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November 20, 2026

Honorable Ms. Margaret Satterthwaite
Special Rapporteur on the independence of judges and lawyers
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
1211, Geneva 10, Switzerland

REQUEST FOR URGENT ACTION: Regarding Non-Implementation of Judicial Orders and Judicial Independence in Pakistan

Dear Ms. Satterthwaite,

We are writing to request urgent action on behalf of our client, Imran Ahmad Khan Niazi, the 74-year-old former Prime Minister of Pakistan and the founder of Pakistan Tehreek-e-Insaf (Pakistan Justice Movement, PTI), and his wife Bushra Bibi Khan, both of whom are currently imprisoned at Adiala Jail. We respectfully request that you (1) transmit an urgent appeal to the Government of Pakistan seeking full implementation of the Supreme Court (SC) and Islamabad High Court (IHC) orders concerning Mr. Khan and Mrs. Khan, including unrestricted access to counsel; (2) issue a public statement addressing these concerns; (3) consider joint action with the Special Rapporteurs on torture and on the right to health; and (4) follow up on your previous communication (OL PAK 14/2025), particularly in light of the jurisdictional dispute between the SC and the Federal Constitutional Court (FCC) and its broader implications for judicial independence and the rule of law in Pakistan.

Mr. Khan's detention has already been the subject of significant engagement by United Nations (UN) human rights mechanisms. Just yesterday, on November 19, 2026, in an interview with Christiane Amanpour on CNN International, UN High Commissioner for Human Rights Volker Türk said:

> I call for [Imran Khan's] release. I call for his proper treatment, and I actually call for de-escalation. We need to diffuse the political tensions that are around this case, which

means that a confidence-building measure between the opposition and the government could be his immediate release.[1]

In 2024, the UN Working Group on Arbitrary Detention (UNWGAD) found Mr. Khan's detention to be arbitrary and politically motivated and called for his immediate release and an enforceable right to compensation and other reparations.[2] On September 9, 2025, we submitted urgent appeals concerning Mr. and Mrs. Khan to the Special Rapporteur on torture,[3] followed by public statements from that mandate in December 2025 raising serious concerns about their respective conditions of detention.[4] On February 20, 2026, we also submitted an urgent appeal concerning Mr. Khan to the Special Rapporteur on the right to health, documenting severe deterioration in his health, including substantial loss of vision in his right eye.[5] On August 13, 2026, we also informed the UN High Commissioner for Human Rights Volker Türk, requesting unimpeded access to Mr. and Mrs. Khan's families, their counsel, and physicians of their own choosing and his intervention in urging the Government of Pakistan to implement UNWGAD Opinion No. 22/2024.[6]

The UN Committee against Torture has also addressed these concerns. In its concluding observations adopted on April 29, 2026, the Committee expressed particular concern regarding the situations of Mr. Khan, whose arbitrary detention had been confirmed by the UNWGAD, and Mrs. Khan, especially with regard to their access to medical care. It specifically called on Pakistan to review the situation of persons allegedly detained or imprisoned on political grounds

[1] Post by Christiane Amanpour (@amanpour), X, Nov. 19, 2026, 1:39 pm *available at* https://x.com/amanpour/status/2123486287709581536?a=VyeS4O9I1RU7faJitO8&s=20.
[2] *Imran Khan v. Pakistan*, Opinion No. 22/2024, U.N. Doc. A/HRC/WGAD/2024/22, U.N. WORKING GROUP ON ARBITRARY DETENTION, *adopted* Mar. 25, 2024, at ¶¶ 69, 97, 99, *available at* https://undocs.org/A/HRC/WGAD/2024/22.
[3] Urgent Appeal to U.N. Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, submitted by Perseus Strategies on behalf of Imran Ahmad Khan Niazi (Sept. 9, 2025) (on file with author) and Urgent Appeal to U.N. Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, submitted by Perseus Strategies on behalf of Bushra Bibi Khan (Sept. 9, 2025) (on file with author).
[4] Alice Jill Edwards, MANDATE OF THE SPECIAL RAPPORTEUR ON TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT, U.N. Doc. AL PAK 16/2025, Dec. 10, 2025, *available at* https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=30613; Press Release, *Pakistan: Imran Khan's Solitary Confinement and Inhumane Detention Conditions Must End, UN Expert Says*, OHCHR, Dec. 12, 2025, *available at* https://www.ohchr.org/en/press-releases/2025/12/pakistan-imran-khans-solitary-confinement-and-inhumane-detention-conditions; and Press Release, *Pakistan: UN Expert Raises Alarm over Substandard Detention Conditions of Bushra Bibi Khan*, OHCHR, Dec. 24, 2025, *available at* https://www.ohchr.org/en/press-releases/2025/12/pakistan-un-expert-raises-alarm-over-substandard-detention-conditions-bushra.
[5] Urgent Appeal to U.N. Special Rapporteur on the Right of Everyone to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health, submitted by Perseus Strategies on behalf of Imran Ahmad Khan Niazi (Feb. 20, 2026) (on file with author).
[6] Imran Ahmad Khan Niazi and Bushra Bibi Khan – Request for Action, submitted by Jared Genser, Managing Director, Perseus Strategies, to the U.N. High Commissioner for Human Rights (Aug. 13, 2026) (on file with author).

or in retaliation for their work, expressly naming both Mr. and Mrs. Khan, and to ensure adequate medical care while detained.[7]

We are bringing the current developments specifically to your attention because they appear to correspond to the concerns that your mandate has already raised with the Government of Pakistan. On October 14, 2024, you expressed concern that the proposed 26th Constitutional Amendment could undermine judicial independence and the right to access appeals and judicial review before independent and impartial courts.[8] On November 28, 2025, following the enactment of the 27th Constitutional Amendment, you warned that the reforms were even more extensive and posed serious risks to the SC's constitutional jurisdiction, judicial independence, and the victims' right to an effective remedy.[9]

Since then, the SC and the IHC have repeatedly issued orders concerning Mr. and Mrs. Khan's medical treatment, family contact, access to lawyers, and conditions of confinement. Yet their implementation has been disputed, delayed, or followed by further litigation multiple times. Moreover, restrictions on access to counsel have affected their lawyers' ability to pursue pending appeals. The issue is therefore no longer limited to the scope of the courts' jurisdiction; it is also whether the executive branch implements the orders that the superior courts issue. On November 16, 2026, Mr. Khan wrote to the Chief Justices of the FCC, the SC, and the IHC that the SC's order of August 18, 2026, directing his transfer to hospital "has not been implemented" and that his case "now rests on the docket of the Federal Constitutional Court, awaiting a hearing."[10]

The Inter-Parliamentary Union, in a decision adopted by consensus on April 19, 2026, concerning Mr. Khan and other PTI parliamentarians, expressly called on Pakistani authorities to make use of UN human rights mechanisms, "including the Special Rapporteur on the independence of judges and lawyers," to protect judicial independence and address impunity.[11]

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[7] *Concluding Observations on the Second Periodic Report of Pakistan*, U.N. COMMITTEE AGAINST TORTURE, U.N. Doc. CAT/C/PAK/CO/2, Apr. 29, 2026, at ¶¶ 32, 33(b), *available at* https://undocs.org/CAT/C/PAK/CO/2.

[8] Margaret Satterthwaite, MANDATE OF THE SPECIAL RAPPORTEUR ON THE INDEPENDENCE OF JUDGES AND LAWYERS, U.N. Doc. OL PAK 5/2024, Oct. 14, 2024, at 1, *available at* https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=29447 [hereinafter OCTOBER 2024 SPECIAL RAPPORTEUR LETTER].

[9] Margaret Satterthwaite, MANDATE OF THE SPECIAL RAPPORTEUR ON THE INDEPENDENCE OF JUDGES AND LAWYERS, U.N. Doc. OL PAK 14/2025, Nov. 28, 2025, at 1–2, 5–7, *available at* https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=30571 [hereinafter NOVEMBER 2025 SPECIAL RAPPORTEUR LETTER].

[10] Open Letter from Imran Ahmad Khan Niazi to the Chief Justices of the Federal Constitutional Court, the Supreme Court of Pakistan, and the Islamabad High Court (Nov. 16, 2026) (on file with author) [hereinafter November 16 Open Letter]; News Desk & Ikram Junaidi, *'I May Not Return Alive': In Open Letter to Top Judges, Imran Pleads for Medical Treatment for Him and Bushra Bibi*, DAWN, Nov. 16, 2026, *available at* https://www.dawn.com/news/2044922; and Fiaz Mahmood, *Jailed PTI Founder Seeks 'Justice Before It's Too Late'*, THE EXPRESS TRIBUNE, Nov. 17, 2026, *available at* https://tribune.com.pk/story/2640720/jailed-pti-founder-seeks-justice-before-its-too-late.

[11] *Pakistan: PAK-COLL-01 – Five Parliamentarians, Decision Adopted by Consensus by the IPU Governing Council at Its 217th Session*, INTER-PARLIAMENTARY UNION, Apr. 19, 2026, at ¶ 6, *available at* https://www.ipu.org/sites/default/files/documents/pakistan_-_e_2.pdf.

Pakistan is also currently serving as a member of the UN Human Rights Council for the 2026–2028 term.[12] In light of these developments, we respectfully request your urgent intervention regarding the repeated concerns over non-compliance with judicial orders, access to counsel, and the growing uncertainty over the roles of the SC and FCC in cases concerning Mr. Khan and Mrs. Khan, all of which directly impact judicial independence and access to effective remedies in Pakistan.

I. FACTUAL BACKGROUND

On August 18, 2026, a three-member bench of the SC, comprising Justices Shahid Waheed, Naeem Akhtar Afghan, and Ishtiaq Ibrahim, ordered the Government of Pakistan to transfer Mr. Khan from Adiala Jail to Shifa International Hospital within 48 hours for examination and treatment by a medical board. The Court (in a seven-page order) directed that the board include a physician, an internal medicine specialist, a general surgeon, an ophthalmologist, and a cardiologist. Mr. Khan's personal physician, Dr. Faisal Sultan, and his sister, Dr. Uzma Khan, were permitted to remain associated with his examination and treatment.[13]

The direction, in fact, came from the country's highest court and was not merely a general request that Mr. Khan undergo a medical examination at a facility selected by the Government. The Court explicitly identified Shifa International Hospital, provided the composition for an independent medical board, directed the involvement of Mr. Khan's personal physician and sister, required the Government to provide his complete medical record, and ordered weekly family visits and telephone calls with his sons twice weekly. The Court stated that these interim directions were to be followed by the Government and its agencies "in letter and spirit" until the next hearing on September 16.[14]

In the order, the Court recognized the State's obligation to safeguard the life, health, dignity, and security of persons in custody.[15] It also recognized that incarceration does not extinguish a prisoner's entitlement to humane treatment and necessary medical care.[16]

A. Government's Immediate Objections to the SC's Order

The Government immediately objected to the SC's order regarding Mr. Khan's treatment at Shifa International Hospital. On the same day, Azam Nazeer Tarar, Federal Minister of Law

[12] *Membership of the Human Rights Council for the 20th Cycle (1 January–31 December 2026)*, U.N. HUMAN RIGHTS COUNCIL, *accessed* Sept. 15, 2026, *available at* https://www.ohchr.org/en/hr-bodies/hrc/current-members.
[13] Ikram Junaidi & Nasir Iqbal, *SC Orders Imran's Hospitalisation Within 48 Hours*, DAWN, Aug. 19, 2026, *available at* https://www.dawn.com/news/2023820 and Sakshi Dayal, *Pakistan Top Court Orders Ex-PM Imran Khan Be Moved to Hospital from Jail*, REUTERS, Aug. 18, 2026, *available at* https://www.reuters.com/world/asia-pacific/pakistan-top-court-orders-ex-pm-imran-khan-be-moved-hospital-jail-local-media-2026-08-18/.
[14] *SC Orders Imran's Hospitalisation Within 48 Hours*, *supra* note 13.
[15] *Id.*
[16] *Id.*

and Justice, announced that the Government would seek modification of the order and request that Mr. Khan instead receive treatment at a government hospital. Tarar stated that "this order does not fall within the legal parameters governing the facilities that can be provided to a convicted person in jail," and warned that "[i]f prisoners are taken to private hospitals for such medical check-ups, there are thousands of prisoners across Pakistan facing various complications and illnesses."[17]

On August 19, Islamabad Advocate General Naveed Hayat Malik, on behalf of the federal capital's chief commissioner, filed a review petition seeking recall of the August 18 order. The Government described the Court's order as "discriminatory" and argued that it was "in excess of jurisdiction."[18] It maintained that the order was not in line with Pakistan's Prison Rules 1978 and could lead other prisoners to demand similar treatment at private facilities.[19]

On August 20, the SC registrar's office returned the initial review petition because the required paper books were incomplete.[20] The Government then approached the SC again on August 21, 2026.[21] The review proceeding remains pending before the Court to date.

We also recognize that the Government had the right to challenge the order with which it disagreed. However, a request for judicial review does not itself authorize the executive branch to replace the terms of an operative judicial order with terms of its own choosing. If the Government believed that transferring Mr. Khan to Shifa International Hospital raised questions of special treatment or prison administration concerns, the appropriate course was to obtain a ruling from the Court on its request to modify the order, rather than to act contrary to what the Court had already ordered.

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[17] Our Correspondent, *Law Minister Says Govt Will File Review*, THE EXPRESS TRIBUNE, Aug. 19, 2026, *available at* https://tribune.com.pk/story/2624680/law-minister-says-govt-will-file-review; *see also* BR Web Desk, *Govt to Seek Modifications to SC Order on Imran's Health: Law Minister*, BUSINESS RECORDER, Aug. 18, 2026, *available at* https://www.brecorder.com/news/40435408/govt-to-seek-modifications-to-sc-order-on-imrans-health-law-minister.

[18] Nasir Iqbal, *Govt Files Review Plea Against SC Ruling to Move Imran to Shifa International Hospital, Terms It 'Discriminatory'*, DAWN, Aug. 19, 2026, *available at* https://www.dawn.com/news/2023885.

[19] *Id.* and Asif Shahzad & Mubasher Bukhari, *Pakistani Government Files Challenge Against Imran Khan Private Hospital Move*, REUTERS, Aug. 19, 2026, *available at* https://www.reuters.com/world/asia-pacific/pakistan-government-challenge-imran-khan-hospital-move-says-law-minister-2026-08-19.

[20] Nasir Iqbal, *SC Returns Review Plea Against Imran's Hospital Transfer*, DAWN, Aug. 21, 2026, *available at* https://www.dawn.com/news/2024219.

[21] Nasir Iqbal, *Islamabad Chief Commissioner Again Moves SC Against 'Discriminatory' Order to Shift Imran to Private Hospital*, DAWN, Aug. 21, 2026, *available at* https://www.dawn.com/news/2024368 and Web Desk, *Government Files Fresh Review Petition over Imran Khan's Hospital Transfer*, THE NATION, Aug. 21, 2026, *available at* https://www.nation.com.pk/21-Aug-2026/government-files-fresh-review-petition-imran-khan-s-hospital-transfer.

B. Transfer to Pakistan Institute of Medical Sciences Instead of Shifa International Hospital and Immediate Return to Adiala Jail

The SC's order to transfer Mr. Khan from Adiala Jail to Shifa International Hospital within 48 hours for examination was met with obstinacy and obfuscation. During the night of August 20 to 21, as the Court's two-day deadline expired, authorities secretly moved Mr. Khan from Adiala Jail to the government-run Pakistan Institute of Medical Sciences (PIMS) rather than Shifa International Hospital and sent a decoy convoy to Shifa making it appear Mr. Khan was being brought there. His personal physician, Dr. Faisal Sultan, was instead taken to Shifa International Hospital and kept waiting for around three hours while officials assured him that Mr. Khan was "arriving shortly."[22] Following a brief examination at PIMS, Mr. Khan was returned to Adiala Jail within hours.[23]

Government representatives stated that a team of doctors had conducted a detailed examination of Mr. Khan and declared him medically fit, and that his sister, Dr. Uzma Khan, was present.[24] PIMS later stated that two specialists from Shifa International Hospital had participated in his eye assessment, that the remaining examinations were carried out by PIMS specialists, and that a medical board of PIMS doctors consolidated the medical fitness report.[25] The issue we wish to draw to your attention, however, is that the SC had ordered a specific judicial remedy, including a specific hospital and independent medical board with the participation of Mr. Khan's physician. Instead, the Government unilaterally implemented a materially different arrangement, secretly taking him to a different hospital, convening a medical board that was majority comprised of government-paid physicians, and excluding Mr. Khan's physician entirely from the review – all without first obtaining a modification of the order.

C. Contempt Petition and Relief for Mr. Khan Now in Limbo

On August 22, Dr. Uzma Khan filed a contempt petition against senior Government and prison officials over the alleged failure to implement the August 18 order. The petition argued that the order was "clear, unambiguous, unequivocal and fully capable of implementation,"[26] and that the filing of a review petition did not suspend its legal effect. It also argued that if security concerns required modification, the appropriate course was to return to the SC before departing from its direction. The petition explained that the refusal to shift Mr. Khan to Shifa International

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[22] Abid Hussain, *Pakistan Ex-PM Imran Khan's Family Accuses Gov't of Defying Hospital Order*, AL JAZEERA, Aug. 21, 2026, *available at* https://www.aljazeera.com/news/2026/8/21/pti-accuses-pakistan-government-of-defying-ex-pm-imran-khan-hospital-order and Ikram Junaidi, *Imran Whisked Back to Jail After Pims 'Switcheroo'*, DAWN, Aug. 22, 2026, *available at* https://www.dawn.com/news/2024522.

[23] *Imran Whisked Back to Jail After Pims 'Switcheroo'*, *supra* note 22.

[24] *Id.*

[25] Web Desk, *Two Specialists from Shifa International Hospital Participated in Imran's Eye Assessment: PIMS*, THE EXPRESS TRIBUNE, Aug. 22, 2026, *available at* https://tribune.com.pk/story/2625236/two-specialists-from-shifa-international-hospital-participated-in-imrans-eye-assessment-pims.

[26] Nasir Iqbal & News Desk, *'Completely Choreographed Drama': PTI's Salman Akram Raja Slams Govt over Failure to Follow SC Order*, DAWN, Aug. 22, 2026, *available at* https://www.dawn.com/news/2024559.

Hospital amounted to deliberate and willful disobedience, interference with the process of law, and obstruction of the judicial process.[27]

Although the petition initially faced objections to filing, it was resubmitted after those objections were addressed.[28] Dr. Uzma Khan repeatedly requested an expedited hearing, taking into consideration Mr. Khan's deteriorating health and the implementation of an existing SC order. The SC's office declined the requests for an early hearing.[29] On September 2, Dr. Uzma Khan filed a second contempt petition before the SC, alleging that authorities had also failed to comply with the August 18 order requiring weekly family meetings and twice-weekly phone calls with Mr. Khan's sons. According to the petition, only two meetings with one of Mr. Khan's sisters had been permitted since the August 18 order, and his sons had not been permitted to speak with him by phone.[30]

We want to inform you that the August 18 order has not been formally canceled; it remains in effect, as the Attorney General acknowledged before the SC on September 16.[31] Our major concern is that the order was not implemented as issued. Mr. Khan did not receive the medical treatment ordered by the Court. Instead, he was taken to a state-run hospital, assessed by PIMS doctors rather than by the medical board the Court had directed (which was to include his personal physician), and returned to prison within hours.[32] The SC, on September 16, deferred the proceedings for three weeks after the FCC, invoking Article 175-E, requisitioned the record of Mr. Khan's case pending before the SC, together with records of similar cases from the High Courts, inquiring into the extent to which the FCC order is binding on the proceedings.[33] This limbo raises a direct concern for judicial independence because the effectiveness of a court's authority depends both on its power to issue binding orders and on whether the executive

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[27] *Id.*; *see also* Kalbe Ali & Nasir Iqbal, *Blame Game over Contempt in Imran's Treatment Row*, DAWN, Aug. 23, 2026, *available at* https://www.dawn.com/news/2024658.

[28] Nasir Iqbal, *Imran's Hospital Transfer: SC to Take Up Dr Uzma's Contempt Plea on Sept 16*, DAWN, Aug. 25, 2026, *available at* https://www.dawn.com/news/2025198.

[29] Nasir Iqbal, *SC Turns Down Sister's Plea for Early Hearing of Imran Contempt Case*, DAWN, Sept. 1, 2026, *available at* https://www.dawn.com/news/2026523.

[30] Nasir Iqbal, *Uzma Files Another Contempt Plea in SC, This Time over 'Failure' to Facilitate Meetings Between Imran and His Family*, DAWN, Sept. 2, 2026, *available at* https://www.dawn.com/news/2026885/uzma-files-another-contempt-plea-in-sc-this-time-over-failure-to-facilitate-meetings-between-imran-and-his-family.

[31] Abdul Qayyum Siddiqui & Arfa Feroz Zake, *SC Raises Questions over FCC's Jurisdiction in Imran's Hospital Transfer Case*, THE NEWS, Sept. 16, 2026, *available at* https://www.thenews.pk/story/1437701-sc-raises-questions-over-fccs-jurisdiction-in-imrans-hospital-transfer-case and Nasir Iqbal, *Imran's Hospital Transfer: SC Expresses Reservation at Fixation of Cases Before FCC*, DAWN, Sept. 16, 2026, *available at* https://www.dawn.com/news/2030356.

[32] Press Release, PAKISTAN INSTITUTE OF MEDICAL SCIENCES, Aug. 22, 2026, *available at* https://pims.gov.pk/Advertisement/Press%20Release.pdf and *Two Specialists from Shifa International Hospital Participated in Imran's Eye Assessment: PIMS*, *supra* note 25.

[33] *Imran's Hospital Transfer: SC Expresses Reservation at Fixation of Cases Before FCC*, *supra* note 31 and Jehanzeb Abbasi, *SC Seeks AGP's Assistance on FCC Jurisdiction over Imran Khan's Hospital Transfer Case*, THE EXPRESS TRIBUNE, Sept. 16, 2026, *available at* https://tribune.com.pk/story/2629609/sc-seeks-agps-assistance-on-fcc-jurisdiction-over-imran-khans-hospital-transfer-case.

authorities to whom those orders are directed respect and implement them.[34] The order, which remains in force, is still unimplemented, and the proceedings regarding its enforcement have been pushed further back due to the jurisdictional uncertainty, making the interim protection granted by the SC to Mr. Khan, in practice, largely ineffective.

D. Recurring Non-Compliance with Court Orders

Court orders concerning Mr. Khan's access to family members and counsel have repeatedly gone unimplemented. On March 24, 2025, a three-member IHC bench, headed by Acting Chief Justice Sardar Sarfraz Dogar, restored Mr. Khan's right to receive designated visitors twice a week, on Tuesdays and Thursdays. During the hearing, a member of the bench observed that if the existing visitation arrangements had been properly implemented, there would not have been 98 applications filed concerning access.[35]

Similarly, on October 23, 2025, the IHC again ordered the Adiala Jail superintendent, who was present in court, to implement the March 24 order and ensure that meetings were permitted in accordance with the applicable Standard Operating Procedures. Later that day, when then Chief Minister of Khyber Pakhtunkhwa Sohail Afridi went to visit Mr. Khan, he was denied access despite the Court's direction.[36] Mr. Khan's lawyer, Salman Akram Raja, alleged that the March order had not been implemented, while the jail superintendent maintained that meetings had taken place.[37] The same day, a larger IHC bench suspended an earlier single-bench ruling that had struck down the prison rule prohibiting political discussion during prison meetings, thereby restoring that prohibition while the Government's intra-court appeals remained pending.[38]

On June 18, 2026, the IHC directed the Islamabad Advocate General to arrange meetings between Mr. and Mrs. Khan and their lawyers within seven days so that counsel could obtain instructions and complete the necessary documentation, including power of attorney for their appeals in the £190 million (approximately USD 250 million) case, also known as the Al-Qadir Trust case. The Court observed that denying access to counsel could obstruct the administration

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[34] *See* Basic Principles on the Independence of the Judiciary, adopted by the Seventh U.N. Congress on the Prevention of Crime and the Treatment of Offenders, Aug. 26–Sept. 6, 1985, U.N. Doc. A/CONF.121/22/Rev.1, endorsed by G.A. Res. 40/32 (Nov. 29, 1985) and G.A. Res. 40/146 (Dec. 13, 1985), at Principle 1, *available at* https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-independence-judiciary.

[35] Tahir Naseer, *IHC Restores Imran's Jail Meetings Twice a Week*, DAWN, Mar. 24, 2025, *available at* https://www.dawn.com/news/1900030.

[36] Tahir Naseer & Dawn.com, *Adiala Jail Superintendent Directed to Implement Earlier IHC Order Allowing Imran Twice-a-Week Meetings*, DAWN, Oct. 23, 2025, *available at* https://www.dawn.com/news/1950777 and Ikram Junaidi & Malik Asad, *Despite IHC Order, Imran Still Out of KP CM's Reach*, DAWN, Oct. 24, 2025, *available at* https://www.dawn.com/news/1950910.

[37] *Despite IHC Order, Imran Still Out of KP CM's Reach*, *supra* note 36.

[38] *Adiala Jail Superintendent Directed to Implement Earlier IHC Order Allowing Imran Twice-a-Week Meetings*, *supra* note 36 and *IHC Restores Law Banning Political Talks of Prisoners*, ASSOCIATED PRESS OF PAKISTAN, Oct. 23, 2025, *available at* https://www.app.com.pk/national/ihc-restores-law-banning-political-talks-of-prisoners/.

of justice.[39] Despite that order, PTI leaders seeking to meet Mr. Khan were denied access at Adiala Jail on July 9, 2026, and his lawyers and sisters were turned away on July 14, 2026.[40]

On August 29, 2026, Pakistan's Ministry of Information and Broadcasting publicly rejected as "misleading stories" foreign media reports that Mr. Khan was being held in solitary confinement or denied family access and medical care, stating that his imprisonment "is governed by the Pakistan Prison Rules, applicable judicial directions and security arrangements appropriate to a high-profile prisoner" and denying that the authorities had failed to comply with the August 18 order.[41] PTI rejected the Government's account as "misleading, fabricated and incorrect," alleging continued non-implementation of orders concerning family, legal, and medical access.[42]

Against this backdrop, on September 1, the IHC yet again ordered Adiala Jail authorities not to keep Mr. Khan in solitary confinement and ordered family meetings, calls with Mr. Khan's sons, access to books and newspapers, and a compliance report within 15 days.[43] However, on September 3, six PTI representatives who had been nominated for a scheduled Thursday meeting were again not allowed to meet Mr. Khan.[44] In early September, a PTI lawyer submitted a constitutional representation seeking full implementation of the IHC and SC orders concerning family contact, meaningful human interaction, exercise, and medical care. The formal written request argued that there should be no selective or incomplete compliance and warned that continued failure could lead to contempt proceedings and other constitutional remedies.[45] On September 15, 2026, Mr. Khan's sisters and six lawyers who went to Adiala Jail to meet him pursuant to the IHC's order were reportedly denied access.[46]

The situation escalated on September 20–21, 2026, when authorities detained Mr. Khan's three sisters under 30-day preventive detention orders; several other family members, including two of Aleema Khan's sons, were reportedly taken into custody at the same time and later

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[39] News Desk, *IHC Orders Lawyers' Access to Imran Khan, Bushra Within Seven Days in £190M Case*, PAKISTAN TODAY, June 18, 2026, *available at* https://www.pakistantoday.com.pk/2026/06/18/ihc-orders-lawyers-access-to-imran-khan-bushra-within-seven-days-in-pound190m-case.

[40] Ikram Junaidi, *PTI Leaders Not Allowed to Meet Imran Again*, DAWN, July 10, 2026, *available at* https://www.dawn.com/news/2014295 and Ikram Junaidi, *PTI Leaders Not Allowed to Meet Imran, Again*, DAWN, July 15, 2026, *available at* https://www.dawn.com/news/2015509.

[41] Our Correspondent, *Imran 'Not in Executive Detention'*, THE EXPRESS TRIBUNE, Aug. 30, 2026, *available at* https://tribune.com.pk/story/2626461/imran-not-in-executive-detention.

[42] Ikram Junaidi, *PTI Challenges Govt Claims About Imran's Incarceration*, DAWN, Sept. 1, 2026, *available at* https://www.dawn.com/news/2026475.

[43] Malik Asad, *IHC Orders End to Isolation of Imran, Bushra*, DAWN, Sept. 2, 2026, *available at* https://www.dawn.com/news/2026804/ihc-orders-end-to-isolation-of-imran-bushra.

[44] Ikram Junaidi, *PTI Leaders Again Not Allowed to Meet Imran*, DAWN, Sept. 4, 2026, *available at* https://www.dawn.com/news/2027339.

[45] Wajih Ahmad Sheikh, *Implementation of Court Orders Regarding Imran, Bushra Sought*, DAWN, Sept. 5, 2026, *available at* https://www.dawn.com/news/2027618.

[46] *Former Pakistan PM Imran Khan's Sisters Once Again Denied Meeting with Him in Prison*, IANS, Sept. 16, 2026 (citing DAWN), *available at* https://www.ap7am.com/en/135745/former-pakistan-pm-imran-khans-sisters-once-again-denied-meeting-with-him-in-prison.

released.[47] On October 26, 2026, the Lahore High Court disposed of a petition seeking their release after the Punjab government informed the court that their detention had been extended by a further 30 days.[48] On November 2, 2026, after Noreen Niazi had been hospitalized at the Punjab Institute of Cardiology while in custody, the Lahore High Court summoned the Lahore Deputy Commissioner to explain the extension of the detention orders.[49] On November 12, 2026, Noreen Niazi and Dr. Uzma Khan were released after the detention orders against them were withdrawn; Aleema Khan remained in detention as of November 18.[50] Aleema Khan (named as Aleema Khanum in the IHC proceedings) and Dr. Uzma Khan have pursued judicial proceedings seeking implementation of court-ordered protections for Mr. Khan.[51] Their detention raises additional concerns under Article 9 of the International Covenant on Civil and Political Rights (ICCPR) and regarding effective access to judicial remedies if it impairs their ability to continue pursuing those proceedings.[52] The Human Rights Committee has interpreted Article 14(1) of the ICCPR as requiring effective access to competent courts and has stated that such access must not be systematically frustrated *de jure* or *de facto*.[53]

Access to counsel has followed the same pattern. On November 2, 2026, more than four months after the IHC's June 18 order, Mr. Khan's counsel, Barrister Salman Safdar, was

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[47] Faisal Aziz Khan, *Former Pakistan PM Imran Khan's Sisters Arrested Before Planned PTI March*, AL JAZEERA, Sept. 20, 2026, *available at* https://www.aljazeera.com/news/2026/9/20/former-pakistan-pm-imran-khans-sister-arrested-ahead-of-planned-pti-march; News Desk & Ikram Junaidi, *After Aleema, Imran's Sisters Uzma and Noreen Also Detained in Lahore Under MPO for 30 Days*, DAWN, Sept. 21, 2026, *available at* https://www.dawn.com/news/2031544; Web Desk, Ahtesham Bashir & Rana Yasif, *Imran's Sisters Challenge 30-Day Detention in LHC, Seek Immediate Release*, THE EXPRESS TRIBUNE, Sept. 21, 2026, *available at* https://tribune.com.pk/story/2630519/pti-says-more-of-imrans-sisters-family-detained-by-police-in-lahore; and Press Release, *Pakistan: Arbitrary Detention of Imran Khan's Family and Party Activists a Flagrant Violation of Human Rights*, AMNESTY INTERNATIONAL, Sept. 21, 2026, *available at* https://www.amnesty.org/en/latest/news/2026/09/pakistan-arbitrary-detention-of-imran-khans-family-and-party-activists-a-flagrant-violation-of-human-rights/.

[48] Our Correspondent, *LHC Disposes of Plea for Imran Sisters' Release*, THE EXPRESS TRIBUNE, Oct. 27, 2026, *available at* https://tribune.com.pk/story/2637091/lhc-disposes-of-plea-for-imran-sisters-release.

[49] Rana Yasif, *LHC Orders Meeting Between Noreen and Her Daughters, Summons DC over Detention Extension*, THE EXPRESS TRIBUNE, Nov. 2, 2026, *available at* https://tribune.com.pk/story/2638221/lhc-seeks-reports-on-continued-detention-of-imrans-sisters-noreens-health.

[50] Mansoor Malik, *2 of Imran's Sisters Freed; Aleema Still in Jail*, DAWN, Nov. 13, 2026, *available at* https://www.dawn.com/news/2044194 and Nasir Iqbal & News Desk, *8 Pakistan Bar Council Members Call on Judiciary to Take Note of Imran's Plea for Medical Treatment*, DAWN, Nov. 17, 2026, *available at* https://www.dawn.com/news/2045191.

[51] *IHC Orders End to Isolation of Imran, Bushra*, *supra* note 43; *Imran's Hospital Transfer: SC to Take Up Dr Uzma's Contempt Plea on Sept 16*, *supra* note 28; and *Uzma Files Another Contempt Plea in SC, This Time over 'Failure' to Facilitate Meetings Between Imran and His Family*, *supra* note 30.

[52] International Covenant on Civil and Political Rights, 999 U.N.T.S. 171, *entered into force* Mar. 23, 1976, at Art. 9, *available at* https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights [hereinafter ICCPR].

[53] *General Comment No. 32 on Article 14: Right to Equality Before Courts and Tribunals and to a Fair Trial*, U.N. HUMAN RIGHTS COMM., U.N. Doc. CCPR/C/GC/32, Aug. 23, 2007, at ¶ 9, *available at* https://undocs.org/CCPR/C/GC/32 [hereinafter *General Comment No. 32*].

permitted to meet Mr. and Mrs. Khan for about 40 minutes.[54] It was his first meeting with Mr. Khan in seven months and, according to Mrs. Khan's subsequent application to the IHC, her first meeting with counsel in approximately 11 months.[55] A three-hour meeting followed on November 11, but only after the IHC, hearing their appeals in the Al-Qadir Trust case on November 10, specifically directed the jail authorities to facilitate it.[56]

On November 16, 2026, Mr. Khan set out these concerns in an open letter to the Chief Justices of the FCC, the SC, and the IHC, conveyed through Barrister Safdar.[57] He wrote that the August 18 order had not been implemented; that his appeal in the Al-Qadir Trust case was being taken up ahead of older petitions concerning his and Mrs. Khan's health and the unimplemented court orders; that he had been permitted to meet his lawyers only four times in 2026, leaving them, in his words, "unable to defend ourselves in the very cases we are fighting"; and that his sons had not been permitted to call him, contrary to court orders.[58] He asked the Chief Justices for no favor, only for implementation of the SC's orders and proper medical treatment for himself and his wife.[59] Minister for Parliamentary Affairs Tariq Fazal Chaudhry rejected claims that Mr. Khan had been denied medical care as "contrary to the facts," stating that his health is monitored weekly by medical specialists and that doctors at PIMS, where he had been taken eight times for examinations, had declared it satisfactory.[60]

The letter prompted calls from within Pakistan's legal profession for the courts to act. On November 17, 2026, eight members of the Pakistan Bar Council called on the judiciary "to take up the former prime minister's plea immediately" and to ensure "that court orders are implemented," noting that even the couple's bail applications had not been fixed for hearing.[61] The Human Rights Commission of Pakistan called for "[a]ll relevant court orders" to be implemented.[62] Amnesty International stated that the "persistent denial of adequate health care, family visits, and regular meetings with legal counsel" to Mr. and Mrs. Khan violated Pakistan's international human rights obligations.[63]

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[54] Malik Asad, *Bushra Bibi Approaches IHC over Worsening Eyesight, Seeks Treatment from Doctors of Her Choice*, DAWN, Nov. 7, 2026, *available at* https://www.dawn.com/news/2042815; Ikram Junaidi, *PTI Lawyers Meet Imran, Bushra 'for 3 Hours' at Adiala Jail Following IHC Orders*, DAWN, Nov. 11, 2026, *available at* https://www.dawn.com/news/2043779; and Malik Asad, *Lawyers Submit Affidavits Detailing Nov 11 Meeting with Imran, Bushra at Adiala Jail*, DAWN, Nov. 16, 2026, *available at* https://www.dawn.com/news/2044913.
[55] *PTI Lawyers Meet Imran, Bushra 'for 3 Hours' at Adiala Jail Following IHC Orders*, *supra* note 54 and *Lawyers Submit Affidavits Detailing Nov 11 Meeting with Imran, Bushra at Adiala Jail*, *supra* note 54.
[56] *PTI Lawyers Meet Imran, Bushra 'for 3 Hours' at Adiala Jail Following IHC Orders*, *supra* note 54.
[57] *'I May Not Return Alive': In Open Letter to Top Judges, Imran Pleads for Medical Treatment for Him and Bushra Bibi*, *supra* note 10.
[58] November 16 Open Letter, *supra* note 10.
[59] *Id.*
[60] *'I May Not Return Alive': In Open Letter to Top Judges, Imran Pleads for Medical Treatment for Him and Bushra Bibi*, *supra* note 10.
[61] *8 Pakistan Bar Council Members Call on Judiciary to Take Note of Imran's Plea for Medical Treatment*, *supra* note 50.
[62] *Id.*
[63] Amnesty International South Asia (@amnestysasia), X (Nov. 17, 2026, 7:00), *available at* https://x.com/amnestysasia/status/2122693255964016792.

These events reflect a recurring cycle of judicial orders, non-implementation, and renewed petitions, compelling Mr. Khan's family and counsel to return to court many dozens of times more than required to secure relief already granted. In practice, legally binding judicial orders in Pakistan in Mr. and Mrs. Khan's cases have, most of the time, been treated by the Government of Pakistan as simply advisory in nature, with authorities to whom judicial orders are directed treating compliance as optional. Even Pakistan's FCC recently observed, in an unrelated case, that "[t]o disregard or to delay in implementation of [a court] verdict amounts to challenging the very framework of the legal system."[64]

E. Continuing Barriers to Medical Care, Judicial Relief for Bushra Bibi Khan

Mrs. Khan experienced similar disputes regarding medical care, isolation, family contact, and access to counsel. Earlier proceedings included a May 2026 IHC hearing in which the Adiala Jail superintendent was summoned in connection with her requests for access to a personal physician and family visits.[65] The June 18 order concerning lawyer access applied to both Mr. and Mrs. Khan.[66]

As mentioned above, the IHC on September 1 decided the petitions filed by Mr. Khan's sister, Aleema Khan, and Mrs. Khan's daughter, Mubashra Khawar Maneka. The Court directed Adiala Jail authorities not to keep either Mr. Khan or Mrs. Khan in solitary confinement and ordered that they be provided with meaningful human interaction, exercise, family access, reading material, and medical facilities in accordance with applicable rules.[67] According to Mrs. Khan's local counsel, she has continued to face restrictions on family access and has not received the medical care required by the September 1 order.[68] In two applications to the IHC in November 2026, she sought examination by an ophthalmologist and treatment by doctors of her choice, production of her complete medical record, and transfer to a specialized hospital, stating that the jail authorities had not provided her, her family, or her lawyers with the relevant medical notes, diagnostic reports, or prescriptions.[69]

The delay in Mrs. Khan's pending appeal has also continued. On September 17, she requested that the FCC urgently address her appeal seeking suspension of her sentence in the Al-Qadir Trust case in the week commencing September 21. She argued that the matter had

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[64] Hasnaat Malik, *FCC Warns Executive over Ignored Orders*, THE EXPRESS TRIBUNE, Oct. 31, 2026, *available at* https://tribune.com.pk/story/2637896/fcc-warns-executive-over-ignored-orders.
[65] Shahid Rao, *IHC Again Summons Adiala Jail Superintendent in Bushra Bibi's Case*, THE NATION, May 7, 2026, *available at* https://www.nation.com.pk/07-May-2026/ihc-summons-adiala-jail-superintendent-bushra-bibi-s-case.
[66] *IHC Orders Lawyers' Access to Imran Khan, Bushra Within Seven Days in £190M Case*, *supra* note 39.
[67] Order Sheet, W.P. No. 3087 of 2026, *Aleema Khanum v. Superintendent, Central Jail, Adiyala, Rawalpindi* (consolidated with W.P. No. 3088 of 2026, *Mubashra Khawar Maneka v. Superintendent, Central Jail, Adiyala, Rawalpindi*), ISLAMABAD HIGH COURT, Sept. 1, 2026, at ¶¶ 26–30 (on file with author).
[68] Communication from Mrs. Khan's local counsel to Perseus Strategies (Oct. 2026) (on file with author).
[69] *Bushra Bibi Approaches IHC over Worsening Eyesight, Seeks Treatment from Doctors of Her Choice*, *supra* note 54 and *Lawyers Submit Affidavits Detailing Nov 11 Meeting with Imran, Bushra at Adiala Jail*, *supra* note 54.

remained unresolved for approximately 19 months across the IHC and FCC proceedings, and that prolonged delay placed her deteriorating health and eyesight at risk.[70] In October 2026, the FCC dismissed that appeal, stating that "the appropriate course would be to secure [the main appeal's] expeditious adjudication rather than undertake a parallel examination of the merits of suspension of sentence at this stage."[71]

F. Controversies Around 27th Constitutional Amendment

These developments should also be considered together with the broader constitutional concerns your mandate has already raised. In a letter dated November 28, 2025 (OL PAK 14/2025), you raised concerns about executive influence over the newly established FCC, the removal of constitutional jurisdiction from the SC, and the transfer of pending constitutional cases to the FCC.[72] You stated that the creation of the FCC under the framework posed a "significant threat to judicial independence within Pakistan."[73] The International Commission of Jurists likewise described the 27th Amendment as a "flagrant attack on the independence of the judiciary and the rule of law."[74]

The Amendment was not spared criticism from within Pakistan's own judiciary. On November 13, 2025, hours after the 27th Amendment became law, SC Justices Syed Mansoor Ali Shah and Athar Minallah resigned.[75] Justice Shah described the Amendment as "a grave assault on the Constitution of Pakistan" and said that it had stripped the SC of its fundamental and critical jurisdiction and authority.[76] Justice Minallah stated that the Constitution he had sworn to uphold was "no more."[77] Both judges had previously asked the Chief Justice to convene a full court meeting to debate the 27th Amendment.[78] Most recently, on October 28, 2026, Justice Mohsin Akhtar Kayani of the Lahore High Court resigned, stating that the 26th and 27th Constitutional Amendments "have compromised the independence and institutional integrity of the high courts" and citing "the executive's growing control over judicial institutions, extending to the appointment and transfer of judges."[79]

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[70] Nasir Iqbal, *Al-Qadir Trust Case: Bushra Bibi Moves FCC for Early Hearing of Sentence Suspension Plea*, DAWN, Sept. 17, 2026, *available at* https://www.dawn.com/news/2030613.
[71] Hasnaat Malik, *FCC Rejects Bushra Bibi's Petition*, THE EXPRESS TRIBUNE, Oct. 15, 2026, *available at* https://tribune.com.pk/story/2634911/fcc-rejects-bushra-bibis-petition.
[72] NOVEMBER 2025 SPECIAL RAPPORTEUR LETTER, *supra* note 9, at 3–4.
[73] *Id.*, at 5.
[74] Press Release, *Pakistan – Dismantling Justice: A Full-Frontal Assault on the Rule of Law*, INTERNATIONAL COMMISSION OF JURISTS, Nov. 13, 2025, *available at* https://www.icj.org/pakistan-dismantling-justice-a-full-frontal-assault-on-the-rule-of-law/.
[75] Noor Ul Huda, *Pakistan Dispatch: Two Supreme Court Justices Resign in Protest of 27th Constitutional Amendment*, JURIST, Dec. 3, 2025, *available at* https://www.jurist.org/news/2025/12/pakistan-dispatch-two-supreme-court-justices-resign-in-protest-of-27th-constitutional-amendment/.
[76] Nasir Iqbal & Umer Mehtab, *'Constitution No More': Justices Shah, Minallah Resign from 'Diminished' SC Following Passage of 27th Amendment*, DAWN, Nov. 13, 2025, *available at* https://www.dawn.com/news/1954872.
[77] *Id.*
[78] *Id.*
[79] Wajih Ahmad Sheikh, *'Conscience Does Not Permit': LHC's Justice Kayani Resigns, Cites 'Executive's Growing Control' over Judiciary*, DAWN, Oct. 28, 2026, *available at* https://www.dawn.com/news/2040428.

We recognize that the Government of Pakistan has rejected this characterization, describing the Amendment as a structural reform formulated to improve judicial specialization, reduce case backlogs, and strengthen institutional capacity.[80]

As you stated in your November communication, however, the FCC has the power under Article 175-E to request records of pending cases before other courts and potentially transfer such cases to itself.[81] You warned that this arrangement could permit an unusual form of "forum shopping" and affect access to judicial review and appeal.[82] We are now seeing these concerns play out in the proceedings involving Mr. Khan. On September 15, 2026, hearing appeals filed by three Adiala Jail prisoners seeking medical facilities similar to those ordered for Mr. Khan, the FCC invoked Article 175-E and requisitioned the complete record of cases concerning Mr. Khan's transfer to Shifa International Hospital pending before the SC, as well as related matters before the High Courts. The FCC also directed that the requisitioned cases be fixed before it.[83]

On September 16, the SC expressed reservations about the FCC's direction that the requisitioned cases be fixed before it. Justice Shahid Waheed questioned whether this direction fell within Article 175-E(5).[84] The SC sought the Attorney General's assistance on the scope of the FCC's order and its implications for the proceedings already pending before the SC. The Attorney General acknowledged that the situation was unprecedented and requested three weeks to prepare his submissions. The SC consequently deferred the proceeding for three weeks to preserve judicial comity between the two courts.[85] As of October 11, 2026, neither the SC nor the FCC had fixed the matter for hearing, and the SC's office had reportedly not yet transmitted the records to the FCC.[86] On November 2, 2026, the FCC stated in an unrelated judgment that "[t]he judgments of the Supreme Court are not binding on us, but carry persuasive value."[87] As of November 16, 2026, according to Mr. Khan, his case remained on the FCC's docket, awaiting a hearing.[88]

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[80] *Reply of the Government of Pakistan to OL PAK 14/2025*, Note Verbale No. Sp/Proc/1/2025, PERMANENT MISSION OF PAKISTAN TO THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS, GENEVA, Dec. 16, 2025, *available at* https://spcommreports.ohchr.org/TMResultsBase/DownLoadFile?gId=39550.
[81] NOVEMBER 2025 SPECIAL RAPPORTEUR LETTER, *supra* note 9, at 4–5.
[82] *Id.*, at 4–5.
[83] Nasir Iqbal, *FCC Summons Record of Imran's Hospital Transfer Case from SC*, DAWN, Sept. 16, 2026, *available at* https://www.dawn.com/news/2030280; News Desk, *Prisoners Move FCC Against IHC Rejection of Imran-Like Medical Facilities*, 24 NEWS HD, Sept. 8, 2026, *available at* https://www.24newshd.tv/08-Sep-2026/prisoners-move-fcc-ihc-rejection-imran-like-medical-facilities; and *Imran's Hospital Transfer: SC Expresses Reservation at Fixation of Cases Before FCC*, *supra* note 31.
[84] *Imran's Hospital Transfer: SC Expresses Reservation at Fixation of Cases Before FCC*, *supra* note 31.
[85] *Imran's Hospital Transfer: SC Expresses Reservation at Fixation of Cases Before FCC*, *supra* note 31 and *SC Seeks AGP's Assistance on FCC Jurisdiction over Imran Khan's Hospital Transfer Case*, *supra* note 33.
[86] Hasnaat Malik, *Imran Case Caught in Jurisdictional Deadlock*, THE EXPRESS TRIBUNE, Oct. 11, 2026, *available at* https://tribune.com.pk/story/2634161/imran-case-caught-in-jurisdictional-deadlock.
[87] Hasnaat Malik, *FCC Reasserts Its Status as Apex Court*, THE EXPRESS TRIBUNE, Nov. 2, 2026, *available at* https://tribune.com.pk/story/2638169/fcc-reasserts-its-status-as-apex-court.
[88] November 16 Open Letter, *supra* note 10.

Proceedings on the implementation of the SC's August 18 order have now stalled amid questions about the respective jurisdiction of the SC and FCC. We do not suggest that the 27th Amendment directly caused the non-implementation of the August 18 order, nor are we trying to suggest how Article 175-E should be interpreted. Rather, the ongoing events add to the larger concern identified by your mandate over whether Pakistan's judiciary retains the practical authority necessary to check executive action and protect judicial independence, as well as ensure timely access to judicial review and effective remedies.

G. Concerns About Fair Trial and Judicial Independence in Pakistan

In a letter dated October 14, 2024 (OL PAK 5/2024), you warned that the 26th Amendment risked increasing political influence over judicial appointments and tenure.[89] Likewise, on March 19, 2025, you raised concerns about the trial of more than 100 civilians before military courts, including the risks to a fair trial by a competent, independent, and impartial judiciary, public hearings, and the possibility for civilians to appeal the decision of the military court before any other court.[90] That concern persists: in May 2025, the SC directed the federal Government to legislate a right of appeal for civilians convicted by military courts, but that order reportedly remains unimplemented.[91]

More recently, you joined with other UN experts in raising concerns over the prosecutions of lawyers Imaan Mazari-Hazir and Hadi Ali Chattha, observing that the "pattern of prosecutions suggests an arbitrary use of the legal system as an instrument of harassment and intimidation."[92] On September 17, 2026, the SC suspended their sentences and granted them bail pending appeal before the IHC; they were rearrested the same night in a separate case.[93] On September 30, 2026, you and other UN experts called for their immediate release.[94] On October 29, 2026, an anti-terrorism court sitting inside Adiala Jail convicted them in a third case, arising from the alleged removal of security barriers in Islamabad in October 2024, and sentenced each to 10 years' imprisonment, following a trial in which the court had appointed state counsel to

[89] OCTOBER 2024 SPECIAL RAPPORTEUR LETTER, *supra* note 8, at 3–6.
[90] Margaret Satterthwaite, MANDATE OF THE SPECIAL RAPPORTEUR ON THE INDEPENDENCE OF JUDGES AND LAWYERS, U.N. Doc. AL PAK 3/2025, Mar. 19, 2025, at 4, *available at* https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=29688.
[91] *FCC Warns Executive over Ignored Orders*, *supra* note 64.
[92] Press Release, *Pakistan: UN Experts Alarmed by the Conviction of Imaan Mazari-Hazir and Hadi Ali Chattha*, OHCHR, Feb. 4, 2026, *available at* https://www.ohchr.org/en/press-releases/2026/02/pakistan-un-experts-alarmed-conviction-imaan-mazari-hazir-and-hadi-ali.
[93] Nasir Iqbal et al., *Imaan, Hadi Sent on Judicial Remand in Another Case After SC Suspends Sentences*, DAWN, Sept. 17, 2026, *available at* https://www.dawn.com/news/2030611 and Press Release, *Pakistan: Re-arrest of Imaan Mazari-Hazir and Hadi Ali Chattha Is a Terrible Injustice*, AMNESTY INTERNATIONAL, Sept. 18, 2026, *available at* https://www.amnesty.org/en/latest/news/2026/09/pakistan-re-arrest-of-imaan-mazari-hazir-and-hadi-ali-chattha-is-a-terrible-injustice/.
[94] Press Release, *Pakistan: UN Experts Call for Immediate Release of Lawyers Mazari-Hazir and Chattha*, OHCHR, Sept. 30, 2026, *available at* https://www.ohchr.org/en/press-releases/2026/09/pakistan-un-experts-call-immediate-release-lawyers-mazari-hazir-and-chattha.

conduct their defense.[95] On November 6, 2026, they appealed their convictions to the IHC, and 23 international organizations, including Amnesty International, the International Commission of Jurists, and the International Bar Association's Human Rights Institute, condemned the sentences, observing that "[j]udicial remedies cannot be meaningful if a grant of liberty by one court is followed immediately by detention through another proceeding without sufficient credible evidence."[96]

Given how the series of events is unfolding, Mr. Khan's right to a fair trial and effective remedy, and the ability of lawyers to work without intimidation, are under serious threat. The judiciary cannot check State power if its orders are repeatedly disregarded and lawyers and litigants must return to court again and again simply to secure protections already granted.

II. LEGAL ANALYSIS

This Section addresses three related concerns under the ICCPR that fall within your mandate. First, the repeated failure to give practical effect to orders of Pakistan's superior courts raises concerns regarding judicial independence under Article 14(1). Second, the failure to implement judicial relief already granted engages Pakistan's obligation under Article 2(3) to provide and enforce effective remedies. Third, repeated restrictions on Mr. and Mrs. Khan's access to counsel implicate Article 14(3)(b) and the ability of their lawyers to perform their professional functions without improper interference.

A. Independence of the Judiciary

Pakistan is a State Party to the ICCPR and has a legal obligation to respect, protect, and ensure the rights recognized in the treaty.[97] As mentioned above, Article 14(1) guarantees the right to a hearing before a competent, independent, and impartial tribunal established by law.[98] In General Comment No. 32, the Human Rights Committee explained that the requirement of competence, independence, and impartiality under Article 14(1) is "an absolute right that is not subject to any exception."[99] The Committee further explained that judicial independence includes

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[95] Malik Asad, *ATC Sentences Imaan, Hadi to 10 Years in Security Breach Case*, DAWN, Oct. 29, 2026, *available at* https://www.dawn.com/news/2040694.

[96] Malik Asad & News Desk, *Imaan, Hadi Move IHC Against Conviction in Security Breach Case*, DAWN, Nov. 6, 2026, *available at* https://www.dawn.com/news/2042597 and Joint Statement, *Pakistan: International Civil Society Organisations Condemn the Sentencing of Human Rights Lawyers Imaan Zainab Mazari-Hazir and Hadi Ali Chattha*, AMNESTY INTERNATIONAL, Nov. 6, 2026, at 3, *available at* https://www.amnesty.org/en/documents/asa33/1655/2026/en/.

[97] *Signatories to International Covenant on Civil and Political Rights*, U.N. TREATY COLLECTION, *accessed* Nov. 18, 2026, *available at* https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&clang=_en; ICCPR, *supra* note 52, at Art. 2(1); and *General Comment No. 31: The Nature of the General Legal Obligation Imposed on States Parties to the Covenant*, U.N. HUMAN RIGHTS COMM., U.N. Doc. CCPR/C/21/Rev.1/Add.13, May 26, 2004, at ¶¶ 6–8, *available at* https://undocs.org/CCPR/C/21/Rev.1/Add.13 [hereinafter *General Comment No. 31*].

[98] ICCPR, *supra* note 52, at Art. 14(1).

[99] *General Comment No. 32*, *supra* note 53, at ¶ 19.

the actual independence of the judiciary from political interference by the executive and legislature and stated that a situation in which the executive can control or direct the judiciary is incompatible with the notion of an independent tribunal.[100]

The Committee applied this principle in *Oló Bahamonde v. Equatorial Guinea*, where the petitioner alleged that his attempts to obtain judicial redress had been systematically frustrated.[101] The Committee observed that such a situation "runs counter to the guarantees of article 14, paragraph 1," and held that "a situation where the functions and competences of the judiciary and the executive are not clearly distinguishable or where the latter is able to control or direct the former is incompatible with the notion of an independent and impartial tribunal within the meaning of article 14, paragraph 1, of the Covenant."[102] The Committee has also addressed executive action contrary to an operative judicial order. In *Weiss v. Austria*, Austrian authorities surrendered the petitioner to the United States in breach of a stay issued by the Administrative Court.[103] The Committee found that this, together with the petitioner's inability to appeal an adverse decision that the prosecution was able to appeal, violated Article 14(1), taken together with the right to an effective and enforceable remedy under Article 2(3).[104]

Mr. and Mrs. Khan's cases raise a related concern. The matter is not that Pakistan's courts have been unable to issue orders. They have done so repeatedly. The question is what happens after those orders are issued. As mentioned above, the SC and IHC have granted specific relief concerning medical treatment, family contact, conditions of confinement, and access to lawyers. At the same time, implementation of those orders has repeatedly been disputed (Sections I.A–I.E). The August 18 order is one such example. The Government sought review of the order, but before obtaining its suspension or modification, Mr. Khan was taken to PIMS rather than Shifa International Hospital as directed by the SC (Sections I.A–I.C). Instances like these raise questions about whether a judicial order can have real effect if the executive authorities responsible for implementing it can depart from it while the order remains in effect.

The Human Rights Committee, in its 2024 Concluding Observations, expressed concern about the impact of the proposed 26th Constitutional Amendment on judicial independence and judicial appointments.[105] It called on Pakistan to safeguard, "in law and in practice," the full independence, impartiality, and safety of judges and prosecutors and to ensure that judicial decision-making is protected from political pressure, harassment, intimidation, threats, and other

[100] *Id.*
[101] *Oló Bahamonde v. Equatorial Guinea*, Communication No. 468/1991, U.N. Doc. CCPR/C/49/D/468/1991, U.N. HUMAN RIGHTS COMM., *adopted* Oct. 20, 1993, at ¶¶ 5.1, 9.4, *available at* https://undocs.org/CCPR/C/49/D/468/1991.
[102] *Id.*, at ¶ 9.4.
[103] *Weiss v. Austria*, Communication No. 1086/2002, U.N. Doc. CCPR/C/77/D/1086/2002, U.N. HUMAN RIGHTS COMM., *adopted* Apr. 3, 2003, at ¶¶ 2.11–2.12, 9.6, *available at* https://undocs.org/CCPR/C/77/D/1086/2002.
[104] *Id.*, at ¶¶ 9.6, 10.1.
[105] *Concluding Observations on the Second Periodic Report of Pakistan*, U.N. HUMAN RIGHTS COMM., U.N. Doc. CCPR/C/PAK/CO/2, Nov. 1, 2024, at ¶ 40, *available at* https://undocs.org/CCPR/C/PAK/CO/2.

unlawful interference.[106] The Committee also selected this issue for follow-up and requested information from Pakistan by November 8, 2027, regarding implementation of its recommendation on the independence of the judiciary.[107] These concerns are even more pressing in light of the subsequent constitutional developments and the jurisdictional uncertainty between the SC and FCC as described above (Sections I.F–I.G).

The UN Basic Principles on the Independence of the Judiciary reinforce these obligations.[108] Principle 1 requires the State and its institutions to respect and observe judicial independence.[109] Principle 2 requires the judiciary to decide matters impartially and without improper influence, pressure, threats, or interference.[110] Principle 4 provides that there shall be no inappropriate or unwarranted interference with the judicial process and that judicial decisions shall not be subject to revision, without prejudice to judicial review or to the mitigation or commutation of sentences by competent authorities in accordance with the law.[111]

B. Right to an Effective Remedy

Article 2(3) of the ICCPR requires States to ensure an effective remedy for violations of Covenant rights.[112] Article 2(3)(c) specifically requires competent authorities to enforce remedies when granted.[113]

In General Comment No. 31, the Human Rights Committee explained that "States Parties must ensure that individuals also have accessible and effective remedies to vindicate those rights."[114] It further explained that "[c]essation of an ongoing violation is an essential element of the right to an effective remedy."[115] Read together with Article 2(3)(c), these obligations require more than the mere availability of judicial proceedings. They mean that where a competent court has ordered relief, the relief must be given practical effect by authorities responsible for implementing it. In *Czernin v. Czech Republic*, the authors had obtained favorable decisions from the domestic courts, but the administrative authorities failed to act on them.[116] The Committee stated that access to an effective remedy requires administrative authorities to act in conformity with binding decisions of national courts.[117] It found that the authorities' inaction and the delays in implementing those decisions violated Article 14(1), together with Article 2(3).[118]

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[106] *Id.*, at ¶ 41.
[107] *Id.*, at ¶ 59.
[108] Basic Principles on the Independence of the Judiciary, *supra* note 34, at Principles 1, 2, and 4.
[109] *Id.*, at Principle 1.
[110] *Id.*, at Principle 2.
[111] *Id.*, at Principle 4.
[112] ICCPR, *supra* note 52, at Art. 2(3)(a).
[113] *Id.*, at Art. 2(3)(c).
[114] *General Comment No. 31*, *supra* note 97, at ¶ 15.
[115] *Id.*
[116] *Czernin v. Czech Republic*, Communication No. 823/1998, U.N. Doc. CCPR/C/83/D/823/1998, U.N. HUMAN RIGHTS COMM., *adopted* Mar. 29, 2005, at ¶¶ 2.6, 6.7, *available at* https://undocs.org/CCPR/C/83/D/823/1998.
[117] *Id.*, at ¶ 7.4.
[118] *Id.*, at ¶ 7.5.

Moreover, in *Horvath v. Australia*, although the petitioner had successfully obtained a domestic judgment awarding compensation, she was unable to have the judgment adequately enforced.[119] The Committee emphasized that Article 2(3)(c) requires remedies to be enforced once granted and found that the author's success in obtaining compensation had been nullified because the judgment could not be adequately enforced.[120]

The SC and IHC have repeatedly granted specific judicial remedies to Mr. and Mrs. Khan, yet those remedies have repeatedly not been implemented as directed. The effectiveness of these remedies therefore cannot be assessed solely by the fact that Mr. and Mrs. Khan were able to obtain favorable court orders. If executive and prison authorities do not give those orders practical effect, the judicial remedy itself becomes ineffective.[121] Mr. and Mrs. Khan's cases therefore raise the question whether Pakistan's superior courts can provide effective protection against alleged violations when the executive authorities to whom their orders are directed do not implement them.

C. Access to Counsel and the Independence of Lawyers

Article 14(3)(b) of the ICCPR guarantees adequate time and facilities to prepare a defense and communicate with counsel of one's choosing.[122] In General Comment No. 32, the Committee explained that this includes prompt access to counsel and the ability to meet clients in private and communicate in conditions that fully respect the confidentiality of their communications.[123] It also stated that lawyers should be able to advise and represent their clients without restrictions, influence, pressure, or undue interference.[124] In *Saidov v. Tajikistan*, Zaid Saidov, a former government minister who had announced the founding of a new political party, was unable to meet his lawyers confidentially for four months during the pretrial investigation.[125] His lawyers made repeated requests to meet with him, but those requests went unanswered.[126] The Committee also noted allegations that his defense lawyers had been harassed and criminally prosecuted for assisting him.[127] It concluded that Mr. Saidov had been denied proper access to his lawyers and the ability to communicate with them in private, in violation of Article

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[119] *Horvath v. Australia*, Communication No. 1885/2009, U.N. Doc. CCPR/C/110/D/1885/2009, U.N. HUMAN RIGHTS COMM., *adopted* Mar. 27, 2014, at ¶ 8.4, *available at* https://undocs.org/CCPR/C/110/D/1885/2009.
[120] *Id.*, at ¶¶ 8.6–8.7.
[121] *Bimala Dhakal, Rabindra Dhakal and Manjima Dhakal v. Nepal*, Communication No. 2185/2012, U.N. Doc. CCPR/C/119/D/2185/2012, U.N. HUMAN RIGHTS COMM., *adopted* Mar. 17, 2017, at ¶¶ 10.3, 11.11, *available at* https://undocs.org/CCPR/C/119/D/2185/2012 (finding domestic remedies ineffective, and a violation of Article 2(3), where no thorough and effective investigation had been conducted despite a Supreme Court decision ordering the authorities to investigate an enforced disappearance).
[122] ICCPR, *supra* note 52, at Art. 14(3)(b).
[123] *General Comment No. 32*, *supra* note 53, at ¶ 34.
[124] *Id.*
[125] *Saidov v. Tajikistan*, Communication No. 2680/2015, U.N. Doc. CCPR/C/122/D/2680/2015, U.N. HUMAN RIGHTS COMM., *adopted* Apr. 4, 2018, at ¶ 9.5, *available at* https://undocs.org/CCPR/C/122/D/2680/2015.
[126] *Id.*
[127] *Id.*

14(3)(b).[128] Having lawyers formally representing an accused person is not enough if the accused cannot communicate with them in a way that allows counsel to provide effective legal assistance.

The Basic Principles on the Role of Lawyers further require Governments to ensure that lawyers can perform their professional functions without intimidation, hindrance, harassment, or improper interference.[129] They also require detained persons to be given adequate opportunities to consult with lawyers[130] and require authorities to provide lawyers with timely access to information and documents necessary to provide effective legal assistance.[131]

The restrictions on access to Mr. and Mrs. Khan's lawyers therefore cannot be viewed only as a prison visit issue. Their lawyers require access to obtain instructions, prepare and file appeals, complete powers of attorney and other legal documents, and effectively represent them before Pakistan's courts. The IHC itself recognized this need when it directed that meetings be arranged so counsel could obtain instructions and complete the documentation required for their pending appeals.[132] Yet, as discussed above, restrictions on access were reported even after that order (Sections I.D–I.E). On September 29, 2026, for example, Mr. Khan's lawyers waited at Adiala Jail for more than two hours and were not permitted to meet him.[133] Even after the IHC's June 18 order, Mr. Khan's counsel was not able to meet him until November 2, 2026, and a substantive meeting with both Mr. and Mrs. Khan took place only after a further IHC order on November 10 (Section I.D).[134]

III. REQUEST FOR ACTION

In light of the above, we respectfully request that you urgently take the following actions:

1. Transmit an urgent appeal to the Government of Pakistan concerning the implementation of judicial orders affecting Mr. and Mrs. Khan. In particular, we ask that your mandate seek clarification regarding the legal basis for departing from the SC's August 18 order without first obtaining its suspension or modification, including the decision to take Mr. Khan to PIMS rather than Shifa International Hospital. We further ask that you seek information regarding compliance with the SC and IHC orders concerning medical care, family visits, telephone contact, conditions of

[128] *Id.*
[129] Basic Principles on the Role of Lawyers, adopted by the Eighth U.N. Congress on the Prevention of Crime and the Treatment of Offenders, Aug. 27–Sept. 7, 1990, U.N. Doc. A/CONF.144/28/Rev.1, at Principle 16, *available at* https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-role-lawyers.
[130] *Id.*, at Principle 8.
[131] *Id.*, at Principle 21.
[132] *IHC Orders Lawyers' Access to Imran Khan, Bushra Within Seven Days in £190M Case*, *supra* note 39.
[133] Ikram Junaidi, *Imran's Sisters 'On Hunger Strike for Two Days', Cousin Claims*, DAWN, Sept. 30, 2026, *available at* https://www.dawn.com/news/2033644.
[134] *PTI Lawyers Meet Imran, Bushra 'for 3 Hours' at Adiala Jail Following IHC Orders*, *supra* note 54 and *Lawyers Submit Affidavits Detailing Nov 11 Meeting with Imran, Bushra at Adiala Jail*, *supra* note 54.

confinement, and access to counsel necessary to obtain instructions and effectively pursue pending appeals.

2. Issue a public statement expressing concern regarding the repeated disputes over implementation of orders issued by Pakistan's superior courts and the implications for judicial independence, access to counsel, and the right to an effective remedy. This has been widely documented as a serious concern for more than three years;

3. Consider joint action with the Special Rapporteur on torture and the Special Rapporteur on the right to health concerning Mr. and Mrs. Khan, given the overlapping concerns relating to their conditions of detention, medical care, access to counsel, and implementation of judicial protections.

4. Follow up on OL PAK 14/2025 in light of the September developments involving the FCC and SC. The FCC's decision to requisition matters already pending before the SC, followed by the SC's own questions regarding the scope of Article 175-E, has brought the institutional concerns identified in your earlier communication directly into proceedings affecting Mr. Khan. We therefore ask that your mandate seek clarification regarding the practical effect of this jurisdictional uncertainty on timely judicial review and effective remedies and urge the authorities to respect and implement operative court orders as issued unless and until they are modified through lawful judicial process.

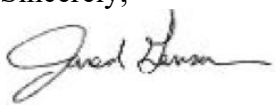
IV. CONCLUSION

The main concern we raise in this submission is whether the orders of Pakistan's superior courts are being respected and implemented in practice. Mr. and Mrs. Khan have repeatedly approached Pakistan's superior courts and obtained relief. Nevertheless, they have been forced to return to court frequently for the implementation of those orders, to address restrictions on access to counsel, and now to navigate the ongoing, unprecedented jurisdictional dispute between the SC and the FCC.

In his November 16 letter, Mr. Khan asked the Chief Justices of the FCC, the SC, and the IHC for nothing more than the implementation of the SC's orders and proper medical treatment.[135] Judicial independence means nothing if court orders are not respected or enforced as they are issued. We therefore respectfully request your urgent attention to these developments and remain available to provide copies of the relevant court orders, petitions, review and contempt filings, and any additional information that may assist your mandate.

[135] November 16 Open Letter, *supra* note 10.

Sincerely,



Jared Genser
International Counsel to Imran Khan
and Bushra Bibi Khan



Jacob Bogart
International Counsel to Imran Khan
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