbar Pataylwi...
- 83. Nazir Ahmad Swati (PML-N) Tahir Hussain...
- 91. Malik Azam Shahzad (PML-N) Irshad Gujar
- 92. Shoaib Khan Niazi (PML-N) Rana Liaqat Ali...
- 109. Malik Khalid Pervaiz (PML-N) Kashif Hanif...
- 111. Mehr Muhammad Ahmad (PML-N) Muhammad Rafiq...
- 120. Malik Ulfat Hussain (PML-N) Mian Amjad Ali...
- 135. Mian Mohmmad Zahid Latif (PML-N) Tariq Mahmood Kamboh (Naseer, Khawaja. 2005, 'PML wins local council elections in Lahore', *Daily Times* website, 27 August http://www.dailytimes.com.pk/default.asp?page=story_27-8-2005_pg7_39 – Accessed 27 March 2006 – Attachment 28).

For further information on these Union Council Nazim seats, and the details of the UC Nazims and Naib-Nazims elected to them, see the interactive 'Union Councils of Lahore City' webpage map which is available on the City District Government Lahore website at: <http://www.lahore.gov.pk/union-councils/index.htm>. Note: information on the political affiliations of local government members is not made unavailable on Pakistan's government websites as the councillors are meant to be elected on a non-party basis. Press reportage of the local elections, and monitoring by organisations like the International Crisis Group, has indicated that the party affiliations of the candidates remain, nonetheless, known to the electorate and that party politics defined the 2005 local government elections in actual practice (International Crisis Group 2005, *Pakistan's Local Polls: Shoring Up Military Rule*, Asia Briefing No 43, 22 November – Attachment 29; for an explanations of the formal complexities of local governance in Pakistan, see: Commonwealth Local Government Forum 2005, 'Country Profile: Pakistan – The Local Government System in Pakistan' <http://www.clgf.org.uk/2005updates/Pakistan.pdf> – Accessed 29 March 2006 – Attachment 31).

5. Is there any information on the number of PML-N members in Lahore?

Information on the size of the PML-N Lahore chapter's membership could not be found within the sources consulted. A 2006 report produced by the International Institute for Democracy and Electoral Assistance (IDEA) reports that its attempts to retrieve membership data on parties proved unsuccessful (the IDEA field research was conducted in August–November 2004). The IDEA report's note on this matter follows below, along with some information on a planned PML-Q membership drive which may be of interest (also of interest may be a table, on page 6 of the report, which details the finances received by each of the major national parties, and the source of this income, for 2004, see Attachment 31):

Most parties claim that their membership is growing and claim to have a proper system of record-keeping (both manual and in few cases computerized), but they failed to provide exact membership figures. All parties claim to have mechanisms for conducting regular membership campaigns and orientation of new members. However, it is difficult to verify how extensive these campaigns and trainings are. The ruling Pakistan Muslim League has launched a countrywide membership drive to enrol five million new members in 2005 (International Institute for Democracy and Electoral Assistance 2006, Pakistan: *Country Report based on Research and Dialogue with Political Parties*, p.5 http://www.idea.int/parties/upload/Pakistan_report_March06.pdf – Accessed 7 April 2006 – Attachment 31).

6. Is there any information on how you join the PML-N?

The ‘Constitution of Pakistan Muslim League-N’ provides the following guidelines in regard to PML-N membership:

Qualifications for membership

6. Membership of the Pakistan Muslim League shall be open to all adult citizens of Pakistan who are not members of any other political organisation declared as such by the Working Committee of the Pakistan Muslim League and that he/she. (i) signs a declaration that he/she is in agreement with the aims and objects of the Pakistan Muslim League and will abide by its rules and constitution and (ii) pays the prescribed subscription in advance.

7. Only members of the Pakistan Muslim League will be eligible to become office bearers of different tiers of the Party.

8. The triennial subscription for the membership of Primary Muslim League as determined periodically by the CWC [Central Working Committee] shall expire on the last day of December, every third year irrespective of the date of enrolment;

8A. The membership fee of the party will be Rs. 12/- per year and the party will issue membership card to each member of the party.

...Membership of Parliamentary Party for Independent Members

144. Independent Members of the Parliament or Provincial Assemblies may become members of the Muslim League Parliamentary Party in the Parliament or as the case may be, in a Provincial Assembly by signing a pledge to the effect that they shall abide by the decisions or orders of the Parliamentary Party of Pakistan Muslim League from time to time.

145. If any dispute arises between member and party on Principal or aims and objectives of the party, the matter will be referred to 3 members committee constituted by the Party President or the Working Committee (‘Constitution of Pakistan Muslim League-N’ 1996, Pakistan Muslim League – Nawaz (PML-N) website, December <http://www.pmln.org.pk/constitution.php> – Accessed 30 March 2006 – Attachment 4).

7. Is there any information on how the party is organised in Lahore?

For information on the organisation of the PML-N please see the ‘Constitution of Pakistan Muslim League-N’ which is supplied as Attachment 4 (‘Constitution of Pakistan Muslim

League-N' 1996, Pakistan Muslim League – Nawaz (PML-N) website, December <http://www.pmln.org.pk/constitution.php> – Accessed 30 March 2006 – Attachment 4).

8. Does the PML-N in Lahore hold elections for party offices?

As will be evident from the information presented in response to Question 4 on office holders in Lahore, PML-N office holders attain their positions either by: election; appointment by a senior PML-L official or committee; or by a negotiated mixture of election, nomination and appointment. The 'Constitution of Pakistan Muslim League-N' specifies that "[t]he party leader and other office bearer at Federal/Provincial /local levels should be elected through secret ballot based on democratic and transparent system according to the procedure laid down by Central Working Committee" (CWC). Nonetheless, the specified powers of the CWC are so broad and wide ranging that it would seem that this apparatus plays a significant role in the determination of local office bearers (see below). Further to this, the CWC is not itself a directly elected body. According to the Constitution it "consist[s] of not less than 15 and not more than 40 members" and is "nominated by the President from among the members of the Pakistan Muslim League Council". "The President...[has] the power to expand, reshuffle or reconstitute the Working Committee or replace any particular member thereof whenever he deems necessary". Working Committee powers are detailed below:

Powers of the Working Committee

51. The Working Committee shall have the power:

- (a) To control, direct and regulate all activities of the various Provincial Muslim Leagues, Islamabad Federal, Capital Muslim League, Northern Areas and FATA Muslim League and Overseas Branches of Muslim League and specialized wings in consonance with the aims, objects, rules and declared policy of the Pakistan Muslim League;
- (b) To take disciplinary action against any member of the Pakistan Muslim League who violates the decisions of the Pakistan Muslim League or acts in contravention of its aims and objectives, and also to hear appeals against the decisions of any other subsidiary body;
- (c) To suspend, dissolve or dis-affiliate any Provincial, District or City Muslim League which fails in its duties or ignores the decisions or directions of the Working Committee or the Pakistan Muslim League Council or acts in contravention of such decisions or directions or hinders the progress of the Pakistan Muslim League in any manner whatsoever subject to a right of appeal to the Council of Pakistan Muslim League;
- (d) To take disciplinary action against any office-bearer or wing or organization affiliated to or forming part of the Pakistan Muslim League which fails in its duties, ignores the decisions or directions of the Working Committee or the Pakistan Muslim League Council or acts in a manner prejudicial to the interest of the Pakistan Muslim League, subject to a right of appeal to the Pakistan Muslim League Council; and
- (e) To appoint a Central Election Commission to organize and conduct elections in accordance with the relevant provisions in Part-VI. The Commission shall consist of three members, two of whom shall be from a Province other than the one in which elections are being held.
- (f) Any amendment to the constitution of PML shall be first passed by 2/3rd majority of present and voting members of CWC and shall be placed before PML council in its special/annual meeting for final approval by 2/3rd majority of present voting members. ('Constitution of Pakistan Muslim League-N' 1996, Pakistan Muslim League – Nawaz (PML-N) website, December <http://www.pmln.org.pk/constitution.php> – Accessed 30 March 2006 – Attachment 4).

Candidates for election to the national and provincial parliaments are selected by the “Central Parliamentary Board” and the “Provincial Parliamentary Boards” respectively. The “Central Parliamentary Board consist[s] of up to 20 members [and is] constituted by the Central Working Committee”. A Provincial Parliamentary Board is similarly constituted by a provincial Working Committee. The Constitution further specifies that “[i]f at any time the Central Parliamentary Board is not formed or fails to function, the Working Committee of Pakistan Muslim League shall perform all the duties and functions till such time as the Central Parliamentary Board is duly formed” (‘Constitution of Pakistan Muslim League-N’ 1996, Pakistan Muslim League – Nawaz (PML-N) website, December <http://www.pmln.org.pk/constitution.php> – Accessed 30 March 2006 – Attachment 4).

A survey of political parties in Pakistan conducted by the International Institute for Democracy and Electoral Assistance (IDEA) notes that “almost all political parties in Pakistan are highly centralized and typically structured around the personality of their main leader”; and that “[p]arties continue to assert that they are actively institutionalizing internal democratic procedures, even though this is not always apparent” (International Institute for Democracy and Electoral Assistance 2006, Pakistan: *Country Report based on Research and Dialogue with Political Parties*, p.3-4 http://www.idea.int/parties/upload/Pakistan_report_March06.pdf – Accessed 7 April 2006 – Attachment 31)

Press reports of changes in leadership in the PML-N Lahore chapter, and reportage of its nomination of candidates for elections, indicate that the PML-N central apparatus plays a significant role in the determination of Lahore office bearers. For example, in April 2003, it was reported that “Pakistan Muslim League (Nawaz) President Shahbaz Sharif [had] directed acting PML-N President Makhdoom Javed Hashmi to reshuffle the party’s district leadership in Punjab”. “Sources said Pervez Malik MNA was most likely to replace Haji Imdad Hussain as the PML-N president in the Lahore division” and that “the PML-N leadership in Punjab was not satisfied with the performance of Mr Hussain and other party’s office-bearers in Lahore”. More recently, *Dawn*’s June 2005 reportage of the PML-N’s appointment of new office bearers has noted that, in the lead up to this leadership re-shuffle, “PML-N chief Nawaz Sharif on December 20 [2004] dissolved the party’s Central Working Committee (CWC) and all the provincial and district bodies and announced that the party would be reorganized within 90 days to get best possible results in the next general elections” (Jabbar, Qamar. 2003, ‘Shahbaz asks Hashmi to reorganise PML-N’, *Daily Times*, 16 April http://www.dailytimes.com.pk/default.asp?page=story_16-4-2003_pg7_17 – Accessed 7 April 2006 – Attachment 32; ‘Nawaz appoints new office-bearers: PML-N reorganization at dist, provincial level’, *Dawn* website, 16 June <http://www.dawn.com/2005/06/17/nat2.htm> – Accessed 7 April 2006 – Attachment 17).

9. Is there any information on the number of members who have left the PML-N to join the PML-Q?

Numbers are difficult to estimate with accuracy but reports suggest that defections from the ranks of the PML-N to the PML-Q have been significant. A September 2005 report on Pakistan’s political parties, published by the International Crisis Group, observes that the PML-Q “leadership is composed largely of former members of PML-N who joined the splinter group after the army ousted Sharif’s government in 1999” (International Crisis Group

2005, *Authoritarianism and Political Party Reform in Pakistan*, Asia Report N°102 – 28, September, p.11 – Attachment 2).

In the specific locale of the Punjab, it has been reported that “[a]s many as 33 legislators – 18 of the PPP, 14 of the PML-N and one of the MMA – [have] joined the PML in the past three years” (note: Pakistan press reports often refer to the PML-Q as simply the PML). The problem has been an ongoing one and has not been limited to the period in which the PML-Q emerged. Following the local government elections in Lahore in mid-2005 it was reported that “the PML-N [was] striving hard to prevent their elected councillors from defecting to the PML”. And, as is noted above in response to Question 4, December 2005 saw the defection of the Lahore PML-N chapter’s erstwhile President, Haji Muhammad Hanif, to the PML-Q (for an estimate of the number of defections in the Punjab, see: Jabbar, Q. 2006, ‘Senate polls a challenge for Opp in Punjab’, *Daily Times*, 8 February http://www.dailytimes.com.pk/default.asp?page=2006%5C02%5C08%5Cstory_8-2-2006_pg7_19 – Accessed 10 April 2006 – Attachment 21; for reports of PML-N concerns in regard to the threat of defections in Lahore’s local government, see: ‘Senior PML leaders refuse to contest town nazim polls’ 2005, *Daily Times*, 2 September http://www.dailytimes.com.pk/default.asp?page=story_2-9-2005_pg7_17 – Accessed 7 April 2006 – Attachment 33; for the December 2005 defection of the President of the PML-N Lahore chapter, see: Jabbar, Qamar. 2005, ‘Marghoob new PML-N Lahore president’, *Daily Times*, 6 December http://www.dailytimes.com.pk/default.asp?page=2005%5C12%5C06%5Cstory_6-12-2005_pg7_18 – Accessed 28 March 2006 – Attachment 16).

The PML-N parliamentary leader in the Punjab Assembly, Rana Sanaullah Khan, has recently “told *Daily Times* that...most legislators who left the PML-N were trying to rejoin the party”. Reports indicate that it is not unknown for PML-N defectors to re-join the ranks of the PML-N; or for the PML-N to shun the attempts of defectors to re-join their ranks. Nonetheless, no reports could be found that would substantiate Khan’s recent claim that there is currently an overwhelming movement, within the ranks of Punjab’s PML-Q MPAs, to re-join the PML-N (for Khan’s claim that defectors want to return to the PML-N, see: ‘Senate polls a challenge for Opp in Punjab’, *Daily Times*, 8 February http://www.dailytimes.com.pk/default.asp?page=2006%5C02%5C08%5Cstory_8-2-2006_pg7_19 – Accessed 10 April 2006 – Attachment 21; for a report detailing a defector’s rejoining of the PML-N in the Punjab, see: ‘PML-QA rigged Ravi Town by-elections: Jamhoori group’ 2003, *Daily Times*, 10 September http://www.dailytimes.com.pk/default.asp?page=story_10-9-2003_pg7_23 – Accessed 10 April 2006 – Attachment 34; for a report detailing an incident in which the PML-N refused to allow certain defectors to rejoin their ranks, see: Jabbar, Qamar 2004, ‘Mian Azhar group likely to join PPP’, *Daily Times*, 24 July http://www.dailytimes.com.pk/default.asp?page=story_24-7-2004_pg7_13 – Accessed 10 April 2006 – Attachment 35).

10. Is there any information on PML-N internal elections to party positions?

Please see the response to Question 8.

11. When have local elections in Lahore been held?

The International Crisis Group's (ICG) report on the 2005 local elections in Pakistan notes that "[t]he 2005 local government elections were held in three phases from 18 August to 6 October". "The first local government elections under Musharraf's devolution scheme were held in five phases from December 2000 to August 2001". Further details follow below:

The 2005 local government elections were held in three phases from 18 August to 6 October. In the first two, direct elections for union councils were conducted on 18 and 25 August in 110 districts. On 6 October, indirect elections were held for the posts of district nazims (mayors); tehsil (sub-district)/town nazims; and reserved seats for women, peasants, workers and minorities.

The 2005 polls produced an overwhelming victory for the ruling PML-Q and its allies and defeat for the two national level opposition parties, the Pakistan People's Party (PPP) and Pakistan Muslim League Nawaz (PML-N), as well as most regional opposition parties. With local government now in the hands of his civilian partners and the opposition sidelined, President Musharraf is far better placed to control a future general election through his civilian allies. The stakes for him are high if he wishes to extend his presidential term beyond 2007. If the PML-Q and allied parties obtain a two-thirds majority in the next parliament, he could also amend the constitution further in the direction of a presidential system.

...The first local government elections under Musharraf's devolution scheme were held in five phases from December 2000 to August 2001. Local governments were installed on 14 August 2001. There are three levels of local government: district, tehsil and union, each with a nazim and naib (deputy) nazim, elected bodies (zila, tehsil and union councils) and administrative structures (district, tehsil/town municipal and union). There are 110 districts, of which 35 are in Punjab, 23 in Sindh, 28 in Balochistan, and 24 in NWFP (International Crisis Group 2005, *Pakistan's Local Polls: Shoring Up Military Rule*, Asia Briefing N°43, 22 November p.2 & n.2 – Attachment 29).

12. Did PML-N members take part in these local elections?

13. If so, can you name the members of the PML-N who have participated in the local elections?

Press reports indicate that PML-N members did take part in the recent local elections in Lahore. Please refer to the information presented in response to Question 4 for the names of PML-N members elected to office in these elections.

14. What were the results of the last local election in Lahore?

Lahore's recent local elections ended in a convincing victory for the PML-Q. *The Jang Group* reports that "Pakistan Muslim League-backed Mian Aamir Mahmood was unofficially re-elected City District Nazim Lahore defeating candidate of combined opposition Rana Mashhud Khan, in the third phase of LG-Polls 2005". At the town level the PML-Q victory was also emphatic. *The Jang Group's* webpage for district/town results lists eight of the nine available town seats in Lahore as going to the PML-Q, with one seat going to an ARD opposition candidate, the PPP's Khalid Gharki. The PML-Q was also the greater victor at the union level, though the PML-N, and other parties, did prove stronger in some seats. According to *The Daily Times*, the "Pakistan Muslim League-backed candidates won 76 union council (UC) nazim seats while Pakistan People's Party-backed candidates won 24,

PML-Nawaz won 23 and Muttahida Majlis-e-Amal-backed candidates won 7” (there was also some re-polling for “10 union councils” at a later date, see the *Daily Times* report supplied as Attachment 38). *Dawn* has reported that, “[i]n urban areas, opposition-backed candidates performed better, but the impact was neutralized by the support the PML contestants got from rural areas”. The *Dawn* report also notes that “[t]he PPP, the PML-N and the MMA have alleged large-scale rigging, an allegation vehemently denied by the ruling party” (for more on this see the ICG report supplied as Attachment 29) (for results at the district and town level, see: ‘Mian Amir Mahmood unofficially re-elected Lahore Nazim’ 2005, *Jang Group* website, 6 October <http://www.jang.com.pk/thenews/oct2005-daily/06-10-2005/main/update.shtml> – Accessed 10 April 2006 – Attachment 36; also: ‘Local Bodies Polls 2005, 3rd Phase – Punjab’ 2005, *Jang Group* website http://www.jang.com.pk/important_events/localbodies-polls2005/news/results/punjab_nazim.htm – Accessed 10 April 2006 – Attachment 37; for Union level results, see: Naseer, Khawaja. 2005, ‘PML wins local council elections in Lahore’, *Daily Times* website, 27 August http://www.dailytimes.com.pk/default.asp?page=story_27-8-2005_pg7_39 – Accessed 27 March 2006 – Attachment 28; for the report on repelling, see: Jabbar, Qamar. 2005, ‘Re-polling held in 10 city union councils’, *Daily Times*, 2 September http://www.dailytimes.com.pk/default.asp?page=story_2-9-2005_pg7_20 – Accessed 10 April 2006 – Attachment 38; for the *Dawn* report, see: Mumtaz, Ashraf. 2005, ‘Improved 2007 prospects for PML’, *Dawn* website, 30 August <http://www.dawn.com/2005/08/30/fea.htm> – Accessed 10 April 2006 – Attachment 39; for the ICG report on alleged electoral fraud on the part of the Musharraf-led government and the PML-Q, see: International Crisis Group 2005, *Pakistan’s Local Polls: Shoring Up Military Rule*, Asia Briefing N°43, 22 November – Attachment 29).

15. What were the results for the PML-N in Lahore in the last national elections?

The PML-N did well in Lahore in the most recent national and provincial general elections (which were run concurrently in 2002). On 11 October 2002, *Dawn* reported that “[t]he PML-N [had] won four out of the 13 National Assembly seats of the provincial capital and 14 provincial assembly (PA) seats out of the total 25 seats”. The results for in the Lahore area, for other Pakistan parties, follow below:

The People’s Party Parliamentarians stands second with three National Assembly seats and four PA seats while the Muttahida Majlis-i-Amal has claimed three NA seats and two PA seats of the city. The Pakistan Muslim League (Q) has grabbed two NA seats and three PA seats. One NA seat has been won by the Pakistan Awami Tehreek (PAT) (‘PPP finishes second in Lahore’ 2002, *Dawn* website, 11 October <http://www.dawn.com/2002/10/12/nat26.htm> – Accessed 10 April 2006 – Attachment 51).

A *Jang Group* article notes that: “[t]he PML-N had a firm grip over Lahore city in the three consecutive general elections” and that “[i]t had a clean sweep in the 1996-97 parliamentary polls”. The report also observes that the PML-N: “had not come out with a poor showing even in the October 2002 general elections despite the fact that it was facing the most difficult time of its history with its top leaders living in exile” (Butt, Tariq. 2005, ‘Eyes set on Lahore by-polls’, *Jang Group* website, 26 February <http://www.jang.com.pk/thenews/feb2005-daily/26-02-2005/metro/i3.htm> – Accessed 10 April 2006 – Attachment 40).

- 16. Are there any PML-N members from Lahore in the national assembly? If so, can you name them?**
- 17. What were the results for the PML-N in Lahore in the last elections for the Senate?**
- 18. Are there any PML-N members from Lahore in the Senate? If so, can you name them?**
- 19. What were the results for the PML-N in Lahore in the last elections for the provincial assembly?**
- 20. Are there any PML-N members in the provincial assembly? If so, can you name them?**

Please refer to the information presented in response to Question 4.

- 21. Can you provide a list of PML-N members, leaders or activists from Lahore who have been arrested or charged for criticizing the present government from 2003 to 2005?**

Members of the PML-N have been frequently arrested in the period 2003-2005, often in large numbers, and these arrests have been well reported. Nonetheless, the names of the persons detained (and these can number in the hundreds) are not always listed within such reports. Consequently, a *comprehensive* list of the PML-N members from Lahore who have been arrested from 2003 to 2005 cannot be provided. What follows is an overview of some of the PML-N persons who have reportedly been arrested in, released in, or in some other way associated with Lahore. Discerning which arrested PML-N members are from Lahore specifically is difficult owing to the absence of detail in the reportage – as to the local origins of the persons in question – and the time constraints imposed upon the completion of this response. It thus cannot be stated with full confidence that the names listed below are always “from Lahore” (a recent 2006 report is also included, should it be of interest) (for an indication of the ongoing nature and scope of such arrests, see pages 27 to 29 of: International Federation for Human Rights 2005, “In Mala Fide”: Freedoms of expression, association and assembly in Pakistan’, 17 January <http://www.fidh.org/IMG/pdf/pk408a-2.pdf> – Accessed 10 April 2006 – Attachment 41; see also: ‘Large-Scale Arrests Only to Suppress Party: PML-N’ 2006, *The Nation*, 21 February – Attachment 50).

PML-N members, associated with Lahore, who have been arrested for criticizing the government in the recent period include (but are not limited to):

Date of Report	Arrested Persons
26 February 2006:	Sardar Ayaz Sadiq (PML-N MNA) Pervez Malik (PML-N MNA) Mujtaba Shuja ur Rehman (PML-N MPA) Mehtar Ishtiaq (PML-N MPA) Afza Khokhar (PML-N MPA)
6 May 2004:	Master Muhammad Riaz (PML-N) Muhammad Tufail (PML-N) Haji Din Muhammad (PML-N) Muhammad Ishaq (PML-N)

- Aga Qurban Ali (PML-N)
 Mian Aitzaz Mehmood (PML-N councillor)
 Iftikhar Pasha (PML-N councillor)
 Nasir Iqbal Khan (PML-N media secretary)
- 8 May 2004: Rana Mashood Ahmed Khan (PML-N MPA)
 Haji Muhammad Ashraf (PML-N councillor)
 Khalid Anwar (PML-N Nazim)
 Haji Muhammad Aslam Akhtar Butt (PML-N worker)
 Mian Tauseef (PML-N worker)
 Shaukat Mushtaq Aslam Jatt (PML-N worker)
 Arif Ali (PML-N worker)
 Ishaq Dogar (PML-N worker)
 Maqsood and Maqbool Sheik (PML-N workers)
- 9 May 2004: Hashim Aftab (son of Sheikh Aftab, former personal secretary to Nawaz Sharif)
 Noshad Hamed (PML-N political secretary)
 Dr Abdul Rasheed Makhdoomi (PML-N office secretary)
 Anjum Bibi (PML-N)
 the son of former councilor Maula Dad (PML-N)
 Malik Waheed (Ghaziabad PML-N President)
 Akbar Ali (PML-N)
 Muhammad Naeem (PML-N)
 Muhammad Ashraf (PML-N)
 Tariq Ali (PML-N)
 Zulfiqar Ali (PML-N)
 Sher Muhammad (PML-N)

A discussion of the source materials informing this list follow below.

On 26 February 2006, *Pakistan Press International Information Services* reported from Lahore on the release of the following members of the PML-N, who had been “arrested under 16-MPO prior to take part in the Shan-e-Mustafa (PBUH) rally”: “Sardar Ayaz Sadiq, Pervez Malik, MNAs, Mujtaba Shuja ur Rehman, Mehar Ishtiaq and Afza Khokhar MPAs” (‘PML-N leaders released’ 2006, *Pakistan Press International Information Services*, 26 February Attachment 42).

On 6 May 2004, *The Jang Group* reported that a “crackdown on the PML-N workers, leaders and activists [had] continued for the fourth consecutive day”. The report makes reference to the following incidents in Lahore:

The police raided the house of MPA Malik Afzal Khokhar, and arrested Master Muhammad Riaz, Muhammad Tufail, Haji Din Muhammad, Muhammad Ishaq, Aga Qurban Ali and took them to Chung.

...The police raided the house of MPA Rana Mashood Ahmed Khan and arrested two councillors and a over dozen workers who had come to see the MPA. From Bhaati Gate, two councillors Mian Aitzaz Mehmood and Iftikhar Pasha were arrested while the house of Mian Marghoob Ahmed, secretary-general Lahore PML-N, was also raided. The police harassed the inmates when they raided the house of Ch Arshad Mehmood, ticket holder for Nazim, Ghaziabad. Many raids were conducted at the house of Haji Naveed, Main Kaleem Riaz, Imran Ashraf while Nasir Iqbal Khan, the party media secretary was arrested in a late night raid.

The local police also raided the houses of Noushad Hameed, Boodi Pehlwan, Rana Muhammad Ashraf, Sardar Naseem, Sh Iftikhar, Malik Mehmoodul Hassan, Rana Umer Daraz, Asghar Kokab, Tanveer Alam Butt, Ch Riaz Akhtar, Salma Butt, Nasir Khan Nasri, Shahid Iqbal, Kunwar Ashfaq Ahmed, Nargis Rana, Ch Akhtar Hussain, Fehmida Naz, Zubaida Bhatti, Parveen Akhtar, Rahat Shaukat, Arshad Junejo, Arshad Sandhu and Haji Aashiq.

The police also raided houses of Ijaz Hafeez, Haji Hanif, Hafiz Ayub and others to arrest the leaders, but they were not found ('Crackdown on PML-N continues on fourth consecutive day' 2004, *Jang Group* website, 6 May <http://www.jang.com.pk/thenews/may2004-daily/06-05-2004/metro/11.htm> – Accessed 10 April 2006 – Attachment 43).

On 8 May 2004, the PML-N claimed that “more than 100 workers and office bearers had been arrested from Lahore alone” in a broad sweep by the authorities against the PML-N (“around 400 others had been apprehended from different parts of the central Punjab province”). Of the arrested individuals identified in this report, the following persons were arrested by the Lahore police:

Police on Friday arrested 29 Pakistan Muslim League-Nawaz (PML-N) workers across the province including PML-N lawyers' wing president and Member of the Punjab Assembly Rana Mashood Ahmed Khan...Mr Khan faces detention under the Maintenance of Public Order (MPO) for 90 days.

...Lahore police arrested councilor Haji Muhammad Ashraf when he was coming out of a mosque after offering morning prayers. The police also raided the house of Union Council No 10 Naib Nazim Khalid Anwar. PML-N workers Haji Muhammad Aslam Akhtar Butt, Mian Tauseef, Shaukat Mushtaq Aslam Jatt, Arif Ali, Ishaq Dogar, Maqsood and Maqbool Sheik were arrested in raids in Ghari Shahu, Landa Bazar, Johar Town and Nishat Colony ('Scores of PML-N workers detained' 2004, *Daily Times*, source: *Agence France-Presse*, 8 May http://www.dailytimes.com.pk/default.asp?page=story_8-5-2004_pg7_12 – Accessed 10 April 2006 – Attachment 44).

On 9 May 2004, further arrests of PML-N affiliates were reported. Of the arrested individuals identified in this report, the following persons were arrested in either Lahore itself, or a Lahore suburb:

A PML-N spokesman said police raided the house of Sheikh Aftab, personal secretary to former prime minister Nawaz Sharif and arrested his son Hashim Aftab. The spokesman said Noshad Hammed, political secretary to Shahbaz, was arrested when he was coming out of a newspaper office in the Lawrence Road area. Plainclothesmen arrested PML-N office secretary Dr Abdul Rasheed Makhdoomi in an early morning raid. Factory Area police arrested Anjum Bibi, while Garden Town police raided the house of former councilor Maula Dad and arrested his son. Ghaziabad PML-N President Malik Waheed, Akbar Ali, Muhammad Naeem, Muhammad Ashraf, Tariq Ali, Zulfiqar Ali and Sher Muhammad were also arrested ('50 more PML-N activists arrested' 2004, *Daily Times*, 9 May http://www.dailytimes.com.pk/default.asp?page=story_9-5-2004_pg7_3 – Accessed 10 April 2006 – Attachment 45).

22. Can you provide details of the legislation under which arrested PML-N activists have been charged?

As a previous Human Rights Watch (HRW) has noted, charges against PML-N activists have typically been “lodged under the Maintenance of Public Order Ordinance, read together with sections of the Anti-Terrorism Act, the sedition law, and laws banning incitement to riot and promoting enmity between groups”. This continues to be the case. During the crackdown of mid-2004, Section 144 of the Criminal Procedure Code was also invoked to prevent PML-N cadres from rallying to the planned return of PML-N President Mian Shahbaz from London to Lahore. Section 144 of the Criminal Procedure Code “authorizes magistrates to issue temporary orders to persons to desist from certain acts in urgent cases of public nuisance or apprehended danger” (Human Rights Watch 2000, *Reform or Repression? Post-Coup Abuses in Pakistan*, ‘Chapter V: Arrests of Party Activists’, October http://www.hrw.org/reports/2000/pakistan/pakio09-04.htm#P245_47949 – Accessed 10 April 2006 – Attachment 46; see also: Jabbar, Qamar 2003, ‘Thirty MPs detained under MPO, released’, *Daily Times*, 29 May http://www.dailytimes.com.pk/default.asp?page=story_29-5-2003_pg1_1 – Accessed 10 April 2006 – Attachment 49; and: ‘Crackdown on PML-N continues on fourth consecutive day’ 2004, *Jang Group* website, 6 May <http://www.jang.com.pk/thenews/may2004-daily/06-05-2004/metro/11.htm> – Accessed 10 April 2006 – Attachment 43).

Section 16 of the *1960 Maintenance of Public Order (MPO) Ordinance* reads as follows (this is typically referred to in press reports as the “MPO” or “16-MPO”):

16. Dissemination of rumours, etc.— Whoever—

- (a) makes any speech, or
- (b) by words whether spoken or written or by signs or by visible or audible representations or otherwise publishes any statement, rumour or report, shall be punished with imprisonment which may extend to three years, or with fine, or with both if such speech, statement, rumour, or report—
 - (i) causes or is likely to cause fear or alarm to the public or to any section of the public;
 - (ii) furthers or is likely to further any activity prejudicial to public safety or the maintenance of public order. (‘The Punjab Maintenance of Public Order Ordinance, 1960’ (W.P. Ordinance XXXI of 1960), Punjab Laws Online website <http://punjablaws.gov.pk/laws/127.html> – Accessed 10 April 2006 – Attachment 47).

23. Is there a criminal charge of “creating unrest” under the Pakistan Criminal Code?

In addition to the aforementioned Section 16 of the *1960 Maintenance of Public Order (MPO) Ordinance*, Sections 7A and 7B of, *Ordinance No. IV of 1999 an Ordinance to Amend the Anti-Terrorism Act, 1997*, may be of interest:

7. Insertion of sections 7A and 7B, Act XXVII of 1997.- In the said Act, after section 7, the following new sections shall be inserted, namely :

“7A. *Creation of civil commotion.*- “Civil commotion” means creation of internal disturbances in violation of law or intended to violate law, commencement or continuation of illegal strikes, go-slows, lock-outs, vehicles snatching or lifting, damage to or destruction of State or private property, random firing to create panic,

charging *bhatha*, acts of criminal trespass (illegal qabza), distributing, publishing or pasting of a handbill or making graffiti or wall-chalking intended to create unrest or fear or create a threat to the security of law and order or to incite the commission of an offence punishable under Chapter VI of the Pakistan Penal Code (Act XLV of 1860).

7B. *Punishment for creating civil commotion.*- Whoever commits an act of civil commotion shall be punished with rigorous imprisonment for a term which may extend to seven years, or with fine, or with both.” (*Ordinance No. IV of 1999 an Ordinance to Amend the Anti-Terrorism Act, 1997*, Pakistan.Gov website <http://www.pakistan.gov.pk/divisions/law-division/media/IV-1999.pdf> – Accessed 10 April 2006 – Attachment 48).

List of Sources Consulted

Internet Sources:

Government Information & Reports

City District Government Lahore website <http://www.lahore.gov.pk>

Election Commission of Pakistan website <http://www.ecp.gov.pk/>

National Reconstruction Bureau (NRB), Government of Pakistan website

<http://www.nrb.gov.pk/>

Provincial Assembly of Punjab (Lahore, Pakistan) website <http://www.pap.gov.pk/>

Pakistan.Gov website <http://www.pakistan.gov.pk>

Pakistan National Assembly website <http://www.na.gov.pk/>

Punjab Laws Online website <http://punjablaws.gov.pk/>

Senate of Pakistan website <http://www.senate.gov.pk/Main.asp>

US Department of State website

Inter-Governmental Organisations

Commonwealth Local Government Forum website <http://www.clgf.org.uk/>

International Institute for Democracy and Electoral Assistance (IDEA) website

<http://www.idea.int>

United Nations (UN)

Non-Government Organisations

Human Rights Commission of Pakistan (HRCP) website <http://www.hrcp-web.org>

Human Rights watch (HRW) <http://www.hrw.org>

International Crisis Group (ICG) website <http://www.crisisgroup.org>

International Federation for Human Rights (FIDH) website <http://www.fidh.org>

Pakistan Institute of Legislative Development And Transparency (PILDAT) website

<http://www.pildat.org/>

International News & Politics

The Daily Times (Pakistan) website <http://www.dailytimes.com.pk>

Dawn website <http://www.dawn.com>

The Jang Group website <http://www.jang.com.pk/>

The Nation website <http://www.nation.com.pk>

Newsline website (Pakistan) <http://www.newsline.com.pk/>

The Pakistan Times website <http://www.pakistantimes.net>

The Pakistan Tribune website <http://www.paktribune.com>

South Asia Terrorism Portal (SATP) website <http://www.satp.org/>

Region Specific Links

Pakistan Muslim League – Nawaz (PML-N) website <http://www.pmln.org.pk>

Search Engines

Google search engine <http://www.google.com.au/>

Databases:

Public	<i>FACTIVA</i>	Reuters Business Briefing
DIMIA	<i>BACIS</i>	Country Information
	<i>REFINFO</i>	IRBDC Research Responses (Canada)
RRT	<i>ISYS</i>	RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State <i>Country Reports on Human Rights Practices.</i>
RRT Library	<i>FIRST</i>	RRT Library Catalogue

List of Attachments

1. 'Court – SC notices AG on Javed Hashmi's petition for costing vote' 2006, *Pakistan Press International*, 11 March. (FACTIVA)
2. International Crisis Group 2005, *Authoritarianism and Political Party Reform in Pakistan*, Asia Report no.102, 28 September.
(http://www.crisisgroup.org/library/documents/asia/south_asia/102_authoritarianism_and_political_party_reform_in_pakistan.pdf – Accessed 9 December 2005)
3. Raza, Shahzad. 2005, 'PML-N wants Nawaz as party president', *Daily Times*, 5 January. (http://www.dailytimes.com.pk/default.asp?page=story_5-1-2005_pg7_40 – Accessed 7 April) 2006)
4. 'Constitution of Pakistan Muslim League-N' 1996, Pakistan Muslim League – Nawaz (PML-N) website, December. (<http://www.pmln.org.pk/constitution.php> – Accessed 30 March 2006)
5. Human Rights Commission of Pakistan 2005, *State of Human Rights in 2004*, pp.43-44 http://www.hrcp-web.org/pdf/ar_2004/1-2.pdf – Accessed 23 March 2006)
6. 'Grand alliance against PML' 2005, *Dawn* website, 23 July.
(<http://www.dawn.com/2005/07/24/nat20.htm> – Accessed 24 March 2006)
7. 'NA session ends after ruckus' 2003, *Daily Times*, 16 April.
(http://www.dailytimes.com.pk/default.asp?page=story_16-4-2003_pg1_5 – Accessed 24 March 2006)
8. 'Opposition resents President's address' 2006, *The Nation*, 18 January.
(<http://www.nation.com.pk/daily/jan-2006/18/index12.php> – Accessed 24 March 2006)
9. 'Pakistan parties lodge protest with US embassy over envoy's remarks' 2005, *BBC Monitoring South Asia*, source: *Dawn*, 14 December. (FACTIVA)
10. Abbasi, Waseem. 2005, 'Nisar to let party decide about allegations against him', *The Nation*, 3 March. (FACTIVA)

11. 'Nawaz to go anywhere except Pak, says Nisar' 2005, *The Baluchistan Times*, 14 November. (FACTIVA)
12. 'PML Headquarters' (undated), Pakistan Muslim League – Nawaz website. (<http://www.pmln.org.pk/pmlhead.php> – Accessed 27 March 2006)
13. 'PML-N given Rs100m relief goods target' 2005, *Dawn* website, 11 October. (<http://www.dawn.com/2005/10/11/nat8.htm> – Accessed 30 March 2006)
14. 'PML-N to form local govt committees' 2005, *The Nation*, 28 June. (<http://www.nation.com.pk/daily/june-2005/28/localnews2.php> – Accessed 30 March 2006)
15. Jabbar, Qamar. 2005, 'Hanif wanted son nominated for nazim office', *Daily Times*, 14 September. (http://www.dailytimes.com.pk/default.asp?page=story_14-9-2005_pg7_16 – Accessed 30 March 2006)
16. Jabbar, Qamar. 2005, 'Marghoob new PML-N Lahore president', *Daily Times*, 6 December. (http://www.dailytimes.com.pk/default.asp?page=2005%5C12%5C06%5Cstory_6-12-2005_pg7_18 – Accessed 28 March 2006)
17. Wasim, Amir. 2005, 'Nawaz appoints new office-bearers: PML-N reorganization at dist, provincial level', *Dawn* website, 16 June. (<http://www.dawn.com/2005/06/17/nat2.htm> – Accessed 7 April 2006)
18. 'Khosla elected PML-N Punjab president' 2002, *Daily Times*, 1 August. (http://www.dailytimes.com.pk/default.asp?page=story_1-8-2002_pg7_1 – Accessed 7 April 2006)
19. Waqas, Ch Aamer. 2006, 'Get out of Kashmir', *The Nation*, 6 February. (<http://www.nation.com.pk/daily/feb-2006/6/index1.php> – Accessed 7 April 2006)
20. Jabbar, Qamar. 2005, 'Differences surface in PML-N: Nawaz convenes party meeting in Jeddah', *Daily Times*, 3 June. (http://www.dailytimes.com.pk/default.asp?page=story_3-6-2005_pg7_23 – Accessed 7 April 2006)
21. Jabbar, Q. 2006, 'Senate polls a challenge for Opp in Punjab', *Daily Times*, 8 February. (http://www.dailytimes.com.pk/default.asp?page=2006%5C02%5C08%5Cstory_8-2-2006_pg7_19 – Accessed 10 April 2006)
22. Mumtaz, Ashraf. 2006, 'Look who is rallying behind whom', *Dawn* website, 4 March. (<http://www.dawn.com/2006/03/05/nat34.htm> – Accessed 10 April 2006)
23. 'Bhasha dam also not acceptable, says PPP' 2006, *Dawn* website, 19 January. (<http://www.dawn.com/2006/01/20/nat30.htm> – Accessed 10 April 2006)
24. Jabbar, Qamar. 2003, '20 Punjab MPAs detained, released', *Daily Times*, 28 May. (http://www.dailytimes.com.pk/default.asp?page=story_28-5-2003_pg1_1 – Accessed 10 April 2006)

25. 'Pakistan Muslim League (List of Central Parliamentary Party)' (undated), Pakistan Muslim League – Nawaz website. (<http://www.pmln.org.pk/pmlhead.php> – Accessed 27 March 2006)
26. 'Lahore (PP-137 to PP-161)' (undated), Provincial Assembly of Punjab (Lahore, Pakistan) website. (<http://www.pap.gov.pk/legislators/present/dist18.htm> – Accessed 27 March 2006)
27. 'Seats Reserved For Women' (undated), Provincial Assembly of Punjab (Lahore, Pakistan) website. (<http://www.pap.gov.pk/legislators/present/women.htm> – Accessed 27 March 2006)
28. Naseer, Khawaja. 2005, 'PML wins local council elections in Lahore', *Daily Times* website, 27 August. (http://www.dailytimes.com.pk/default.asp?page=story_27-8-2005_pg7_39 – Accessed 27 March 2006)
29. International Crisis Group 2005, *Pakistan's Local Polls: Shoring Up Military Rule*, Asia Briefing No 43, 22 November.
30. Commonwealth Local Government Forum 2005, 'Country Profile: Pakistan – The Local Government System in Pakistan'. (<http://www.clgf.org.uk/2005updates/Pakistan.pdf> – Accessed 29 March 2006)
31. International Institute for Democracy and Electoral Assistance 2006, Pakistan: *Country Report based on Research and Dialogue with Political Parties*. (http://www.idea.int/parties/upload/Pakistan_report_March06.pdf – Accessed 7 April 2006)
32. Jabbar, Qamar. 2003, 'Shahbaz asks Hashmi to reorganise PML-N', *Daily Times*, 16 April. (http://www.dailytimes.com.pk/default.asp?page=story_16-4-2003_pg7_17 – Accessed 7 April 2006)
33. 'Senior PML leaders refuse to contest town nazim polls' 2005, *Daily Times*, 2 September. (http://www.dailytimes.com.pk/default.asp?page=story_2-9-2005_pg7_17 – Accessed 7 April 2006)
34. 'PML-QA rigged Ravi Town by-elections: Jamhoori group' 2003, *Daily Times*, 10 September. (http://www.dailytimes.com.pk/default.asp?page=story_10-9-2003_pg7_23 – Accessed 10 April 2006)
35. Jabbar, Qamar 2004, 'Mian Azhar group likely to join PPP', *Daily Times*, 24 July. (http://www.dailytimes.com.pk/default.asp?page=story_24-7-2004_pg7_13 – Accessed 10 April 2006)
36. 'Mian Amir Mahmood unofficially re-elected Lahore Nazim' 2005, *Jang Group* website, 6 October. (<http://www.jang.com.pk/thenews/oct2005-daily/06-10-2005/main/update.shtml> – Accessed 10 April 2006)
37. 'Local Bodies Polls 2005, 3rd Phase – Punjab' 2005, *Jang Group* website. (http://www.jang.com.pk/important_events/localbodies-polls2005/news/results/punjab_nazim.htm – Accessed 10 April 2006)

38. Jabbar, Qamar. 2005, 'Re-polling held in 10 city union councils', *Daily Times*, 2 September. (http://www.dailytimes.com.pk/default.asp?page=story_2-9-2005_pg7_20 – Accessed 10 April 2006)
39. Mumtaz, Ashraf. 2005, 'Improved 2007 prospects for PML', *Dawn* website, 30 August. (<http://www.dawn.com/2005/08/30/fea.htm> – Accessed 10 April 2006)
40. Butt, Tariq. 2005, 'Eyes set on Lahore by-polls', *Jang Group* website, 26 February. (<http://www.jang.com.pk/thenews/feb2005-daily/26-02-2005/metro/i3.htm> – Accessed 10 April 2006)
41. International Federation for Human Rights 2005, "'In Mala Fide": Freedoms of expression, association and assembly in Pakistan', 17 January. (<http://www.fidh.org/IMG/pdf/pk408a-2.pdf> – Accessed 10 April 2006)
42. 'PML-N leaders released' 2006, *Pakistan Press International Information Services*, 26 February. (FACTIVA)
43. 'Crackdown on PML-N continues on fourth consecutive day' 2004, *Jang Group* website, 6 May. (<http://www.jang.com.pk/thenews/may2004-daily/06-05-2004/metro/11.htm> – Accessed 10 April 2006)
44. 'Scores of PML-N workers detained' 2004, *Daily Times*, source: *Agence France-Presse*, 8 May. (http://www.dailytimes.com.pk/default.asp?page=story_8-5-2004_pg7_12 – Accessed 10 April 2006)
45. '50 more PML-N activists arrested' 2004, *Daily Times*, 9 May. (http://www.dailytimes.com.pk/default.asp?page=story_9-5-2004_pg7_3 – Accessed 10 April 2006)
46. Human Rights Watch 2000, *Reform or Repression? Post-Coup Abuses in Pakistan*, 'Chapter V: Arrests of Party Activists', October. (http://www.hrw.org/reports/2000/pakistan/pakio09-04.htm#P245_47949 – Accessed 10 April 2006)
47. 'The Punjab Maintenance of Public Order Ordinance, 1960' (W.P. Ordinance XXXI of 1960), Punjab Laws Online website. (<http://punjablaws.gov.pk/laws/127.html> – Accessed 10 April 2006)
48. *Ordinance No. IV of 1999 an Ordinance to Amend the Anti-Terrorism Act, 1997*, Pakistan.Gov website. (<http://www.pakistan.gov.pk/divisions/law-division/media/IV-1999.pdf> – Accessed 10 April 2006)
49. Jabbar, Qamar 2003, 'Thirty MPAs detained under MPO, released', *Daily Times*, 29 May. (http://www.dailytimes.com.pk/default.asp?page=story_29-5-2003_pg1_1 – Accessed 10 April 2006)
50. 'Large-Scale Arrests Only to Suppress Party: PML-N' 2006, *The nation*, 21 February. (FACTIVA)
51. 'PPP finishes second in Lahore' 2002, *Dawn* website, 11 October. (<http://www.dawn.com/2002/10/12/nat26.htm> – Accessed 10 April 2006)