



**TRANSPARENCY
INTERNATIONAL-PAKISTAN**

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30th November, 2016

Chairman,
Pakistan Bar Council,
Islamabad.

Sub: Transparent application of Article IV of the Supreme Court of Conduct

Dear Sir,

Transparency International Pakistan has been working for the good governance, and application of Rule of Law in Pakistan.

In near past, the Honorable Supreme Court of Pakistan has announced judgments in many Mega Corruption cases, which can rightly be named as land mark Judgments. Transparency International Pakistan noted that the parties affected by such orders, have started an organized campaign to defame Judiciary of frivolous allegations, especially in social media.

Transparency International Pakistan strongly condemns these allegations, and expresses its full support to Judiciary.

In order to strengthen Judiciary, Transparency International Pakistan Board of Trustees have agreed that transparent application of Article IV of the Supreme Court of Pakistan, Code of Conduct by all Judges may be applied so to ensure the maxim that Justice must not only be done it should also appear to have been done and therefore a Judge must try to avoid all possibility of his opinion or action in any case being swayed by any consideration of personal advantage, either direct or indirect.

The Resolution of Board of Trustee with above and few other suggestions are enclosed for the kind consideration of the Honorable Chief Justice of Pakistan.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption.

With Regards,

For and on behalf of Board of Trustees.
Syed Adil Gilani
(Advisor to the Board of Trustees)

Enclosed: Board Resolution



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Continuation Sheet No.....

Copy to
Secretary to the Prime Minister
Registrar, Supreme Court of Pakistan, Islamabad
Registrar, Sindh High Court
Registrar, Peshawar High Court
Registrar, Baluchistan High Court
Registrar, Islamabad High Court
President, Supreme Court Bar Association



Board Resolution No 26

November 25, 2016

The 50th Board of Trustees Meeting was held on November 25, 2016". The following trustees attended the meeting:

1. Mr Sohail Muzaffar, Chairman
2. Chief Justice (R) Haziqul Khairi
3. Justice (R) Dr Ghous Muhammad
4. Justice (R) Zia Parwez
5. Justice (R) Nasira Iqbal
6. Ms Yasmeen Lari
7. Ms Shahana Kaukub

The Board resolved as under:

1. There should be strict application of the Article 4 of SC code of conduct. If a judge has even a minute interest in any case he must recuse himself. Article 4 states:

“A Judge must decline resolutely to act in a case involving his own interest, including those of persons whom he regards and treats as near relatives or close friends.”

2. That relatives of sitting judges should not appear in that particular High Court. All such lawyers may be advised to practice in the High Courts of other provinces.

3. Relatives of sitting Judges of the Supreme Court may be advised to practice in the Supreme Court of Azad Jammu and Kashmir and Supreme Court of Gilgit-Baltistan, as well as with companies as legal advisers.

4. That the Supreme Judicial Council may on priority basis take up and dispose of cases pending against the Judges so as to ensure greater confidence and respect of the Apex Court.

4. Section 54 of the Legal Practitioners and Bar Councils Act must be strictly complied with to suspend an advocate from practice for misconduct (after hearing him/her) and then to send the order to the relevant Bar Council in accordance with section 41 of the Act.

5. The Bar Council should examine the order of the Supreme Court or High Court and "shall strictly follow the complaint made by the Supreme Court or High Court