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MEDIA RELEASE

UN WORKING GROUP ON ARBITRARY DETENTION FINDS IMRAN KHAN'S DETENTION IN PAKISTAN IN VIOLATION OF INTERNATIONAL LAW, URGES HIS IMMEDIATE AND UNCONDITIONAL RELEASE

The Working Group concluded “that his detention had no legal basis and appears to have been intended to disqualify him from running from political office.”

WASHINGTON, D.C., LONDON, and GENEVA, SWITZERLAND – Today, the United Nations Working Group on Arbitrary Detention (“Working Group”) published its opinion that former Pakistan Prime Minister Imran Khan has been arbitrarily detained in violation of international law and demands his immediate and unconditional release.

Khan’s case was successfully litigated before the Working Group by Jared Genser and Brian Tronic at Perseus Strategies (Washington, DC) and Sarah Gogan and Charlotte Boyce at Harbottle & Lewis LLP (London). Genser is well known for having represented numerous high-profile political prisoners such as now Malaysia Prime Minister Anwar Ibrahim, former Maldives President Mohamed Nasheed, and Nobel Peace Prize Laureates Ales Bialiatski and Liu Xiaobo.

Khan is a philanthropist, politician, and former cricket star who served as the 22nd Prime Minister of Pakistan from August 2018 to April 2022. He is the Chairman of Pakistan Tehreek-e-Insaf (Pakistan Justice Movement or “PTI”), a political party which he founded in 1996.

On August 5, 2023, after a trial replete with numerous due process violations, Khan was convicted and sentenced to three years in prison for alleged corrupt practices – a purported failure to report gifts he received and retained as Prime Minister – in what has become known as the “Toshakhana Case.” Three days later, as a result of the conviction, the Election Commission of Pakistan disqualified him from running for office for five years.

In its judgment, the Working Group found Khan’s detention to be arbitrary for several reasons. First, Khan’s detention in the Toshakhana Case “had no legal basis and appears to have been intended to disqualify him from running from political office.” Second, “Khan was detained for exercising his right to freedom of expression or opinion . . . the right to freedom of peaceful assembly and association . . . and his right to take part in the conduct of public affairs.” And third, the violations of Khan’s “fair trial and due process rights . . . are of such gravity as to give the deprivation of liberty an arbitrary character.” The Working Group concluded that “the appropriate remedy would be to release Mr. Khan immediately and accord him an enforceable right to compensation and other reparations.”

Khan's conviction in the Toshakhana Case is part of a much larger campaign of repression targeting the PTI generally and Khan specifically. In the lead up to Pakistan's February 2024 general elections, PTI candidates were arrested, tortured, and intimidated into leaving the party; PTI rallies were disrupted and blocked; and the party was deprived of its iconic cricket bat symbol, forcing its candidates to run as independents.

Journalists and media outlets were told (directly or by implication) that they should not cover the PTI or Khan, and social media, which the PTI used creatively to reach its supporters, was restricted during the PTI's live-streamed events.

Khan himself was subjected to (and is currently facing) over 150 clearly politically motivated criminal cases, and just days before the election, he was convicted in three more cases and sentenced to an additional 10 years, 14 years, and seven years in prison, respectively. For Khan, who is 71 years old, the combined prison term of 34 years amounts to a life sentence.

As has been widely reported, in response to the enormous popularity of the PTI in the polls, the anti-Khan coalition engaged in widespread fraud on election day, stealing dozens of parliamentary seats. This led Khan to describe the incoming coalition led by now Prime Minister Shehbaz Sharif as having engaged in a "daylight robbery" to take over the Government.

Zulfi Bukhari, adviser to Imran Khan and spokesperson for PTI, said:

"The international silence has finally broken on the illegal incarceration of Imran Khan. We welcome the Working Group's Opinion with hope and optimism, as we call on the international community to continue holding the Government of Pakistan accountable for the inexcusable miscarriage of justice Mr Khan, his wife and many PTI members have suffered. The international condemnation of the manner in which the Government of Pakistan illegally stripped Mr Khan of his freedom and rights has echoed from the US to the UN, with the House of Representatives and now the Working Group shining a light on it as a blatant effort to interfere with his intentions to run for political office.

"We reiterate the Working Group's calls for Mr Khan's immediate release and right to compensation and other reparations, as well as call for the immediate release of Mr. Khan's wife, senior leadership of PTI and the thousands of party workers who have also been detained. We remain hopeful that the Government of Pakistan will take the appropriate next steps in accordance with international law."

The UN Working Group on Arbitrary Detention is an independent and impartial body consisting of five members appointed by the UN Human Rights Council. The members are currently from New Zealand, Ukraine, Malaysia, Ecuador, and Zambia. The Working Group has the authority to investigate and issue legal opinions about alleged cases of deprivation of liberty imposed arbitrarily.

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