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## Panama Leaks Case, 2016: Reaction of PPP as Parliamentary Opposition towards PML (N) Government

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**Abstract:** *The Panama Papers, which number nearly 11.5 million pages, were leaked in private. This paper revisited the Panama papers leaks and the connection of Prime Minister Nawaz Sharif from PML (N) in it. As a result of the leaks, Pakistan's Supreme Court heard a significant case against Nawaz Sharif, the country's prime minister, and the opposition parties responded to the case in different ways. This paper particularly revealed the reaction of the Pakistan Peoples Party (PPP) as a major opposition party in the Parliament of Pakistan towards the PML (N) Government. This paper presented the views of major PPP leaders and legislatures about the Panama Leaks Case. This study uses the qualitative technique and is based on the collection of both primary and secondary data. Selected interviews of politicians, held in 2021 conducted as primary data, and journal publications and largely trustworthy newspaper articles were selected as secondary data.*

**Key Words:** Panama Leaks Case, Pakistan Muslim League (Nawaz), Pakistan Peoples Party, Judiciary Commission, Parliamentary Opposition, Judicial Inquiry Team (JIT)

### Introduction

#### Background of the Panama Papers Leak Issue: An Overview

The Panama Papers, the largest whistleblower case to date with 11.5 million documents, were the subject of a year-long investigation by the International Consortium of Investigative Journalists. The investigation was carried out to shed light on a global network of corruption and wrongdoing wherein a number of politicians and world criminals, celebrities and even leaders used Panama as a tax haven.

The investigation of more than 400 journalists throughout the world is part of the leak, and the publications also make public the offshore holdings of at least hundreds of government employees and bureaucrats from more than 200 countries. National security was immediately impacted as these results were made public, and eventually, multiple governments changed, leading to political upheaval.

Over the period of over 40 years, information from the Panama-based law firm Mossack Fonseca was made public, revealing linkages between several global corporate and political leaders, offshore accounts, and corporations (The New York Times, 2016, April 4). The Panama Papers contain a comprehensive list of organizations, governments, and other prominent people from throughout the globe, including famous people and criminals. The investigative report mentions tax evasion, financial fraud, money laundering, and other alleged criminal dealings.

In response to the outcry over the Panama Leaks, many elected officials resigned from their positions. After his offshore firm Wintris was listed in the Panama Leaks, Iceland's Prime Minister Sigmundur Gunnlaugsson was one of the first to give him up. Similar to how the Panama Papers enforced the Ukrainian prime minister and the Spanish minister of industry's resignation, a number of other prominent figures named in the documents including the president of

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Chile Transparency International, John, a member of the FIFA ethics committee, and Bert Meerstadt of ABN AMRO Bank resigned for ethical reasons. The Panama Papers also revealed the acquaintances of Russian President Vladimir Putin, as well as the families of the leaders of China, Britain, and Ukraine, and the then-Pakistani Prime Minister Nawaz Sharif (Khan, Shami&Ashfaq, [2019](#)).

### **Pakistan and the Panama Leaks: Parliamentary Opposition Reactions**

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The Panama Papers also provide details about money laundering and corruption and reveal relationships between Nawaz Sharif, the Pakistani prime minister in office at the time, his family, and eight offshore firms. Three of Prime Minister Nawaz Sharif's children belonged to this group and possessed offshore corporations as well as assets that were not disclosed on his family's wealth statement. Nielsen Enterprises Ltd, Nescoll Ltd, and Hangan Property Holdings Ltd are three British Virgin Islands-based firms that were founded in 1993, 1994, and 2007, respectively. These corporations have served as a conduit for money used to buy foreign assets, notably some apartments along Park Lane in the Mayfair neighbourhood of London. The allegation that the businesses were established to obfuscate, launder, or avoid taxes cast doubt on his qualifications. A joint team of civil and military inquiry agencies had been tasked by the Pakistan Supreme Court with looking into their affairs. Family members of Mr Sharif have denied wrongdoing. They informed the Supreme Court in November that they purchased their London home through assets in firms controlled by the ruling family of Qatar (CIRP, 2016, April 11). Instead of having the matter resolved in Parliament, most other elected leaders preferred taking it to the Supreme Court in a letter requesting the formation of a Judicial Commission. As a result, a Joint Investigation Team was established, and Nawaz Sharif was declared ineligible due to his failure to declare his iqama (work visa) and the salary he received from the company. (Jamil, [2018](#)). In April 2016, the Panama Papers scandal grabbed international attention. Since then, the opposition parties in Pakistan's Parliament have responded strongly and made public mention of the problem. On August 29, 2016, PTI Chairman Imran Khan petitioned the Pakistan Supreme Court via Attorney Naeem Bokhari, requesting the removal of Sharif as Pakistan's PM and an MNA in response to the incident. Other political figures, such as Siraj-ul-Haq of Jamat e Islami and Awami Muslim League's Sheikh Rashid Ahmed endorsed the petition. Along with Ishaq Dar, the current finance minister, Sharif's kids, and Muhammad Safdar; his son-in-law, were all targets.

On September 30, PTI workers staged a sit-in outside the house of Sharif in Raiwind, close to Lahore. If Nawaz Sharif didn't "resign or surrender himself for accountability" in Islamabad, Khan encouraged his supporters to "lockdown" (Ghumman, [2016](#)). The PPP, a significant opposition party in Pakistan's parliament, also made an interesting response to the Panama Papers scandal. The PML (N) Government's (2013-2018) PPP Policy of Reconciliation appeared to be dragging. Their leaders frequently vowed not to take part in the Panama Leaks investigation.

### **Formation of Judicial Commission: PPP Reaction as Parliamentary Opposition**

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In his address to the nation on April 5, 2016, Sharif proposed the creation of a judicial commission headed by a retired Supreme Court of Pakistan judge in response to mounting criticism. Mian Manzoor Ahmad Wattoo, the president of the PPP in central Punjab, attacked the prime minister for appointing a judicial commission to probe allegations of corruption against members of his family claiming the body would not be recognized as unbiased as long as Sharif was in office. He advised the prime minister to step down right now so that the National Accountability Bureau (NAB) could look into the situation. Wattoo suggested that in order to regain the public's trust in politics, the prime minister should likewise disclose financial information about himself and his family. He claimed that the Panama Leaks had sparked concerns about his family's possible tax fraud and bribes. He added that they allegedly used money laundering to transport money out of the nation. The world was now aware of their investments in offshore businesses and foreign nations, and the judicial panel established to look into the situation was considered "a farce." He insisted that the prime minister vacate his position and show up for accountability. Makhdoom Ahmed Mehmood, the president of the PPP in Punjab, also called for Nawaz Sharif to resign (The Express Tribune, 2016, April 7). The Panamagate scandal was seen as a "do or die" opportunity for PPP by the Dawn News. Although the party may have temporarily recanted its demand that the prime minister resigns, it was clear that the PPP was still taking the ruling PML(N) (Ghumman, [2016](#)). Bilawal Bhutto Zardari, Chairman of PPP, had established a committee consisting of four people made up of opposition leaders and the legislative leaders of the PPP in the national assembly and senate. The committee's goal was to get in touch with other political parties so that a parliamentary committee could be established with complete powers to look into the Panama Papers,

including the power to ask for forensic tests from outside forensic experts.

Additionally, Bilawal put together a group of four lawyers to advise him of the legal implication of the Panama Papers revelation and to devise a plan for conducting investigations in a reliable and open way. Senators Aitzaz Ahsan and Farooq Naek, a former governor named Latif Khosa, and a former Senate chairman named Nayyer Bokhari were among the group of legal experts. The PPP chairman, Bilawal Bhutto Zardari, alleged that despite assurances, the government had not conducted any meaningful investigations. He asserted that the Panama Leaks had harmed the reputation of the country and raised concerns about the executive branch's moral standing (The Express Tribune, April 14, 2016). Two committees have been established to discuss the issue that has arisen as a result of the publishing of the Panama Papers, according to PPP Secretary of Information Qamar Zaman Kaira. Sen. A committee was organized by Aitezaz Ahsan to look into the possible repercussions of the Panama Leaks since it was not a simple matter that required a forensic examination. A different panel was tasked with coordinating a plan with other opposition parties (Kaira, 2021).

Despite the fact that Mengal Sahir Ali, Amir-ul-Mulk, Nasir-ul-Mulk Tanvir Tassaduq Husain Jillani and Ahmad Khan, all declined to participate, no commission was still created. Since the federal government is still committed to establishing a panel, the commission's terms of reference are being discussed by the two opposing opposition parties, Pakistan People's Party and Pakistan Tehreek-e-Insaf. In order to develop agreed terms of reference (TORs) for an investigation panel that would look into the Panama Papers leaks, the prime minister suggested six Treasury benches members for a 12-member committee. On this committee, there would also be an equal number of members from the opposition.

Government nominees included Ishaq Dar, Minister of Finance, Khawaja Asif, Minister of Defense, Khawaja Saad Rafiq, Minister of Railways, Mir Hasil Khan Bizenjo, Minister of Ports and Shipping, Akram Khan Durrani, Minister of Housing, and Anusha Rehman, Minister of Information Technology. The opposition was represented by six individuals: the Pakistan Tehreek-e-Insaf's Shah Mehmood Qureshi, Awami National Party's Ghulam Ahmad Bilour, Pakistan Peoples Party's Aitezaz Ahsan and Raza Rabbani, Pakistan Muslim League- Quaid's Tariq Bashir Cheema, Jamaat e Islami's Sahibzada Tariqullah, and MQM's Barrister Muhammad Ali Saif

objected by failing to preside when the government submitted the motion in the Senate. The CJP also opposed the government's proposed ToR and pushed for the judicial commission to be constituted through the new law, which enhanced the opposition's argument. (Dawn, 2016, May 24).

The administration contacted the CJP last month to start the procedure after the prime minister previously consented to establish a judicial panel presided over by the chief justice of Pakistan at the request of the opposition parties. The government has also forwarded the CJP the commission's Terms of Reference. The Pakistani Chief Justice, Anwar Zaheer Jamali, rejected the government's request to create a "toothless" judicial body to investigate the revelations made by the Panama data leaks (Dawn, 2016, May 13).

Aitzaz Ahsan of the PPP was against the commission's establishment to investigate the Panama Papers. He argued that the Supreme Court should proceed with the case in accordance with the Terms of References (ToRs) proposed by the joint opposition in order to bring the matter to a logical conclusion rather than establishing a commission on the Panama leaks because doing so would cause the investigations to be significantly delayed (Geo News, 2016, November 8).

### **Role of JUI (F) as Mediator: Reaction of PPP as Opposition**

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It was reported by national media that JUI(F) Maulana Fazal ur Rehman, Chief of JUI (F) met with the PPP co-chairman in London in an effort to make peace between PM Nawaz Sharif and former president Asif Ali Zardari following Panama Papers revelations. He reportedly tried to persuade the former president that you should not join the united opposition but rather play the role of a "friendly opposition".

The Pakistan People's Party leadership, however, dismissed the reports as "untrue, false, and driven" and denied that there was any possibility of an "agreement" with PM Nawaz about the Panama leaks problem. In addition, the former president denied "rumours" that he had seen Maulana Fazal ur Rehman in London, the location of the reconciliation negotiations. Zardari asserts that the PPP will pursue the Panamagate case to its logical end (The Express Tribune, 2016, May 29). According to the Daily Times said that PML (N) was prepared to sign an "NRO" with PPP in London. According to the new "deal" reached by the two parties, the government will solicit the assistance of former President Asif Ali Zardari and his allies to assist the

prime minister in getting out of the current difficulties. Additionally, the Rangers and NAB's influence in Punjab and Sindh would be restrained through cooperation between the PML (N) and PPP. When Zardari decided to "assist our Nawaz Sharif within the ranks of the PPP," there was a noticeable response. Aitzaz Ahsan angrily rejected the reconciliation agreement. They thought that if Nawaz Sharif left, either Choudhry Nisar or Shehbaz Sharif, as prime minister, might pose problems for the PPP and the PPP's support base in Sindh might have shrunk in favour of the reconciliation agreement (Daily Times, 2016, April 18). The prime minister also visited Yousaf Raza Gilani, a former PPP leader, in an effort to rally support for the Panama leaks (The Express Tribune, 2016, May 22). Maulana Fazl ur Rehman, the head of JUI (F), encouraged PPP to settle issues with the PML (N) once more. Prior to the deadline of December 27 set by the PPP for the acceptance of its four demands, he had met with opposition leader Khursheed Shah and PPP Co-Chairman Asif Ali Zardari. He had given them his assurance that he would assist in obtaining concessions for the PPP in light of the current Karachi situation. On behalf of Zardari, the JUI-F leader sent Premier Sharif a message of reconciliation. Fazl was informed that there would be no concessions made with regard to Karachi and that the government and security apparatus agreed to combat terrorism in Karachi. Fazl had gained prominence as a "mediator" between the parties, but he was ineffective" (The Express Tribune, 2017, January 3).

### **PML (N) Opposition to "Panama Papers (Inquiry and Trial) Bill, 2016": PPP Response**

PPP chose to introduce their own Bill, the "Panama Papers (Inquiry and Trial) Bill, 2016," in the senate following a deadlock in negotiations over Terms of Reference (ToRs) between the government and the opposition. Naveed Chaudhry, the leader of the PPP, stated that the PPP initially wants to bring up the Panama Papers matter in the Parliament. He declared that the party would determine this matter on the streets if the Pakistan Muslim League-Nawaz (PML-N) government bulldozes this "Bill" in Parliament. The PPP leader claimed that regarding the Terms of Reference (ToRs) for the probe of the Panama Leaks, the opposition parties share his views (The Business Recorder, 2016, August 30). Prime Minister Nawaz Sharif, according to Senator Aitzaz Ahsan, has been the target of discriminating behaviour. Every person will be looked into in accordance with the conduct outlined

in the bill (The Nation, 2016, August 31). The PML (N) aggressively opposed and derided the "Panama Papers Inquiry, 2016" bill, which prevented PPP from passing it in the National Assembly. Dr AzraFazalPechuho and Naveed Qamar, PPP members who supported the proposal, argued that because not all of the problems arising from the Panama leaks had been rectified, the government shouldn't object to the law. The opposition's proposed proposal, according to Law Minister Zahid Hamid, was biased and was meant to undermine the Prime Minister (The Nation, 2017, May 17).

According to a well-known journalist and analyst, the PPP legal team drafted the application in accordance with the chairman, Bilawal Bhutto Zardari's instructions. The fact that Mr Bilawal Bhutto-Zardari urged the ECP to remove the premier from office suggests that he was not in the mood to continue the goal of his father, Asif Ali Zardari, to rapproach with the PML (N). Bilawal Bhutto Zardari had made it clear that there cannot be two sets of laws in the country in which one for the rich and the other for the less fortunate. Bilawal delivered four demands to the government on the direction of higher-ups, demands that appeared to come from two different groupings, if not parties. During this time, their young chairman was suspended in the air" (Yousafzai, 2021).

The PTI took a different approach by not only announcing a protest demanding that Islamabad be shut down on November 2 but also bringing the matter before the Supreme Court, contrary to the PPP leaders' assertion that the opposition parties were collaborating to take action against the government regarding the Panama Papers. Imran was counselled by the PPP leader to reconsider his decisions and try to understand the position of the PPP in the Panama Leaks case (The News, 2016, October 23).

The PPP Chairman had issued a warning that if his party's four demands were not honoured, protests would be organised throughout the nation. He had urged the government to promptly nominate a foreign minister, adopt the Panama Bill that the Pakistan People's Party had developed, and implement the parliament's resolution on the China-Pakistan Economic Corridor. Acceptance of these four criteria, according to Qamar Zaman Kaira, president of the PPP Punjab, would help reduce tension and restore order. He declared that his party would reveal its next action against the government at the protest on December 27 if the government did not agree to four PPP requests. All of the opposition parties would be present if the PPP took to the streets (Dawn, 2016, October, 27).

### **Establishment of Inquiry Commission, 2016: PPP Reaction as Parliamentary Opposition**

The Pakistan Commissions of Inquiry Bill, 2016, was approved by the National Assembly on November 29, 2016. It calls for the formation of a strong panel to look into several problems, such as the Panama Papers. The Pakistan Peoples Party members objected to this legislation and left the meeting (Dunya News, 2016, November 30). Everyone was aware that the bill was specific to Panama, according to PPP parliamentary leader Naveed Qamar, who also asserted that it would not help the government. Nafisa Shah, a different PPP MNA, believed that the administration lacked the authority to pass such laws. She asserted that the law was intentionally offered by the administration. "The Sharif family was being saved with every effort," She claimed that if such a law were to become law, there would be more street protests, more adorned containers, and difficulties operating the government (The Express Tribune, 2016, November 29). PPP said on January 15th, 2017 that a protest movement against the government would begin on January 19th. He asserted that the courts do not render justice to PPP in the same number of cases that they do for PML (N). In order for the Panamagate case to be fully resolved, the Supreme Court needed to be given more authority (Business Recorder, 2017, January 15).

### **Disqualification of Prime Minister: Reaction of PPP as Parliamentary Opposition**

In an interview with a private TV network, PPP Co-chairman Asif Ali Zardari urged Sharif to step down in the event that the verdict went against him. He spoke "When the Supreme Court ruled that Yousaf Raza Gilani, the then premier, was ineligible, we did not object. We selected a different prime minister. Nawaz ought to follow suit" (India TV, 2017, April 20). The verdict in the Panama case was made public on April 20, 2017. Although the Supreme Court mandated a thorough investigation into the allegations of corruption, it ruled 3-2 that there wasn't enough justification to remove Sharif from office. The court established the Joint Investigation Team (JIT), which was overseen by a three-person special bench later known as the JIT implementation bench. The Supreme Court was required to hear new evidence from the Panama Case JIT every 15 days, and the JIT was given 60 days to finish its investigation. It had the power to investigate every respondent and associated party, including the Prime Minister (Dawn, 2017, May 5). In order to implement the Supreme Court's decision in the Panama Papers case, PPP Co-chairman Asif Ali

Zardari asserts that Prime Minister Nawaz Sharif must step down before the Joint Investigation Team is established (Geo News, 2017, May 3).

The joint investigating team (JIT) that the Supreme Court established to look into the family's offshore assets as revealed by the Panama Papers has questioned the Pakistani Prime Minister and members of his family. Asif Ali Zardari, co-chairman of the PPP, said that if Nawaz Sharif is represented by a lion in his electoral emblem, he should resign on this day and face the accusations of corruption made against him "like a lion" (ND TV, 2017, July 6). Following the JIT's conclusions, the court has ordered Nawaz Sharif to resign from his roles as prime minister and leader of the National Assembly. July 28th, 2017 (Daily Pakistan, 2017, July 28).

The PPP chairman expressed his appreciation for the disqualification of the prime minister and assured the public that his group was ready to tackle any eventuality, including the upcoming midterm elections. The PPP asserted that it was the first party to raise the subject of the removal of the Prime Minister and that the decision was in the people's favour and a triumph for the nation. "We raised the problem on April 4 in Garhi Khuda Bakhsh," he stated. He added that the party leaders believed that legislation in this area will be passed by parliament. According to him, PPP was in consultation with other parties and would thereafter nominate a member for the position of premier. Qamar Zaman Kaira, the PPP leader, said: "The verdict was predicted. It has been anticipated for a while. Although all the opposition parties contributed to this, PTI and Imran Khan deserve praise for bringing the matter to court and persevering through the protracted legal process (Dawn, 2017, July 28)

### **Politics of PPP on Panamagate Case: An Analysis**

The Sharif political dynasty in Pakistan was overthrown in the landmark Panamagate ruling by the Supreme Court of Pakistan, along with the country's main opposition. PPP changed its position from one of "friendly opposition." For its own benefit, the PPP attempted to get the most out of this crucial position. PPP desired for all NAB matters to be resolved and for Zardari to depart in safety. Dr Asim's cases ought to be dismissed. Rangers from Sindh should be contacted again. The PPP had a dual-track strategy. To turn around their deteriorating prospects in the province, its leadership in Punjab intends to confront the PML (N). Asif Ali Zardari and some of his supporters in Sindh are keeping their options open, though, in the hopes that Nawaz Sharif will provide security for their human

resources in Sindh. These may turn out to be unfounded expectations given that the federal government was unable to provide protection for Zardari supporters. The PPP's future in Punjab would be totally sealed if it chose to support the PML (N), at least for the upcoming general elections (Rizvi, 2016). The PPP, the Parliamentary opposition, has consistently tried to portray itself as the second-largest party in terms of members of Parliament and as a strong force in opposition, but it has remained ambiguous about its place in Pakistan's political system. In the lead-up to the 2018 general elections, PPP co-chairman Asif Ali Zardari transformed the PPP from a "friendly opposition" to a "strong opposition" and reaped political benefits from the settlement of the Panama leaks crisis and other issues. In the three years since it left office, the party has essentially played the role of a "friendly" opposition due to internal conflicts and disagreements over the accountability measure and the Panama leaks case. In the ongoing conflict between the PML (N) and the PTI, would the PPP position itself once more be considered a respectable political body or not? Asif Zardari, the PPP's co-chairman, maintained a low profile while observing events from afar, refusing to draw any sharp distinctions and allowing his party to take part in what he refers to as the "grey regions" of Pakistan's political system. (Business Standard, 2016, November 8). The PPP nevertheless maintained their advantage over the PTI both within and outside the Parliament and took an active part in the case. Up until the apex court's final

judgment, the party had made various acts and decisions as the situation required.

## Conclusion

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Last but not least, the Panama Papers leak sparked a widely publicized case against Nawaz Sharif, the Prime Minister of Pakistan, in the Supreme Court of the country. This case resulted in a 3-2 decision in favour of a further investigation into the Sharif family's businesses. To look into the family's assets in this regard, the Supreme Court established a Joint Investigation Team (JIT). Within 60 days of its initial meeting, it had submitted its report to the court. According to the findings of the investigation, the Pakistani Prime Minister was permanently barred from holding public office by the supreme court of Pakistan, and the NAB of Pakistan was given the case involving corruption. The PPP, the Parliamentary Opposition, remained ambivalent about its place in Pakistan's political system throughout this entire time, despite its constant goal of becoming the second largest party of the nation in terms of numbers in Parliament. But now that the Panama Papers are out, everything is different. In fact, PPP members were spearheading the opposition to the government in both houses of parliament and presenting themselves as a strong force. The party had internal strife and differences of opinion on the Panama leaks case, but the PPP did not lose ground to the PTI and gave its response in accordance with the circumstances up until the Supreme Court's final decision and its fallout.

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