

Five Key Issues: The Case of Human Rights Lawyers Imaan Mazari and Hadi Chattha

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On January 24, 2026, human rights lawyers and husband and wife, Imaan Zainab Mazari-Hazir ('Mazari') and Hadi Ali Chattha ('Chattha') were sentenced to 17 years in prison for social-media posts critical of the state.

On September 17, 2026, the Supreme Court of Pakistan will consider whether Mazari and Chattha's sentences should be suspended pending appeal.¹ Based on its monitoring of 49 days across the five-month trial, the Clooney Foundation for Justice's TrialWatch Programme has identified five issues arising from the factual and reported record of the trial court proceedings.

1. According to the reported trial record, prosecution evidence was recorded in the accuseds' absence on certain occasions. Was there sufficient justification for this?
2. It is reported that counsel was appointed by the court on behalf of the accused, notwithstanding that private counsel chosen by the accused was present and/or being sought. What implication does the accused's choice of counsel have on the court's appointment of counsel and the conviction?
3. When does the conduct of proceedings, including their speed, compromise the right to an impartial tribunal?
4. Is expressing concern about the detention of Baloch and Pashtun dissidents and criticizing the conduct of state institutions, or re-tweeting posts that do so, protected by the right to freedom of expression?
5. What evidentiary standard applies to establishing falsity in a conviction for disseminating false information, and does the trial record reflect that this standard was applied?

¹ Nasir Iqbal, Imaan, Hadi's pleas seeking early hearing adjourned, DAWN, Aug. 21, 2026, <https://www.dawn.com/news/2024255>.

Mazari, Chattha and the Case Against Them

Mazari and Chattha have a long history of defending free speech and facing criminalization for it. According to UN Special Rapporteurs, they have been subject to 10 criminal complaints since 2022, establishing a “pattern of prosecutions” whereby the legal system is used as “an instrument of harassment and intimidation in order to punish them for their work advocating for victims of alleged human rights violations.”²

The case stems from posts that Mazari made and Chattha allegedly reposted, on social media between 2021 and 2025. The posts concerned alleged enforced disappearances and mistreatment of Baloch and Pashtun dissidents by state institutions,³ including the slogan “ya jo dahshat gardi hay ess kay pechay wardi hay” (there is a uniform behind the terrorism). For instance, on April 16, 2025, Mazari posted about the ongoing imprisonment of Dr. Mahrang Baloch, a physician, Nobel Peace Prize nominee and Baloch rights defender whom the Pakistani government has listed as a ‘proscribed individual’⁴ connected to terrorism and whom Mazari has previously legally represented:⁵

“Dr. Mahrang Baloch remains incarcerated with the State giving a clear message to those who engage in peaceful resistance: it will not be tolerated. Punishing Dr. Mahrang

² Pakistan: UN experts alarmed by the conviction of Imaan Mazari-Hazir and Hadi Ali Chattha, UN Special Procedures Press Release, Feb. 4, 2026, <https://www.ohchr.org/en/press-releases/2026/02/pakistan-un-experts-alarmed-conviction-imaan-mazari-hazir-and-hadi-ali>.

³ For example, on October 8, 2024, Mazari alleged in part that “forcibly disappeared persons are locked up in the State’s torture cells” and questioned the Pakistani army’s account of events in Balochistan in 2025. First Information Report No. 234/2025, Islamabad.

⁴ Individuals can be categorized as “proscribed” under the Fourth Schedule of Pakistan’s Anti-Terrorism Act. Section 11EE(1) of the Anti-Terrorism Act, 1997. UN experts have expressed concerns with this process. UN Experts condemn life sentence against Baloch woman human rights defender in Pakistan as grave injustice, UN Special Procedures Press Release, July 8, 2026 (“Counter-terrorism laws and blacklists, *such as the Fourth Schedule* and the Exit Control List, have been misused against people exercising their freedoms of peaceful assembly, association, expression and their right to defend and promote human rights.”) (emphasis added), <https://www.ohchr.org/en/press-releases/2026/07/un-experts-condemn-life-sentence-against-baloch-woman-human-rights-defender>. Mahrang Baloch is also a member of Baloch Yakjehti Committee (BYC). While BYC has not been listed as a “proscribed organization,” it has been described by Pakistani authorities as a “proxy” for separatist groups such as the armed Balochistan Liberation Army (BLA), which *is* a proscribed organization. See Fourth Schedule: Combatting Terrorism or Silencing Dissent?, DAWN, Oct. 16, 2024, <https://www.dawn.com/news/1864730>; Haroon Janjua, China-Pakistan Economic Corridor sparks Pakistan protests, DW, Aug. 14, 2024, <https://www.dw.com/en/china-pakistan-economic-corridor-sparks-pakistan-protests/a-69941212>. UN experts have, however, characterized the BYC as a ‘human rights movement.’ UN Special Rapporteurs, UA Pak 6/2024, Oct. 25, 2024, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=29453>. On June 22, 2026, Dr. Mahrang Baloch was convicted under Section 302 of the Pakistan Penal Code (murder) and Section 7 of the Anti-Terrorism Act (punishment for terrorist act) for the alleged killing of a law enforcement officer and is currently serving a life sentence. UN experts and human rights organizations have likewise condemned those proceedings. Pakistan: Authorities must immediately release Baloch activists handed life sentences following secret trial, Amnesty International, June 23, 2026, <https://www.amnesty.org/en/latest/news/2026/06/pakistan-authorities-must-immediately-release-baloch-activists-handed-life-sentences-following-secret-trial/>.

⁵ Mazari previously represented Dr. Mahrang Baloch in her high-profile Exit Control List (ECL) removal case. Fiaz Mahmood, IHC orders committee to review Mahrang’s ECL removal request within 30 days, Tribune, Nov. 19, 2025, <https://tribune.com.pk/story/2578002/ihc-orders-committee-to-review-mahrangs-ecl-removal-request-within-30-days>; Akbar Notezai, Award-winning young human rights lawyer unlawfully arrested and jailed in Pakistan, Index on Censorship, Jan. 28, 2026, <https://www.indexoncensorship.org/2026/01/award-winning-young-human-rights-lawyer-unlawfully-arrested-and-jailed-in-pakistan/>.

for consistently choosing to raise her voice instead of raising arms will only push youth towards violence in Balochistan.”⁶

On 12 August 2025, the National Cyber Crime Investigation Agency (NCCIA) filed a complaint against Mazari and Chattha under the Prevention of Electronic Crimes Act, 2016 (PECA). Collectively, Mazari and Chattha have represented journalists and those accused of blasphemy by the NCCIA and its predecessor, the Federal Investigation Agency.⁷ The complaint alleges that the content posted incited ethnic hatred, falsely portrayed the armed forces as responsible for terrorism and enforced disappearances in the provinces of Balochistan and Khyber Pakhtunkhwa, and propagated narratives aligned with proscribed individuals and organizations.

This complaint was based on an NCCIA officer having ‘found’ the posts. While the officer claimed that his job entailed “browsing social media,” (which he said means “random scrolling”), he reportedly admitted at trial that he specifically searched for “ImaanZHazir Mahrang in the first tweet”⁸ and at the time he was taking screenshots of some of the posts at issue, he was reportedly “on call(s) for eleven minutes, eight minutes, twenty seconds, and nine minutes thirty-one seconds respectively.” He has since refused to disclose who he was on these calls with, stating “it does not relate to the case.”⁹ He also reportedly admitted that while a certain post was reposted by 119 people, he did not check the accounts of anyone other than Chattha.¹⁰ The defense has suggested that rather than ‘finding’ the posts, the authorities may have directed the investigation into Mazari and Chattha.¹¹

In September 2025, Mazari and Chattha were formally charged with violating PECA: Sections 9 (glorification of terrorism punishable up to seven years), 10 (cyberterrorism punishable up to 14 years), 11 (inciting interfaith, sectarian or racial hatred punishable up to 7 years), and 26A of PECA (propagating “fake” news punishable up to 3 years).¹²

⁶ First Information Report No. 234/2025, Islamabad.

⁷ Pakistan: Human Rights Lawyers Imprisoned: Imaan Mazari and Hadi Ali Chattha, Amnesty International, Feb. 2, 2026, <https://www.amnesty.org/en/documents/asa33/0660/2026/en/>; UN Special Rapporteurs, AL PAK 17/2025, Dec. 22, 2025, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=30615>.

⁸ ‘ImaanZHazir’ is Mazari’s tag on X (formerly Twitter) and ‘Mahrang’ refers to Dr. Mahrang Baloch, an imprisoned human rights defender. Mazari had posted advocating for Baloch’s release. Monitoring Notes, Jan. 7, 2026. *See also* Hasnat Malik, Mazari’s plea to call DG ISPR hits judicial wall, Tribune, Jan. 7, 2026, <https://tribune.com.pk/story/2585896/mazaris-plea-to-call-military-spox-hits-judicial-wall>.

⁹ Monitoring Notes, Jan. 7, 2026.

¹⁰ Monitoring Notes, Jan. 7, 2026, Cross examination of PW-3.

¹¹ Monitoring Notes, Jan. 7, 2026.

¹² **Section 9. Glorification of an offence:** (1) whoever prepares or disseminates information, through any information system or device, with the intent to glorify an offence relating to terrorism, or any person convicted of a crime relating to terrorism, or activities of proscribed organizations or individuals or groups shall be punished with imprisonment for a term which may extend to seven years or with fine which may extend to ten million rupees or with both. Explanation: For the purposes of this section, “glorification” includes depiction of any form of praise or celebration in a desirable manner.

It is alleged by FactFocus that “the family of the accused [in another case] filed a formal complaint” against the trial judge who presided over Mazari and Chattha’s trial alleging irregularities in the cross-examination of a prosecution witness. Chattha had been newly appointed counsel in that other case.¹³

This case attracted significant attention from the authorities within Pakistan. For instance, according to public reporting, an application was filed in court alleging that while the trial was underway, on January 6, 2026, the Director General of the Inter-Services Public Relations (DG ISPR) publicly described Mazari as a “human rights activist for suicide bombers.” The application and a video circulating of the alleged press conference further show that he apparently said that her “strings are controlled from abroad,” and that this “will be revealed to the Pakistan citizenry in this consequential year.”¹⁴ The defense reportedly claimed that the alleged statements were “highly prejudicial” and could “influence the ongoing criminal trial.”¹⁵

The Five-Month Trial

On September 15, 2025, the trial began.

From September 15, 2025 to January 24, 2026, the court held hearings on 49 days across 113 working days. This amounts to roughly one and sometimes reportedly multiple hearings

Section 10. Cyber terrorism.— Whoever commits or threatens to commit any of the offences under sections 6, 7, 8 or 9, where the commission or threat is with the intent to,— (a) coerce, intimidate, create a sense of fear, panic or insecurity in the Government or the public or a section of the public or community or sect or create a sense of fear or insecurity in society; or (b) advance interfaith, sectarian or ethnic hatred; or (c) advance the objectives of organizations or individuals or groups proscribed under the law, shall be punished with imprisonment of either description for a term which may extend to fourteen years or with fine which may extend to fifty million rupees or with both.

Section 11. Hate speech.—Whoever prepares or disseminates information, through any information system or device, that advances or is likely to advance interfaith, sectarian or racial hatred, shall be punished with imprisonment for a term which may extend to seven years or with fine or with both.

Section 26A. Punishment for false and fake information.— Whoever intentionally disseminates, publicly exhibits, or transmits any information through any information system, that he knows or has reason to believe to be false or fake and likely to cause or create a sense of fear, panic or disorder or unrest in general public or society shall be punished with imprisonment which may extend upto three years or with fine which may extend to two million rupees or with both.

¹³ The current status of this complaint could not be verified. See Ahmed Noorani, Islamabad Judge Majoka Accused of Tampering Court Records, Fact Focus, Mar. 9, 2025, <https://factfocus.com/humanrights/4299/>.

¹⁴ Aamir Abbasi, Pakistani lawyer accuses military spokesperson of interfering in ongoing trial, Nukta, Jan. 7, 2026, <https://nukta.com/pakistani-lawyer-accuses-military-spokesperson-of-interfering-in-ongoing-trial>; Imaan Mazari Tweet Sparks Reaction | DG ISPR’s Sharp Response Explained, Suno News, Youtube, Jan. 6, 2026, <https://www.youtube.com/watch?v=myGxS6QTP2Y>. TrialWatch translated the video. Monitoring Notes, Jan. 7, 2026.

¹⁵ Malik Asad, Imaan, Hadi seek to make ISPR chief a witness in tweet cases, DAWN, Jan. 8, 2026, <https://www.dawn.com/news/1965696>.

every 2.3 working days. This was described as an unusually swift pace by international and Pakistani observers.¹⁶

As the trial progressed, the court suggested that the defendants were ‘fleeing’ or ‘absconding’ on at least three occasions while they were in other courts,¹⁷ and pressed to record the evidence against them even on days they were not present in court.

- On October 25, the court announced that a hearing on framing of charges would be held in four days, despite the fact that it appeared that the required seven days had not elapsed since key documents had been handed over to the defendants, and in the face of a defense objection on this point.¹⁸
- On October 29, the court issued warrants for Chattha’s arrest for allegedly not being present in court. TrialWatch monitoring indicates that Mazari had been waiting in court for several hours and Chattha was *en route* from other proceedings before the High Court. Five minutes after Chattha arrived in court, he was reportedly informed that an order for his arrest had been passed, and although he allegedly claimed he was ready for the hearing to proceed, he was arrested by half a dozen officers.¹⁹

This haste also manifested itself in the appointment of defense counsel for Mazari and Chattha against their wishes, and despite that they had privately retained counsel at various points. These court-appointed lawyers were then tasked with progressing the case from the

¹⁶ Multiple senior lawyers raised this extraordinary pace in open court. Monitoring notes, Nov. 17, 2025: Senior Lawyer: “This case is not special. Why is it being run on a day-to-day basis, unlike other cases?” See also UN Special Procedures Press Release, Feb. 4, 2026, (“the proceedings...progressed with worrying speed”), <https://www.ohchr.org/en/press-releases/2026/02/pakistan-un-experts-alarmed-conviction-imaan-mazari-hazir-and-hadi-ali>; Pakistan: Human Rights Lawyers Imprisoned: Imaan Mazari and Hadi Ali Chattha, Amnesty International, Feb. 2, 2026, (“the trial of the two lawyers was conducted with unusual haste”), <https://www.amnesty.org/en/documents/asa33/0660/2026/en/>; Legal and Human rights organizations strongly condemn conviction of human rights lawyers Imaan Zainab Mazari-Hazir and Hadi Ali Chattha, Lawyers for Lawyers, Jan. 29, 2026, (“hearings [were] conducted at an accelerated pace”), <https://www.lawyersforlawyers.org/international-legal-and-human-rights-organisations-strongly-condemn-conviction-of-human-rights-lawyers-imaan-zainab-mazari-hazir-and-hadi-ali-chattha/>. On November 6, 2025, the court said it was “proceeding normally.” Monitoring Notes, Nov. 6, 2025.

¹⁷ Monitoring Notes, Sept. 22 and 30, Oct. 29, 2025. See also Tahir Naseer, Islamabad court recalls non-bailable arrest warrants as Imaan Mazari, husband appear before judge, DAWN, Oct. 1, 2025, <https://www.dawn.com/news/1945837>; Tahir Naseer, Social media post case: Imaan Mazari’s husband arrested at Islamabad court for ‘intentionally not appearing’, DAWN, Oct. 29, 2025, <https://www.dawn.com/news/1951977>.

¹⁸ Monitoring Notes, Oct. 25, 2025. As per Sections 265-C (Sessions Court) and 241-A (Magistrate Court) of the Code of Criminal Procedure, 1898, the accused is to be supplied, free of cost, with copies of the statements of witnesses, the FIR, and other relevant documents at least seven days before the commencement of the trial. Pakistani courts have interpreted this to require a gap of at least seven days between supply of the relevant documents and framing of the charge. Sajid Javed and others v. Additional Sessions Judge (West), Islamabad, 2016 PCrLJ 672, paras. 7, 10; Saif-ur-Rehman v. State and another, PLD 2017 Peshawar 27, para. 7. See also Controversial Tweet Case: Court rejects Imaan, Chattha objections to supplementary challan, AryNews Oct. 25, 2025, <https://arynews.tv/controversial-tweet-case-court-rejects-imaan-chattha-objections-on-supplementary-challan-while-pronouncing-reserved-verdict>.

¹⁹ Monitoring Notes, Oct. 29, 2025. See also Tahir Naseer, Social media post case: Imaan Mazari’s husband arrested at Islamabad court for ‘intentionally not appearing’, DAWN, Oct. 29, 2025, <https://www.dawn.com/news/1945837>; Fiaz Mehmood, Imaan Mazari’s husband arrested in ‘controversial’ tweet case, Tribune, Oct. 29, 2025, <https://tribune.com.pk/story/2574817/imaan-mazaris-husband-arrested-in-controversial-tweet-case>.

defense side during key hearings when one or both of the accused and their privately-retained lawyers were not present.

- On November 6, Mazari sought time to engage a new lawyer since her previous one had withdrawn—the court refused to give her more than one day. The same day, Chattha filed an application to remove his court-appointed defense counsel as he had just obtained a private lawyer—on November 8, the court rejected this application.²⁰ Defendants (and their private counsels) continued to protest on different dates to remove the court-appointed counsel stating they had “no trust” in a court-appointed lawyers.²¹
- On November 19, Mazari was unable to attend court due to illness, and Chattha (and their privately retained lawyers) walked out in protest after the court stated that the hearing of evidence could proceed without her. The court order of November 19 indicates that the examination-in-chief of four of the total of five prosecution witnesses was conducted by the court-appointed counsel they had rejected, in the absence of the defendants and their private lawyers.²²
- On November 25, the defendants and their privately-retained lawyers were present in court but protested against the cross-examination of the prosecution witnesses being conducted since the question of the propriety of having conducted the examination-in-chief without them was pending in the High Court. The court directed the court-appointed defense lawyer to conduct the cross-examinations of the prosecution witnesses. This time, however, even the court-appointed lawyer refused, stating in open court that:

“I was given dictated questions to put to the witnesses, but my conscience does not allow me to put dictated questions.”²³

²⁰ Monitoring Notes, Nov. 6, 2025, Nov. 8; Court order dated 11.8.2025 citing 2022 MLD 1331 (states that if the accused does not produce counsel for cross-examination, the court should allow the accused to cross-examine witnesses himself, not that there is a requirement for ‘stand-by’ counsel). See also Non-bailable warrants for Mazari, husband suspended, Business Recorder, Nov. 7, 2025, <https://www.brecorder.com/news/40391299/non-bailable-arrest-warrants-for-mazari-husband-suspended>.

²¹ Monitoring Notes, Nov. 8, Nov. 17, Nov. 24, 2025.

²² The State v. Imaan Zainab Mazari Hazir and another, Additional District and Sessions Court, Court Order, Nov. 19, 2025, para. 2 (Examination in chief of four PWs is recorded). Malik Assad, Testimonies of prosecution witnesses in Imaan’s tweet case recorded, DAWN, Nov. 20, 2025, <https://www.dawn.com/news/1956134/testimonies-of-prosecution-witnesses-in-imaan-tweet-case-recorded>.

²³ Monitoring Notes, Nov. 25, 2025. See also ‘Cannot ask dictated questions’: Court-appointed lawyer for Imaan, spouse refuses to cross-examine witnesses, DAWN, Nov. 25, 2025, <https://www.dawn.com/news/1957275>.

The court did not appear to investigate these allegations. The court-appointed lawyer withdrew from the case the next day, with both defendants questioning whether the withdrawal was voluntary during court.²⁴

- On November 29, Mazari's privately retained counsel was not present in court whereas Chattha's was present for half the proceedings that took place that day. Mid-day, after requesting more time for both their lawyers to arrive, both accused were physically removed from the courtroom after an escalation erupted when the court appeared ready to proceed after two and a half hours.²⁵ In the defendants' absence, the court directed the new court-appointed defense counsel (whom both defendants had rejected) to cross-examine all five prosecution witnesses.
- When Mazari and Chattha applied to re-record the prosecution evidence in their presence on December 4, the court dismissed their motion. The next day, Mazari and Chattha announced that they had filed a transfer application to have their case heard in a different court.²⁶
- On December 16, 2025, the Islamabad High Court reversed the decision to record prosecution evidence in the absence of the defendants, directing the trial court to re-record these witnesses' examinations-in-chief (and thus necessarily requiring new cross-examinations as well).²⁷ The five prosecution witnesses were then recalled, and the defense was able to cross-examine three of them.
- On January 5, 2026, one prosecution witness (a technical assistant with the NCCIA) reportedly admitted that he is also a witness in "a lot of blasphemy cases" where Chattha was defense counsel and that while he had mentioned that "other unidentified digital actors" had also reposted the posts in question, he only identified Chattha's handle in his report.²⁸

²⁴ Monitoring Notes, Nov. 27, 2025. *See also* Malik Asad, Imaan Mazari, Hadi Ali Chattha object to new court-appointed lawyer after previous counsel's vanishing act, DAWN, No. 27, 2025, <https://www.dawn.com/news/1957707>.

²⁵ Monitoring Notes, Nov. 29, 2025. Monitoring notes show that the prosecution and defence put forward arguments on an application under Section 265K of the Code of Criminal Procedure (seeking acquittal if there is no probability of the accused being convicted of that offense). The judge then left and came back to announce that the application was denied. The Court then directed cross-examination to proceed. The accused refused stating that prosecution evidence was recorded in their absence. The court then directed state counsel to proceed. Escalation ensued: the prosecutor made a provocative statement ('Whoever wants to assault me, come forward'); female police entered courtroom; and the court ordered the accused removed from courtroom. *See also* Malik Asad, Islamabad court completes prosecution witness examination in Mazari-Chattha social media case, DAWN, Nov. 29, 2025, <https://www.dawn.com/news/1958161>.

²⁶ Monitoring Notes, Dec. 5, 2025.

²⁷ Islamabad High Court order, Dec. 16, 2025.

²⁸ Monitoring Notes, Jan. 5, 2026, Cross examination of PW-1. *See also* Malik Asad, Social media posts case: Cross-examination of key witness completed by Imaan, Hadi, DAWN, Jan. 5, 2026, <https://www.dawn.com/news/1965276>.

- On January 7, the defendants reportedly filed an application to summon the DG ISPR as a witness (in light of his alleged public statements described above), but the court is described as having ruled that “the prosecution cannot be forced to produce any witness”—court orders do not appear to indicate that this decision was formally recorded.²⁹
- On January 15, however, when the court was scheduled to hear the final two witnesses, Mazari was sick, and the defense requested an adjournment. Matters again escalated when the prosecution started swearing in a witness anyway, and the court proceedings were halted. The order issued the next day reflects that the court asked the court-appointed defense counsel to conduct the cross-examination of these two witnesses, and he apparently stated he would rely on his previous cross-examination of November 29.³⁰
- Once again, the High Court intervened,³¹ and on January 24, the court offered that the defense could cross-examine the two witnesses who had initially been recalled on January 15. Mazari and Chattha were, however, by that point in detention, having been arrested on January 23, 2026.³² It is reported that Mazari alleged on a video call with the court that she was being tortured and held in inhumane conditions. According to monitoring notes and media reporting, the court did not address these allegations and insisted that the cross-examination continue.³³ When they chose to boycott the proceedings, the court relied on the cross-examination of November 29. When their private counsel requested that they should be presented in court and alleged that they were “subjected to torture and mental harassment,” the court said it would “examine the matter.”³⁴ This was not reflected in court orders.

Reportedly, a few hours later, the court convicted both defendants under Sections 9, 10 and 26A of PECA,³⁵ and imposed 17-year prison sentences and fined them 36 million rupees (approximately US \$130,000) each. UN experts expressed alarm at the convictions, stating

²⁹ Hasnat Malik, Mazari’s plea to call DG ISPR hits judicial wall, Tribune, Jan. 7, 2026, <https://tribune.com.pk/story/2585896/mazaris-plea-to-call-military-spx-hits-judicial-wall>. Monitoring notes and orders examined by TrialWatch do not indicate if a formal order was passed. Monitoring Notes, Jan. 7, 2026.

³⁰ Court Order, Jan. 15, 2026, Additional Sessions and District Court, Islamabad. Monitoring Notes, Jan. 15, 2026.

³¹ The High Court ordered that the defendants be given four days to cross-examine these two witnesses. CrI. Rev. No. 06/2026.

³² To effect this arrest, the authorities relied on previously dormant FIRs against them. News Desk, Jurists’ body and partner organisations condemn Imaan and Hadi’s ‘arbitrary arrest’, conviction, DAWN, Jan. 29, 2026, <https://www.dawn.com/news/1969742>.

³³ Monitoring Notes, Jan. 24, 2026. *See also* Fiaz Mehmood, Islamabad court sentences Imaan, Hadi to 17-year prison terms in social media posts case, Tribune, Jan. 24, 2026, <https://tribune.com.pk/story/2588789/imaan-mazari-alleges-mistreatment-as-court-hears-tweet-case-via-video-link>.

³⁴ Monitoring Notes, Jan. 24, 2026.

³⁵ The court acquitted them under Section 11. Trial Court Judgment, para. 43.

that the trial was undermined by procedural “violations [that] seriously threaten the fairness of the trial and conviction.”³⁶

Mazari and Chattha have filed appeals against their convictions and sought suspension of their sentences before the Islamabad High Court. These matters have now been pending since February 2026. On May 12, the Supreme Court ordered the High Court to resolve the question of whether their sentences should be suspended within two weeks.³⁷ What followed was a sequence of adjournments, cancellations, and deferrals that have kept Mazari and Chattha in prison for months beyond the date when that order contemplated the question of suspending their sentences would be resolved.³⁸

TrialWatch considers five key issues arising from the monitoring and records of the trial court proceedings.

Issue 1: According to the reported trial record, prosecution evidence was recorded in the accuseds’ absence on certain occasions. Was there sufficient justification for this?

The Islamabad High Court twice overturned decisions of the trial court to proceed with the hearing of evidence in the absence of the accused. And yet the trial court ultimately relied on the cross-examination of two prosecution witnesses conducted by a rejected court-appointed lawyer, in the absence of the accused and their private lawyers. This followed an admission in open court by a prior court-appointed lawyer that he had received “dictated questions” to ask during cross-examination, which the court did not appear to investigate. And the court reportedly insisted that Mazari participate in cross-examination, despite her having made

³⁶ Pakistan: UN experts alarmed by the conviction of Imaan Mazari-Hazir and Hadi Ali Chattha, UN Special Procedures Press Release, Feb. 4, 2026, <https://www.ohchr.org/en/press-releases/2026/02/pakistan-un-experts-alarmed-conviction-imaan-mazari-hazir-and-hadi-ali>.

³⁷ Nasir Iqbal, SC directs IHC to decide Imaan, Hadi’s pleas against sentence within two weeks, DAWN, May 12, 2026, <https://www.dawn.com/news/1999649>.

³⁸ The IHC fixed the matter for June 1 but the prosecution sought more time to prepare. The hearing was adjourned until June 4. However, the cause list for June 4 was cancelled on June 2. The defense then approached the Supreme Court for an early hearing. *See* SC set to hear Imaan’s plea on July 6, Tribune, July 4, 2026, <https://tribune.com.pk/story/2616418/sc-set-to-hear-imaans-plea-on-july-6>. The IHC fixed the matter again for July 24. The Supreme Court deferred its own July 6 hearing noting that the IHC had already set a date. On July 24, the IHC reserved decision on maintainability of the defendants’ suspension pleas and declared them maintainable the next day — and adjourned the hearing on the sentence suspension applications indefinitely. Nasir Iqbal, SC defers hearing in Imaan Mazari case, DAWN, July 22, 2026, <https://www.dawn.com/news/2017437>; Fiaz Mahmood, IHC declares Imaan, Chattha’s sentence suspension pleas maintainable, Tribune, July 25, 2026, <https://tribune.com.pk/story/2620183/ihc-declares-imaan-chattha-sentence-suspension-pleas-maintainable>. Each time the Supreme Court scheduled a hearing, the IHC fixed a date immediately afterwards, leading the Supreme Court to defer to the High Court — only for the High Court to adjourn again. Hashir Ahsan, SC laments delays in Imaan and Hadi appeals case, Adjourns hearing to Sept 17, Voicepk, Aug. 20, 2026, <https://voicepk.net/2026/08/sc-laments-delays-in-imaan-adjourns-hearing-to-sept-17/>; IHC adjourns Imaan, Chattha sentence pleas, Sept. 9, 2026, Tribune, <https://tribune.com.pk/story/2628213/ihc-adjourns-imaan-chattha-sentence-pleas>.

serious allegations about her condition immediately prior, and presumably when it would have been difficult for her to consult with her lawyer.³⁹

While it is undisputed that there were two altercations in court, one which resulted in the removal of the defendants, in *Domukovsky v. Georgia*, the Human Rights Committee (HRC) found a violation of the right to be present because the State, after removing the defendants from court for disruptive behaviour, had failed to show “that it took all reasonable measures to ensure the [defendants’] continued presence at the trial, despite their alleged disruptive behaviour.”⁴⁰ In that case, this finding was made notwithstanding that the defendants had, on the State’s account, turned their backs to the court, resisted the military guards, fled from the courtroom to the cells, and that one defendant had leapt over the bar and seized a guard’s automatic weapon. Further, in this case, the defendants did not appear unwilling to facilitate the recording of evidence: for instance, they sought to record evidence on December 4. The question arises whether this case appears distinguishable from the Indian precedent cited in the trial court’s judgment, in which case the Calcutta High Court explicitly stated that any “exclusion . . . would be without prejudice to the rights of such accused person or persons to reclaim his or their right to be present at the trial if and when he or they express bona fide willingness to conduct himself in such a manner as to allow the tribunal to proceed with the trial smoothly in his or their presence.”⁴¹

On two of the days at issue, Mazari was absent due to illness. In such circumstances, international bodies have found violations of the right to be present where proceedings nonetheless continued.⁴² And on the third and final day, Mazari had alleged mistreatment, which the court then did not appear to investigate, emphasizing instead the need to complete cross-examination. The HRC has found a violation of a defendant’s rights under article 7 read with article 2(3) of the ICCPR, where he had “complained during a court hearing about torture he had suffered at the hands of National Security Services officers,” and the court continued the proceedings and did not launch “a prompt and impartial investigation.”⁴³

³⁹ Fareiha Aziz, *How Imaan-Hadi Conviction Marks The Death of Fair Trial in Pakistan*, Dissent Today, Jan. 27, 2026, <https://dissenttoday.net/opinion/how-imaan-hadi-conviction-marks-the-death-of-fair-trial-in-pakistan/>; Fiaz Mehmood, *Imaan Mazari alleges mistreatment as court hears tweet case via video link*, Tribune, Jan. 24, 2026, <https://tribune.com.pk/story/2588789/imaan-mazari-alleges-mistreatment-as-court-hears-tweet-case-via-video-link>.

⁴⁰ HRC, *Victor P. Domukovsky and others v. Georgia*, Communication Nos. 623/1995 & others, Apr. 6, 1998, paras. 10.11, 18.9.

⁴¹ Trial Court Judgment para. 16 (citing *The State v Ananta Singh and Ors.*, Calcutta High Court, 1972 CRILJ 1327, May 11, 1972, para. 20).

⁴² The HRC has held that the trial court should have adjourned proceedings until the defendant was able to attend: *Dzhakishev v. Kazakhstan*, Communication No. 2304/2013, Nov. 6, 2015, paras. 2.17, 3.4, 7.5. The African Court has found a violation of the right to be heard and to defend oneself where a defendant was present for the prosecution case but absent during the defense case due to ill health without having expressly waived his right to attend: *Thomas v. Tanzania*, App. no. 005/2013, Nov. 20, 2015, paras. 81, 93–94, 99.

⁴³ HRC, *Alimzhon Saidarov and others v. Kyrgyzstan*, Communication. No. 2359/2014, May 12, 2017, para. 7.2.

Bottom Line: *Cross-examination of key witnesses reportedly took place without the accused present – what impact does this have on the conviction?*

Issue 2: It is reported that counsel was appointed by the court on behalf of the accused, notwithstanding that private counsel chosen by the accused was present and/or being sought. What implication does the accused's choice of counsel have on the court's appointment of counsel and the conviction?

TrialWatch understands that lawyers withdrew, had to be changed or not able to fully participate primarily due to the pace of proceedings.⁴⁴ For example, on November 29, cross-examination of key prosecution witnesses was conducted by a court-appointed lawyer after the court reportedly did not provide the defendants the time they sought for their private lawyers to arrive. While it is not clear from the record why Mazari's defense counsel was unable to appear and Chattha's counsel was present for only half the day, the accelerated pace and other commitments may have been the cause.

Multiple senior lawyers commented on the court's unusual insistence on consistently having a court-appointed lawyer present despite the defendants stating at multiple hearings that they did not trust a court appointment.⁴⁵

International and regional courts have held that the assignment of a lawyer against a defendant's wishes can violate the right to counsel.⁴⁶ While in very limited circumstances,

⁴⁴ *Supra* n. 16. See also Lawyers for Lawyers and Others, End the judicial persecution of human rights lawyers Imaan Zainab Mazari-Hazir and Hadi Ali Chattha, Nov. 26, 2025, ("According to the defense, Mazari and Chattha have still been unable to secure counsel of their choice, as each selection has been made under pressure and from a severely limited pool of willing lawyers, with multiple practitioners reportedly declining representation due to pressure and threats."), <https://www.lawyersforlawyers.org/end-the-judicial-harassment-of-human-rights-lawyers-imaan-zainab-mazari-hazir-and-hadi-ali-chattha/>.

⁴⁵ Monitoring notes, Nov. 17, 2025. See also Malik Asad and Nasir Iqbal, Islamabad court rejects Imaan Mazari's acquittal plea, DAWN, Dec. 5, 2025, <https://www.dawn.com/news/1959282>.

⁴⁶ HRC, Lopez Burgos v. Uruguay, Communication. No. 52/1979, July, 29, 1981, paras. 11.5, 13; HRC, Viana Acosta v. Uruguay, Communication. No. 110/1981, Mar. 29, 1984, paras.13.2, 15; HRC, Estrella v. Uruguay, Communication. No. 74/1980, Mar. 29, 1983, paras. 1.8, 8.6, 10; ACmHPR, Civil Liberties Organisation v. Nigeria, Communication. No. 218/98, Apr. 23–May 7, 2001, para. 28; ACmHPR, Media Rights Agenda v. Nigeria, Communication. No. 224/98, Oct. 23–Nov. 6, 2000, paras. 55–56; WGAD, Namazi v. Iran, Opinion no. 49/2017, Aug. 22, 2017, paras. 9, 47.

avoiding delay can justify court appointment of counsel,⁴⁷ in most cases, like *Yuriy Dmitriyev v. Russia*, this has been deemed to violate the right to counsel.⁴⁸

Further, counsel assigned by the State must be independent and effective. The HRC has found a violation of the right to counsel where a defendant claimed that he was unable to replace counsel “appointed by, and acting under the influence of the Government” who had failed “to act independently and effectively” to defend his interests.⁴⁹

Bottom Line: *The issues arising from the reported record are: on what basis did the court direct court-appointed counsel to lead the defense case especially when the defendants reportedly rejected such counsel and had, or were seeking, private counsel?*

Issue 3: When does the conduct of proceedings, including their speed, compromise the right to an impartial tribunal?

TrialWatch reviewed the cause list for the trial court in this case and confirmed that no other case before the court was proceeding at the accelerated pace that Mazari and Chattha’s trial did.

Of the more than 25 instances in which the defense sought an adjournment or exemption from attendance, the court granted roughly half; largely for reasons beyond the defendants’ control, such as Bar Association strikes, road closures, and medical grounds. While the court did grant time on several occasions for the defense to find or prepare new counsel, the time given was consistently far shorter than what was requested or reasonably needed — one day to find a replacement lawyer,⁵⁰ or a single hearing for a newly-appointed counsel who had not yet reviewed the file. Other requests were refused outright at the most consequential moments: when the defendants requested the legally required seven days before the framing

⁴⁷ ECtHR, *Croissant v. Germany*, Application No. 13611/88, Sept. 25, 1992, para. 28. In this case, however, the case was unusually complex, the appointed counsel had special expertise, there was a conflict of interest with the defendant’s chosen counsel, and the appointed counsel worked alongside chosen counsel.

⁴⁸ In that case, the European Court found a violation of Article 6 of the European Convention after the domestic court replaced the applicant’s chosen lawyer because the lawyer had sought a two week adjournment during COVID. ECtHR, *Yuriy Dmitriyev v. Russia*, Application No. 47934/17, Mar. 31, 2026, para. 99. *See also* *Elif Nazan Şeker v. Turkey*, Application No. 41954/10, Mar. 8, 2022, para. 57 (After the applicant’s chosen lawyer repeatedly failed to attend hearings over several years, the trial court appointed a new lawyer without ever informing the applicant or her chosen counsel; the new lawyer never contacted her, made only minimal submissions, and filed a substance-free one-page appeal. The Court held that “the defence rights of the applicant... were adversely affected by the trial court’s decision to override her wishes as to her choice of legal representation to an extent as to undermine the overall fairness of the proceedings,” finding a violation of Article 6).

⁴⁹ HRC, *Yakubova v. Uzbekistan*, Communication. No. 2577/2015, Apr. 6, 2018, paras. 2.1, 3.4(b), 9.5.

⁵⁰ The court initially refused any adjournment, then gave her less than one hour—and then a series of 1 to 1.5-hour adjournments across a 6.5-hour hearing—to find a new lawyer. Monitoring Notes, Nov. 5-6, 2025. *See also* Malik Asad, Islamabad court withdraws non-bailable arrest warrants issued against Imaan Mazari, spouse, DAWN, Nov. 6, 2025, <https://www.dawn.com/news/1953506>.

of charges, when they asked for a single day to respond to a 33-question statutory questionnaire, and when private lawyers were still *en route* to court while cross-examination began.

At the same time, the court did not appear to investigate serious claims raised during the trial, including that of court-appointed defense counsel that he had been given questions to ask that had been “dictated,” and Mazari’s assertion that she was being mistreated in detention.

Further, the defendants applied to have the case heard by a different court due to their concerns that the court was not impartial.⁵¹ The court handed down a judgment while the transfer application was still pending before the Islamabad High Court, which may have been in contravention of applicable law,⁵² and despite the court stating less than three weeks before the conviction that the court could not decide the case while the application was pending.⁵³

Under international standards, courts are under an obligation to grant reasonable adjournments.⁵⁴ This includes when there is a change in defense counsel.⁵⁵ In one case, for instance, the UN Working Group on Arbitrary Detention found a violation of the right to a fair trial in a case against the former President of the Maldives when the local court had refused the defense request for an adjournment five days before the end of the trial after withdrawal of counsel.⁵⁶

Article 14(1) of the ICCPR also guarantees the accused “a fair and public hearing by a competent, independent and impartial tribunal established by law.” The HRC has held that unreasoned decision-making can evidence a violation of Article 14(1). In *Khostikoev v. Tajikistan*, for instance, the Committee found an Article 14(1) violation due to rulings that hindered the preparation of an effective defense, such as “ignor[ing] [counsel’s] objections” and “refus[ing]

⁵¹ Monitoring Notes, Dec. 5, 2025. *See also* Mazari, husband seek case transfer over bias, Tribune, Dec. 5, 2025, <https://tribune.com.pk/story/2580660/imaan-mazari-hadi-chattha-submit-petition-seeking-transfer-of-case-cite-judges-lack-of-transparency>.

⁵² Iqbal Ahmad v. Muhammad Ayaz (1985 PCrLJ 2164) Lahore High Court, para. 4 (“I find that the learned Additional Sessions Judge after having been informed of the intention of moving a transfer application in the High Court by the complainant in this case, was under a legal obligation not to pronounce the final judgment in the case. But having pronounced judgment he clearly violated the statutory provisions of section 526(8), Cr.P.C. and, therefore, his illegal judgment cannot be sustained in law. May be that ultimate result of the case comes to the same as has been adjudged by the learned Additional Sessions Judge but that is no consideration for saving an illegal order passed by the trial Court.”); Zahid Maqsood Butt v. The State etc (2024 LHC 3316) Lahore High Court, para. 6 (“If any party intends and intimates the Court for filing of a transfer application of case, though it shall not require the Court to adjourn the case, but the Court shall not pronounce its final judgment or order until the application has been finally disposed of by the High Court.”).

⁵³ Monitoring Notes, Jan. 5, 2026.

⁵⁴ HRC, General Comment No. 32 (2007), para. 32.

⁵⁵ *See, e.g.*, HRC, Chelakh v. Kazakhstan. Comm. no. 2645/2015, Nov. 7, 2017, para. 9.3; HRC, Smith v. Jamaica. Comm. 282/1988, Mar. 31, 1993, para.10.4.

⁵⁶ WGAD, Nasheed v. Maldives (Opinion no. 33/2015), Sept. 4, 2015, paras. 8, 20, 41, 79, 81, 103.

to allow the possibility for the author to adduce relevant evidence.”⁵⁷ The Committee has likewise found violations of the guarantee of impartiality under Article 14(1) of the ICCPR where trial courts have disregarded key defense contentions and motions.⁵⁸

Bottom Line: *The issues arising from the reported record include whether this case proceeded at an unusual pace compared to other matters before the same court? When can requests for adjournment be denied or limited? Did the court adequately investigate serious allegations potentially affecting the fairness of the proceedings including allegations of mistreatment and “dictated questions”? Can a judgment be rendered while a transfer application is still pending before the Islamabad High Court?*

Issue 4: Is expressing concern about the detention of Baloch and Pashtun dissidents and criticizing the conduct of state institutions, or re-tweeting posts that do so, protected by the right to freedom of expression?

The trial court convicted Mazari and Chattha under Section 9 of PECA for the alleged offence of “glorification” of a proscribed individual.⁵⁹ The court reasoned that they had expressed views “in favor of” Dr. Mahrang Baloch, who is a proscribed individual, and because glorification under PECA includes “any form of praise or celebration,” they could be found guilty.⁶⁰ Likewise, the conviction under Section 10 was predicated upon alleged support for the aims of the Balochistan Liberation Army,⁶¹ although in none of the social media posts cited in the judgment is there any mention of the BLA.⁶²

⁵⁷ U.N. Human Rights Comm., *Khostikoev v. Tajikistan*, U.N. Doc. CCPR/C/97/D/1519/2006, Dec. 3, 2009, paras. 7.2, 7.3.

⁵⁸ Human Rights Committee, *Khostikoev v. Tajikistan*, U.N. Doc. CCPR/C/97/D/1519/2006, Dec. 3, 2009, paras. 7.2-7.3. *See also* Human Rights Committee, *Khomidova v. Tajikistan*, U.N. Doc. CCPR/C/81/D/1117/2002, July 29, 2004, para. 6.5; Human Rights Committee, *Saidova v. Tajikistan*, U.N. Doc. CCPR/C/81/D/964/2001, July 8, 2004, para. 6.7; Human Rights Committee, *Toshev v. Tajikistan*, U.N. Doc. CCPR/C/101/D/1499/2006, Apr. 28, 2011, para. 6.6.

⁵⁹ *Supra* n. 4.

⁶⁰ The trial court held: “In the above tweets both the accused persons have expressed their views in favor of Mahrang Baloch who is a proscribed individual. Much emphasis has been laid on behalf of accused persons that mere view of the accused about any proscribed individual is not enough to hold that they have committed an offence u/s 9 of PECA. This court is not agree with arguments of learned defence counsel because the glorification has been defined in PECA which includes any form of praise or celebration.” Trial Court Judgment, para. 26.

⁶¹ The trial court held that the accused acted with intent to advance the BLA’s objectives, reasoning that labeling Pakistan as a ‘terrorist state’ is one of the BLA’s aims. It made no effort to establish that this is in fact one of the BLA’s objectives. It also cited other criticisms of the government found in the posts without tying any of them to the specific agenda of any proscribed individual or organization. Trial Court Judgment, para. 36.

⁶² While two posts by Mazari mentioned in the FIR reference the BLA, they appear critical of the state’s alleged inaction against the organization. On October 8, 2024, Mazari alleged in part that “forcibly disappeared persons are locked up in the State’s torture cells, while BLA operatives evidently remain untouched.” On July 25, 2025, she allegedly posted “are you aware that Sufiyan was one of the students who participated in the 2023 long march to Islamabad and was brutally beaten, arrested and tortured?...Sufiyan joined the BLA in 2024...The State itself has created the pathway.” First Information Report No. 234/2025, Islamabad.

As to the Section 9 conviction, it appears that it may go farther than jurisprudence from other jurisdictions. In the UK, for instance, where section 12(1A) of the Terrorism Act 2000 criminalizes anyone who “(a) expresses an opinion or belief that is supportive of a proscribed organisation, and (b) in doing so is reckless as to whether a person to whom the expression is directed will be encouraged to support a proscribed organization,” the Supreme Court has made clear that “[e]xpressing an opinion or belief which coincides with the aims or beliefs of the organisation is not sufficient.”⁶³ Further, during adoption of this law, it was made clear by the government that “people would wish to, and should be able to, have lawful debates on the merits of the proscription and de-proscription of individual organisations,” and that this would not open them to criminal liability.⁶⁴

In this case, however, the trial court convicted Mazari and Chattha for what the court judgment appears to characterize as “their views”⁶⁵ including in particular views that suggested Dr. Baloch should not be behind bars (i.e., ‘views’ that may be analogous to debating the merits of her proscription).

As to the conviction under Section 10, the posts at issue generally concerned alleged enforced disappearances and the State’s reported treatment of dissidents. From the available record, it is not clear whether the court asked whether the posts praised or celebrated terrorist acts, whether they called for violence, or whether, in fact, the speech posed any risk at all. Instead, the trial court quickly rejected freedom of speech arguments, concluding that the posts crossed the line to the “domain of subversion, destabilization, or incitement against the State itself.”⁶⁶ The court also appeared to suggest that any speech “with the object of eroding public confidence in core state institutions, including the judiciary, the armed forces, the legislature, and law-enforcement agencies” might be criminalized,⁶⁷ which would, if so construed, potentially sweep in a wide array of peaceful opposition speech.

An examination of the European Court’s caselaw on this point shows that there is a clear difference between speech that may be criminalized as supporting terrorism and political speech. In *Dmitriyevskiy v. Russia*, articles that described Russian authorities’ actions as ‘genocide,’ ‘criminal madness,’ and ‘terrorism,’ and denounced enforced disappearances and torture, were protected. The Court explained that “it is in the nature of political speech to be controversial and often virulent” and that hard-hitting criticism of official policy is

⁶³ R v. ABJ; R v. BDN [2026] UKSC 8, para. 60.

⁶⁴ *Id.* para. 47.

⁶⁵ Trial Court Judgment, para. 26 (“In the above tweets both the accused persons have expressed their views in favor of Mahrang Baloch who is a proscribed individual.”).

⁶⁶ *Id.* para. 42.

⁶⁷ *Id.*

“insufficient, in itself, to justify an interference with freedom of expression.”⁶⁸ The European Court reached the same conclusion about speech condemning state actions in Turkey, finding that protesters who chanted slogans to the effect that the state was an ‘assassin’ were protected, since their speech neither incited violence nor constituted hate speech against identifiable persons.⁶⁹ By contrast, in *Stomakhin v. Russia*, speech that “openly call[ed] to violent uprising and armed resistance” fell outside the right to free speech.⁷⁰

Bottom Line: *Are the posts at issue in this case ‘glorification’ or ‘support’ for terrorism, or protected political criticism?*

Issue 5: What evidentiary standard applies to establishing falsity in a conviction for disseminating false information, and does the trial record reflect that this standard was applied?

A conviction under Section 26A⁷¹ requires proof that the accused intentionally disseminated information *they knew or had reason to believe* was false or fake, and that it was likely to cause public fear, panic or disorder.

The court found that Mazari had claimed that Ghazi Amanullah, brother of Pashtun Tahafuz Movement (‘PTM’) leader and human rights defender Manzoor Pashteen, had been subjected to an enforced disappearance, for which Mazari claimed the state was responsible.⁷² However, in the monitored hearings, there is no record of Mazari being asked why she believed this to be true, nor did the State introduce evidence to establish the falsity of Mazari’s claim. Arguably, the judgment too does not investigate the truth of the statements but appears to suggest that the defendants bore the burden of proving that what they said was in fact true.⁷³

⁶⁸ ECtHR, *Dmitriyevskiy v. Russia*, App. No. 42168/06, Oct. 3, 2017, paras. 104, 106–107, 114.

⁶⁹ ECtHR, *Yavus & Yaylali v. Turkey*, App. No. 12606/11, Dec. 17, 2013, paras. 7, 52 (The slogan in Turkish “katil devlet hesap verecek” is translated in French to “l’État assassin va devoir rendre des comptes.”).

⁷⁰ ECtHR, *Stomakhin v. Russia* App. No. 52273/07, May 9, 2018, paras. 99–100.

⁷¹ There are also substantial concerns about whether Section 26A is itself compatible with the right to freedom of expression. First, it speaks of spreading false ‘information’ rather than facts, which can therefore include ‘false’ opinion content. Second, terms such as ‘fear,’ ‘panic’ and ‘unrest’ are undefined and therefore may run the risk of being applied subjectively by different courts. Other jurisdictions have struck down similar laws on freedom of speech grounds. *Chavunduka and Another v Minister of Home Affairs*, [2000] JOL 6540 (ZS), pg. 17; Decision No. 78/PUU-XXI/2023 (Indonesian Constitutional Court, Mar. 21, 2024), pg. 49.

⁷² The judgment states: “In their tweets both the accused persons have claimed forced disappearance of Ghazi Amanullah brother of PTM leader. There was no proof with the accused that the state has forcibly disappeared any person but despite that in number of tweets they claimed that the state is responsible for it.” Trial Court Judgment, para. 38.

⁷³ *Id.*

Bottom Line: *The issue arising from the reported record is what formed the basis for concluding that the speech at issue was ‘false’ or ‘fake’ under Section 26A of PECA, and whether the applicable evidentiary standard was met on the evidence adduced?*

TrialWatch raises these key issues as part of its ongoing monitoring of proceedings in line with its effort to promote transparency in cases of significant public interest. In this regard, it is relevant to note that UN Special Rapporteurs have expressed concerns that the prosecution of lawyers like Mazari and Chattha “risks undermining and criminalising the work of lawyers and human rights defenders across Pakistan and has a chilling effect on civil society in the country.”⁷⁴

⁷⁴ Pakistan: UN experts alarmed by the conviction of Imaan Mazari-Hazir and Hadi Ali Chattha, UN Special Procedures Press Release, Feb. 4, 2026, <https://www.ohchr.org/en/press-releases/2026/02/pakistan-un-experts-alarmed-conviction-imaan-mazari-hazir-and-hadi-ali>.