

Testimony of Zulfi Bukhari¹

Tom Lantos Human Rights Commission

“Pakistan: Ongoing Political Repression”

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Co-Chair Smith, Co-Chair McGovern, and Distinguished Members of the Commission,

My name is Sayed Zulfikar Bukhari. I am a British born Pakistani who lived in London for 37 years before entering Pakistan’s political arena under the leadership of Prime Minister Imran Khan in 2018. In doing so, I relinquished my British citizenship to dedicate myself fully to serving Pakistan and its people.

Today, I speak before you as a political advisor, but also as a witness to a country rapidly descending into political repression, judicial manipulation, and systematic human rights violations. Pakistan stands at the precipice of losing its democratic soul.

Judiciary and the 26th Amendment

Let me begin with Pakistan’s judiciary.

The adoption of Pakistan’s 26th Constitutional Amendment represents an alarming shift in the country’s constitutional framework. It fundamentally alters the structure and powers of the judiciary, most notably by changing the composition of the Judicial Commission of Pakistan, redefining the process of judicial appointments, and curbing the powers of the Chief Justice and the Supreme Court.

Previously, judicial appointments were driven largely by senior judges themselves, ensuring a measure of institutional autonomy and independence. Under the 26th Amendment, however, the Judicial Commission now includes a majority of executive and parliamentary members, diluting the judiciary’s role in appointing, promoting, and disciplining judges. This unconstitutional shift has the following consequences:

- It subordinates judicial independence to political interests.
- It opens the door to partisan appointments, eroding public confidence in the judiciary’s ability to act as an impartial check on executive power.
- It politicises judicial decision-making, transforming courts into extensions of the executive rather than independent guardians of constitutional rights.

One of the most alarming consequences of the amendment was the formation of a new Constitutional Bench, engineered to review and overturn decisions of the Supreme Court. In October 2023, a five member bench of the Supreme Court ruled that the trial of civilians by military courts was unconstitutional. However, following the 26th Amendment, a seven member bench (its composition itself the product of executive engineering) overturned that decision by a five to two majority. This reversal undermines separation of powers, allows

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political manoeuvring to control constitutional interpretation, and strips the supreme court of its role.

Serving officers, who are subordinate to the military high command, cannot act as impartial judges. Their decisions inevitably reflect the directives of their superiors. Appeals against verdicts from these tribunals go not to an independent civilian court, but directly to the Army Chief, a process that is fundamentally incompatible with justice. This is a colonial era construct, originally devised to intimidate and control populations rather than deliver justice.

Various international actors, including the UN and human rights NGOs, have condemned this system as a travesty of justice. What has emerged is not merely a legal anomaly but a fundamental breach of Pakistan's Constitution and its obligations under international law, leaving the citizens of Pakistan vulnerable to political persecution.

Military Courts and Human Rights

An equally disturbing development has been the revival of military courts to try civilians, a practice widely condemned under Pakistan's Constitution and international law.

Following the events of May 9, 2023, Pakistan's military courts sentenced 104 civilians, including Pakistan Tehreek-e-Insaf (PTI) supporters, voters, workers, and leaders, to prison terms ranging from one to ten years. These individuals were accused of involvement in attacks on military installations during the unrest. Yet:

- All 104 individuals were convicted without a single acquittal, a 100% conviction rate that is statistically implausible and suggests trials were predetermined rather than genuine judicial proceedings.
- Trials were held entirely in camera, with no public access. Families, journalists, and human rights observers were barred from attending.
- No charge sheets, judgments, or trial records have been made public. Even the convicted individuals and their families have been denied access to these documents.
- Sentencing was arbitrary and inconsistent. For instance, some individuals received sentences of one or two years, while others, including Barrister Hassaan Khan Niazi, nephew of former Prime Minister Imran Khan, were sentenced to ten years despite less severe alleged involvement. This reflects a discriminatory and politically targeted approach.

These practices violate Pakistan's own Constitution and its international human rights obligations. A host of international actors, ranging from the key governments, such as the US, EU, UK, and human rights groups, including the ICJ, Human Rights Watch, and journalists have condemned such trials.

Pakistan's own Supreme Court has wavered under pressure. On December 13, 2024, it issued a ruling conditionally allowing military courts to announce reserved verdicts against civilians. This move fundamentally undermines constitutional guarantees of civilian trial rights and sets a perilous precedent for civil liberties.

What is unfolding in Pakistan is a constitutional and human rights crisis on top of just being a domestic legal issue. The military courts have been shown to be instruments of political repression rather than impartial justice.

Freedom of Expression and Media

Freedom of speech in Pakistan is similarly under siege.

Independent journalists have been harassed, abducted, tortured, or forced either into exile or into silence. Many have resigned or been removed from their positions under immense pressure. Internet shutdowns and social media bans have become routine instruments of state repression, wielded to choke dissent and suppress alternative narratives.

Media platforms critical of the state or sympathetic to the Pakistan Tehreek-e-Insaf (PTI) and Imran Khan have been systematically targeted:

- YouTube channels voicing pro-PTI views or exposing state abuses have been taken offline.
- Mainstream media outlets face relentless pressure not to air content favourable to Imran Khan or PTI. His name is effectively blacklisted on national television channels, and many political figures are banned from appearing on local media, though they continue to speak on international outlets.
- Prominent journalists live in fear, choosing between silence or exile.

Fear and repression reached their horrific peak with the assassination of Pakistan's most renowned and popular television anchor, Arshad Sharif. Driven into exile under threats to his life, he continued his journalistic work through online channels until he was murdered in Kenya. His assassination sent shockwaves across Pakistan and the global media community, serving as a serious warning of the consequences for those who dare to speak the truth.

Several other journalists have faced similar fates:

- Many now live in exile to protect their lives and families.
- Those who remain in Pakistan tread carefully, choosing every word with caution.
- Journalists who refuse to toe the official line are taken off-air, placed on "gardening leave," or outright fired, as seen in the case of Pakistan's current top anchor, Kashif Abbasi.
- Others, such as Imran Riaz Khan, have been abducted, brutally tortured, and detained for months without charge.

In the most recent alarming development, a judicial magistrate issued an arbitrary order to block nearly 30 YouTube channels simply because they exposed uncomfortable truths about the repression unfolding in Pakistan. This raises the question - will companies like Google, and indeed the global community, stand silently while independent voices are silenced in Pakistan? Or will the principles of free media, free speech, and freedom of expression prevail?

Imran Khan

To close, I'll not share details about Imran Khan. Since his removal through a controversial no-confidence motion in 2022, Imran Khan has faced relentless and unprecedented persecution. Over 200 legal cases have been filed against him, ranging from allegations of corruption and so-called "illegal marriage" charges to accusations of terrorism - charges clearly designed to exhaust him politically, financially, and personally.

He has been imprisoned under inhumane conditions, denied access to legal counsel, kept largely incommunicado, and stripped of even basic human rights. His physical security has been gravely endangered as well, as he narrowly survived an assassination attempt in which he sustained three gunshot wounds to his leg and nearly bled to death.

The persecution has not been limited to Imran Khan himself. Ordinary, law-abiding Pakistanis, men and women whose only crime was to support him, have been tortured, abducted, and thrown into jail merely for speaking his name.

- Workers like Zille Shah were brutally tortured and killed.
- Thousands of party workers have been arrested, even when they were not protesting or engaging in political activities.
- Homes have been raided and destroyed.
- Wives and children have been detained as hostages to pressure family members into surrendering.
- Senior party leadership has been abducted, tortured, and released only in frail condition to deliver coerced, scripted statements renouncing Imran Khan and the PTI.
- Many were forced under duress to join a hastily concocted new political party, which ultimately collapsed because it lacked legitimacy and public support.
- Security forces fired on peaceful nationwide protests on Nov. 26, killing at least 12 demonstrators—including party worker Mohammad Idrees—then falsely claimed "no casualties" and "no gunfire," a denial quickly debunked by international media; the actual death toll may be higher.

What we have witnessed, and continue to witness, is a calculated effort to crush democratic will and erase the political influence of the most popular leader in Pakistan's history. No leader, nor any political party, in Pakistan's modern history has endured such sustained personal and political persecution as Imran Khan and PTI.

Imran Khan remains the single most significant democratic voice in Pakistan, and the brutal repression unleashed against him is an attack on the democratic aspirations of 250 million Pakistanis who believe in a free, fair, and just society.

Closing and Recommendations

Dear Members of Congress and esteemed attendees,

Pakistan stands at a critical juncture. The world cannot look away as democracy is dismantled, fundamental rights trampled, and political opposition extinguished.

I urge the United States Congress and the international community to:

- Publicly condemn the February 2024 elections as illegitimate until impartial investigations are conducted.
- Demand restoration of Pakistan's constitutional protections, including judicial independence and civilian trials in civilian courts.
- Support international monitoring of human rights abuses, including treatment of political prisoners like Imran Khan.
- Condition certain forms of bilateral cooperation on measurable improvements in democratic processes and human rights protections.

Pakistan's people deserve to choose their leaders freely, speak without fear, and live under laws applied equally to all.

I thank you for your time and attention.