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Pakistan: Filing of Legal Brief in Contempt of Court Case

The Islamabad High Court in Pakistan has asked for help from experts in determining a number of questions relating to the law of contempt of court and media reporting on ongoing court cases. Late last week, the Institute for Research, Advocacy and Development (IRADA), with support from the Centre for Law and Democracy (CLD), filed an *amicus curiae* brief with the court setting out relevant international standards.

“We welcome the fact that the High Court has asked for external views on this important issue”, said Toby Mendel, Executive Director of CLD. *“There is a tradition across much of South Asia to restrict freedom of expression far beyond what is necessary in the name of protecting the administration of justice and we hope that this case will start to change this.”*

In the case, which arose from another case involving a bail petition by former Prime Minister Nawaz Sharif, anchors and guests in two television shows suggested that the court hearing the Sharif case had been swayed by the status of the petitioner as former Prime Minister. Contempt proceedings were then brought against five participants in the shows, on the basis that they had obstructed the administration of justice by prejudicing or impeding ongoing court proceedings. In the course of the contempt proceedings, the High Court posed eight questions for the outside experts (*amici*) that had been appointed. In their brief, IRADA and CLD responded to the same eight questions.

“Our brief clearly shows that international standards and comparative practice across a wide range of democracies is strongly protective of free speech even in the context of ongoing court proceedings,” said Muhammad Aftab Alam, Executive Director of IRADA. *“We hope that the High Court will accept those standards for Pakistan and find that the TV shows did not constitute contempt of court.”*

The *amicus curiae* brief prepared by IRADA and CLD is available at: <https://www.law-democracy.org/live/pakistan-filing-of-legal-brief-in-contempt-of-court-case/>.

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