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Persecution of Ahmadis in Pakistan**

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Coordination des Associations et des Particuliers pour la Liberté de Conscience (CAP LC)

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CAP Liberté de Conscience is a secular European created in 1995 and dedicated to protect the Right of Freedom of Religion and Belief. We combats all forms of discrimination based on religion or belief by alerting European and International bodies. We collects testimonies of discrimination and human rights violations affecting religious or belief communities in order to disseminate them to international bodies, and in order to raise awareness and inform them as well as to generate debate on the protection of Freedom of Religion and Belief. We also advocates for any religious or spiritual group facing discrimination to have their right to Freedom of Religion and Belief recognized.



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The International Human Rights Committee (IHRC) is a non-profit and non-governmental organisation focusing on freedom of religion or belief. The IHRC has specific expertise and experience of working with marginalised religious groups and advocating their precarious position to bring about effective change so

that they can enjoy the same rights as other citizens

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The *Forum for Religious Freedom-Europe* (FOREF) is an independent, secular, civil society formation dedicated to defending the freedom of religion and other fundamental human rights in accordance with international law. FOREF was founded in Vienna, on December 20, 2005, by Prof. Christian Br nner, former Dean of the School of Law (1983-1985) and former Rector (1985-1989) of the

University of Graz as well as former member of the Austrian parliament (1990-1994), and by Peter Zoehrer, a human rights activist and freelance journalist.

Persecution of Ahmadis in Pakistan

No society can claim to be idealistically egalitarian as certain elements of every society always claim superiority over the others, either on ethnic, numerical, or religious basis and try to usurp some rights of the weaker segments, but the governing forces of the societies usually play positive regulatory role in order to quell the unruly advancements of the powerful groups in order to safeguard the rights of the minorities or those weaker segments. In modern world the States have promulgated and implemented laws to guarantee basic human rights for all of its citizens irrespective of their caste, creed or religion and many States have guaranteed these basic human rights by incorporating them in their Constitution or are otherwise accepted by the humanity, while assuring its citizens and international community that the guaranteed right would not be violated at any cost and in case of violation the aggrieved person would be allowed some kind of remedy by approaching the Constitutional Courts for enforcement of those rights.

It is also a fact that despite the aforesaid assurances some States are facing difficult times in order to implement the provisions related to basic human rights due to weakness of their internal systems but there would be only a very few States who despite the availability of required resources don't try to fulfil their responsibilities.

The Ahmadiyya Muslim Community has a long history of persecution and mistreatment by various governments and organisations. Their members are routinely killed in the most barbaric ways, denied basic human rights, and are subjected to vicious propaganda campaigns in several countries. Pakistan may be the only signatory of the International Convention of Civil and Political Rights (ICCPR) who, despite the availability of means to protect and safeguard the human rights of its citizens has reportedly not only failed to perform its duties rather it has become a tool of usurpation of rights of Ahmadiyya Community.

It may be astonishing for most of the people not living in Pakistan that the State of Pakistan has not only declared that Islam is the State religion of the country (Article 2 of the Constitution of Pakistan) rather its Constitution has provided the definition of a Muslim (Article 260(3) of the Constitution of Pakistan). Now the question arises that what is the reason for giving the definition of a Muslim in the basic document of the country? The answer is quite simple. The State was not ready to accept the right of Ahmadis to define their own identity and to claim that they are Muslims. By this Constitutional provision which was made part of the Constitution through second constitutional amendment in 1974 and later amended

through Revival of Constitution Order (President Order 14) of 1985 the legislature of Pakistan in fact approved and encouraged the sentiments of religious hatred prevalent in the society against Ahmadis.

The worst cases are found in Pakistan where being an Ahmadi Muslim is itself a crime. In 1953 radical religious leaders spearheaded a countrywide anti-Ahmadiyya campaign which resulted in rioting against Ahmadis in which many innocent Ahmadis were murdered. Ahmadis were declared “not Muslims” by the state in 1974, and so started the unfortunate saga of vicious state sponsored persecution of Ahmadi Muslims.

In 1984, laws were passed to amend Pakistan’s Penal Code which meant that the act of “posing” as Muslims by Ahmadis was declared an offence punishable by fines and even death. Keeping a copy of the Holy Qur’an is also a crime and so is writing the Kalema - the Muslim declaration of faith.

Although the Constitution of Pakistan guarantees the right of its citizens to practice and propagate their religion (Article 20) but this guarantee has been violated by every organ of the State and Ahmadi Muslims are not allowed to practice and propagate their faith.

Through several presidential orders and constitutional amendments, the legislature of Pakistan has approved and encouraged religious hatred which has become prevalent in the society. A large number of criminal cases have been registered against Ahmadis and many have to undergo imprisonment, torture and even death.

Even in death however, Ahmadis are not safe, and the basic respect which is expected to be afforded to the deceased is disregarded. In June 2022 a vicious and savage attack took place in District Jhelum where Ahmadi Muslim graves were desecrated, and minarets of their mosque demolished. It is a regular occurrence.

There is a long series of horrific incidents against Ahmadis. An 11-year-old Ahmadi boy Tanzeel Ahmad Butt was abducted and brutally killed by his neighbours in Lahore in 2020. He was suffocated and his body hidden in a trunk. Multiple Ahmadi Muslims were gunned down in cold blood. Some victims were doctors and professors who were just going about their daily business in serving their country. Just this year, an Ahmadi in his thirties was stabbed to death in front of his two children by an extremist student of a religious seminary. In another incident in Peshawar a grave of an Ahmadi was dug out and his body remains were thrown out.

Marginalisation of an Ahmadi Muslim starts from the very early years of life. In schools and colleges, the social boycott of Ahmadi students is routine. Teachers openly spew hatred against the community. In many university campuses, Ahmadi Muslims are barred from entering certain areas. They have to mention their religion in school admission forms and have to denounce the founder of the community to get a government job or apply for a passport.

Hate speech against Ahmadis is not considered an offence in Pakistan. Even the mainstream media spreads hatred against Ahmadis. In Parliament, lawmakers spew hatred to garner support from the masses.

Courts are usually considered independent arbiters in every democratic society and the judges are required to act independently while raising themselves above the personal liking, disliking and prejudices. But in case of Ahmadis the courts are not performing their duties. The anti-Ahmadiyya laws were assailed before the Supreme Court of Pakistan on the ground that these

laws has put restrictions on Ahmadis from practicing and propagating their religion which are against the fundamental rights of Ahmadis but the Supreme Court of Pakistan declared that the Anti Ahmadiyya laws are not against their fundamental rights (Zaheer Uddin vs The State, 1993 SCMR 1718). The anti-Ahmadiyya laws and decision of Zaheer Uddin case is the manifestation of the extreme hatred prevalent in Pakistan against Ahmadis.

For the last many years, the State has now started registering the cases against Ahmadis under section 295-B (defiling of Holy Quran), 295-C (defiling of name of Prophet Muhammad PBUH) and Anti-Terrorism laws and the reason for registering these cases is the religious intolerance against Ahmadis.

Pakistan Telecommunication Authority has issued notices to Ahmadis in the USA, UK, Australia, and other countries with threat of criminal prosecution, demanding they shut down their Ahmadiyya websites because they go against Pakistan's laws.

It also pressured Google to take down the Ahmadiyya Muslim Quran App developed outside Pakistan. Initially unsuccessful, the PTA then threatened to block Google completely in Pakistan. Gut-wrenchingly, Google preferred its commercial interest over the values of human rights and the app has been removed from its Pakistani server.

The Ahmadiyya Muslim Community also faces persecution in Algeria, Indonesia and Malaysia and members have to practice their faith covertly in some Arab countries out of fear of reprisals. Such hate is not confined to Muslims countries as anti-Ahmadi sentiment has reached the shores of the UK with calls for Ahmadi Muslims to be killed being broadcast on TV a few years ago.

Fortunately for Ahmadis living there, government regulations promptly cracked down on such dangerous hate speech. The same is sadly not the case in Pakistan where radical clerics spread their vile.

This terrible situation requires urgent international intervention. Political and faith leaders from across the world just met in London to secure Freedom of Religion and Belief for everyone worldwide yet here we are with absolute contradiction of all the Charters on Freedom of Religion. For the respect of all that was resolved in the international conference, the world must take immediate and urgent action to ensure that Ahmadis in Pakistan enjoy their full right to their religion and are able to freely practice their faith as required.

Recommendations :

1. Repeal all laws that discriminate against Ahmadi Muslims, including laws that curtail their right to freedom of thought, conscience, religion and belief, opinion and expression, offline and online, and amend them in accordance with international human rights standards;
2. In particular, repeal all anti-blasphemy laws, and ensure that the State's domestic laws, policies and practices comply with the international human rights covenants, in particular articles 2, 18, 19 and 26 of the ICCPR.
3. Strengthen legislative and institutional responses in effectively addressing hate speech and incitement to national, racial or religious hatred, in accordance with the established international human rights standards and by integrating the guidance provided the Rabat Plan of Action;
4. Take positive steps to ensure equal and effective participation of Ahmadis in public life and in decision-making processes that affect them, including by guaranteeing their political

representation and their free exercise of their right to vote; by guaranteeing their access to employment and public services of any kind, and by protecting their right to form and maintain their associations and organizations;

5. Address the multiple and intersecting forms of violence and discrimination suffered by the Ahmadi community, including those faced by Ahmadi women, children and refugees.

6. Ensure accountability and prosecute all those responsible for violations and attacks against Ahmadis and other minorities, and design and implement human rights awareness- raising and training programmes for all relevant state institutions and public officials, with the active participation of Ahmadiyya communities, as well as of religious leaders representing different faiths.

Annex A IHRCIR0506221 05 June 2022

Annex B IHRCIB2305225 23 May 2022

Annex C IHRCIB2305225 23 May 2022

Annex D IHRCIR1307223 13 July 2022

Annex E IHRCPB1307224 13 July 2022