

IN THE SUPREME COURT OF PAKISTAN

(Original Jurisdiction)

PRESENT:

Mr. Justice Umar Ata Bandial, CJ
Mr. Justice Ijaz ul Ahsan
Mr. Justice Sayyed Mazahar Ali Akbar Naqvi
Mr. Justice Jamal Khan Mandokhail
Mr. Justice Muhammad Ali Mazhar

SUO MOTO CASE NO.3 OF 2022

(Re: Independent and Transparent Investigation into the Murder of Renowned Journalist, Mr. Arshad Sharif in Kenya).

In attendance:

Mr. Mansoor Usman Awan, AGP
Mr. Syrus Qazi, Spl. Secretary M/o Foreign Affairs

Mr. Saad Umar Buttar, ASC
(on behalf of Mrs. Javeria Siddique, wife of Arshad Sharif)

Assisted by:

Mr. Tahir Hussain Anchan
Barrister Jamal

Mr. Shaukat Aziz Siddiqui, ASC
(on behalf of mother of Arshad Sharif)

Assisted by:

Mr. Murad Siddiqui
Hafiz Farmanullah

Mr. Shahab, Dir M/o Information
Mr. Adil Aziz Qazi, ASC
Mr. Sajid Kiyani, Dir IB
Mr. Awais Malik, DIG ICT

Date of Hearing: 13.06.2023

ORDER

Today, the learned Attorney General for Pakistan has referred to two reports: one, an interim report filed by the Special Joint Investigation Team (“**SJIT**”) (CMA No.4411/2023) and second, a report filed by the Ministry of Foreign Affairs (“**MoFA**”) regarding the steps taken by it to expedite the investigation in Kenya and UAE (CMA No.4376/2023). The learned Attorney

General also informed the Court that the Governments of Kenya and UAE, respectively are in the process of negotiating Mutual Legal Assistance Agreements with the Federal Government. However, he stated that the execution of such agreements will take some time, therefore, an adjournment may be granted by the Court till the needful is done. The request appears reasonable and is allowed.

2. Next Mr. Saad Umar Buttar, learned counsel for the second wife of Mr. Arshad Sharif, gave the Court an account of the United Nation Rapporteurs and the United Nation Committees that are involved in investigating violations of human rights committed around the world. He stated that in case the Federal Government is unsuccessful in establishing direct communication with the Governments of Kenya and UAE then the said Rapporteurs and/or Committees may be approached for seeking their assistance into the investigation of the assassination of Mr. Arshad Sharif.

3. Lastly, Mr. Shaukat Aziz Siddiqui, learned counsel representing the mother of Mr. Arshad Sharif, referred to CMA No.4232/2023 filed on behalf of his client wherein he has shared the names of certain persons who his client suspects have knowledge regarding the conspirators and perpetrators involved in her son's assassination. He requested the Court to direct the SJIT to examine the said persons. Having considered the request, the Court is of the considered view that the prayer of learned counsel is not maintainable. The Court in the present *Suo Motu* is merely facilitating the investigation into the assassination of Mr. Arshad Sharif and it has no mandate to direct the course of investigation. Nevertheless, learned counsel may, if so inclined, approach the

SJIT for the stated purpose. CMA No.4232/2023 is disposed of in the above terms.

4. Re-list in **July, 2023**.

CHIEF JUSTICE

JUDGE

JUDGE

JUDGE

JUDGE

Islamabad
13.06.2023
Naseer/Meher LC