**Intolerance and Discrimination based on Religion or Belief and the achievement of Sustainable Development Goal 16 (SDG 16**

**PAKISTAN – AHMADIYYA MUSLIM COMMUNITY**

1. **State Action against Ahmadis**
2. **Legislation and application**
3. Laws

In 1974 Prime Minister Bhutto enacted an amendment to the constitution declaring Ahmadis to be non-Muslims. In the 1980s, measures brought in by Zia-ul-Haq to Islamicise Pakistan’s civil and criminal law affected all religious minorities but particularly Ahmadis.

Zia-ul-Haq’s 1984 Ordinance XX introduced explicit references to Ahmadis in sections 298b and 298c of the Pakistan Penal Code (PPC). Section 298b significantly restricts Ahmadi freedom of religion and expression requiring ‘a term which may extend to three years’ and a fine for any Ahmadi[[1]](#footnote-1).

The same punishment is prescribed for any Ahmadi who ‘refers to the mode or form of call to prayers followed by his faith as ‘*Azan*’ or recites *Azan* as used by the Muslims’.

Section 298c prohibits Ahmadis from calling themselves Muslim, posing as Muslims, calling their faith Islam, preaching or propagating their faith and from insulting the religious feelings of Muslims. 298c specifically defines Ahmadis as non-Muslims, imposing three years imprisonment and a fine on any Ahmadi who:

“**[...] directly or indirectly, poses himself as Muslim, or calls, or refers to, his faith as Islam, or preaches or propagates his faith, or invites others to accept his faith, by words, either spoken or written, or by visible representations, or in any manner whatsoever outrages the religious feelings of Muslims**”

Clauses added to the PPC in 1986 (sections 295b and 295c) made defiling the Holy Qur’an or the name of the Holy Prophet subject to heavy penalties including the death penalty, life imprisonment and fines. In 1991, the Sharif government made the death penalty the mandatory punishment for blasphemy against the name of the Prophet.[[2]](#footnote-2)

1. Arrests and cases brought

Since 1984, thousands of arrests have been made and cases brought against Ahmadis under these laws. It is impossible to set all of these out here. **By way of example, in the past few months a case has been registered against an Ahmadi woman under section 295-C, PPC in which the elderly Ahmadi woman is behind the bars. Also, in the past few days a case (FIR No. 29 of 2020) has been registered against number of Ahmadis including head of Ahmadiyya Muslim Youth Association of Pakistan and Heads of different Departments of Sadar Anjuman Ahmadiyya Pakistan yesterday. One Ahmadi life devotee has been arrested while there is an apprehension that FIA would raid at Rabwah for the arrest of other high officials of Ahmadiyya Community nominated in the FIR.**

These cases and arrests may be initiated both by state officials and private persons. The procedure itself has an extremely negative impact on the lives of Ahmadis who have cases brought against them. In particular, the process requires, (where the defendant is not in custody), the defendant to appear at the court where the complaint has been lodged between once every 15 – 31 days, until the case is closed. In many of the cases against Ahmadis, cases are never closed because a lack of evidence results in continual adjournment.

1. Restrictions on publications

Ahmadis have severe restrictions placed on their publications in Pakistan. In addition to being subject to the laws set out above, the publications are regularly served with specific banning orders. For example, Notifications from the Government of Punjab banning Ahmadi materials (19.7.06, 1.9.06, and 9.9.06).[[3]](#footnote-3)

1. Restrictions on public meetings and gatherings

Ahmadis have not been granted permission to hold their annual convention in Rabwah since 1983,[[4]](#footnote-4) and are repeatedly prevented from holding public meetings.[[5]](#footnote-5)

1. **Executive action and other regulatory measures against Ahmadis**

It is important to note that what follows is official state policy and action. It does not begin to cover all the examples and situations of unofficial discrimination by the state or social discrimination that takes places throughout Pakistan’s state structure.

1. Disenfranchisement – Voting Rights

Ahmadis are not able to vote, and are not even registered since registration would require Ahmadis to deny their faith.[[6]](#footnote-6) In January 2002 the Pakistan government abolished the system of separate electorates under which different denominations, including Sunnis, Christians and Sikhs, were placed on different electoral roles. A ‘joint electorate’ was introduced in which all eligible citizens of Pakistan are placed on a single list of voters. However, an exception for Ahmadis was introduced by the President via Chief Executive's order No 15 (17 June 2002) which created a supplementary list of voters in which Ahmadis are categorised as non-Muslims. Ahmadis are the only religion to continue to be on a separate electoral list. In order to register themselves to vote, Ahmadis would have to accept that they were not Muslims – something that as a matter of principle they would not be able to do. As such, Ahmadis are ‘effectively disenfranchised’. As a result, for example, in Rabwah, not being able to vote means that the Mayor (Nazim) and Town Council are not accountable to the majority of Rabwah residents. Only 1,700-1,800 people are registered to vote in Rabwah out of a population of around 51,000.[[7]](#footnote-7)

1. Holding public office

Ahmadis are barred from entry to public office except at the lowest level.[[8]](#footnote-8) Ahmadis are prevented from accessing senior employment in state defence or civil institutions; there are no Ahmadi policy makers, judges or educationalists.[[9]](#footnote-9) Even non-Ahmadis running in elections have to sign affidavits declaring that they are not Ahmadis.

1. Passports and identity documents

In 1980, a religion column was introduced into the Pakistan passport. Any applicant claiming to be Muslim has to declare: ‘**I consider Mirza Ghulam Ahmad [the founder of the Ahmadiyya Muslim Community] to be an impostor**’. To declare this would be to deny a central tenet of Ahmadi faith.

1. Higher education

Ahmadis are often denied access to higher education and students face severe restrictions and ostracization.[[10]](#footnote-10)

1. Buying property

Ahmadis are restricted in their ability to buy property. Within Rabwah, the government has created an area of requisitioned land on which plots have been put up for sale, but Ahmadis are specifically banned from bidding.[[11]](#footnote-11)

1. **Non-state persecution of Ahmadis**
2. **Overview**

Since Ahmadis were declared to be not Muslim by the former Prime Minister, Zulfiqar Bhutto, there have been murders, attempted murders, kidnappings, tortures, and numerous other attacks on persons and property. The threat to Ahmadis varies from place to place: in some villages Ahmadis are able to live safely, whilst in others they have been driven out. Since the Lahore attacks in 2010 the overall trend of violence against Ahmadis is worsening.[[12]](#footnote-12)

1. **Incitement to hatred and violence**

There is regular and constant incitement of hatred and violence against Ahmadis in Pakistan. This is undertaken in an environment of ignorance and religious fervour. In large parts of Pakistan where literacy is low, people’s understanding of unfamiliar issues is determined by what they hear in the Mosque.[[13]](#footnote-13) Over time the religious political parties have gained in strength, sensitising the population to the status of Ahmadis to the point where ‘the common man can be incited and brought to the street against Ahmadis’.[[14]](#footnote-14) In such a climate, religious extremists have seized the opportunity to incite people against Ahmadis such that according to the Pakistan Human Rights Commission, Ahmadis face the worst treatment of anyone in Pakistan, both by the State and by other actors in society.[[15]](#footnote-15)

Of particular note must be the *Khatme Nabuwwat[[16]](#footnote-16)* movement, who regularly hold conferences and marches inciting hatred and violence against Ahmadis, and distribute literature performing the same function. They are also responsible for many of the attacks upon Ahmadis and their property. In particular, they call for the banning of Ahmadiyyat, and for the killing of Ahmadis.[[17]](#footnote-17) They are known to incite people to attack Ahmadis in speeches broadcast on loudspeakers from their mosques,[[18]](#footnote-18) using what has become a much-used phrase in reference to Ahmadis: *wajibul qatl*, which means those who deserve to be killed, and indeed, according to some, those whom Muslims have a duty to kill. *Khatme Nabuwwat* were responsible for graffiti on the wall of a mosque reading: ‘the wholesome security of Islam and the faith lies in total liquidation of Ahmadis’.[[19]](#footnote-19) No state action is taken against *Khatme Nabuwwat*.[[20]](#footnote-20)

1. **Attacks on persons**
2. Isolated individual attacks

A large number of attacks on Ahmadis and their families take place regularly in Pakistan. These are either pre-planned targeted killings, attacks and abductions or opportunistic murders. Hundreds of Ahmadis have been killed in this manner. See also example referred to above at 1(b).

1. Concerted mob attacks

There have been a number of occasions where mobs have formed attacking Ahmadis and their property. These either arise spontaneously, often after specific agitation, or occur during and after organised anti-Ahmadi marches, rallies and conferences.

1. Targeted and pre-planned attacks on mosques

Increasingly there have been pre-planned and targeted attacks on Ahmadi mosques by Islamist militants. These often see individuals storming Ahmadi mosques during prayer times, firing weapons at Ahmadis and then fleeing the scene. The deadliest, incident was in Lahore on 28 May 2010 when two mosques were simultaneously attacked killing 86 Ahmadis and injuring hundreds - including a British Citizen. The attacks received widespread media coverage due to their scale and intensity which at one stage saw more than 1,000 people trapped in the larger Darul Zikr mosque as the gunmen sought to kill as many as possible with grenades and guns. The siege at the mosque lasted for nearly 4 hours during which the gunmen shot anyone who moved. This was the biggest loss of life for the community in a single incident yet still drew very little reaction from the Pakistan Government.

1. **Attacks on property**

Again, like the attacks on persons, attacks on Ahmadi-owned property is either pre-planned or develops spontaneously, in particular following anti-Ahmadi events.

1. Attacks on community property

Ahmadi mosques are under constant threat. Since 1984[[21]](#footnote-21), 20 Ahmadi mosques have been destroyed by mobs, 25 sealed by authorities, 11 set on fire, 14 forcibly occupied and 35 disallowed construction.

Further, there have been many reported incidents of desecration of Ahmadi graves, and exhumation of buried Ahmadis.[[22]](#footnote-22)

1. Attacks on individual property

In addition to attacks on individual Ahmadis, the members of the community are also under constant threat of attacks on their property.

1. **The media**

This section briefly outlines the role that the media plays in the persecution of Ahmadis. The Human Rights Commission of Pakistan has described the vernacular press as having become virulently anti-Ahmadi. State television contains broadcasts of anti-Ahmadi rhetoric, including phrases such as ‘Ahmadis deserve to die’. Even in the traditionally liberal English language press, religious freedom is becoming harder to defend as journalists increasingly fear attacks if they defend Ahmadis.[[23]](#footnote-23)

Similar, items appear in the broadcast media also. Somewhat worryingly, the last two years has seen a large increase on incitement to violence and murder on national television.

1. **Tacit official support of anti-Ahmadi activity and lack of state action**

Not only is there much official persecution of Ahmadis in Pakistan, as set out in section A, the state continues to support – tacitly and sometimes more explicitly – the acts of individuals and groups against Ahmadis, and indeed is often indifferent to the plight of its Ahmadi citizens.

1. **Official state incitement against Ahmadis**

The 1970s-1990s saw explicit support and encouragement of the persecution of Ahmadis by state officials of the highest level, not least the former Prime Minister, Zulfiqar Bhutto, and the former military dictator, General Zia-ul-Haq. In August 1985, General Zia stated: ‘we will persevere in our effort to ensure that the cancer of Qadianism (a derogatory term for Ahmadiyyat) is exterminated’.

1. **Official state support for anti-Ahmadi efforts**
2. Official association with those that incite hatred and violence

As set out above, *Khatme Nabuwwat*, is one of the organisations at the forefront of the efforts to persecute Ahmadis in Pakistan. Their measure and acts are often supported by state officials.

Often government sponsored signs, adverts and billboards appear in public areas, with messages inciting people against Ahmadis. This continues to this day even after the Lahore attacks and can be seen in public and in the courts of law.

1. Police support of anti-Ahmadi activity

During anti-Ahmadi marches, police often line the streets and look on as members chant anti-Ahmadi slogans that are inciting violence.[[24]](#footnote-24) Likewise, often when mobs are attacking Ahmadi property, the police will assist (or at least be present).

1. **Failure of state to protect, prevent and punish**
2. Failure to protect

Despite constant threats against Ahmadis in Pakistan, there has been little, if any, state protection of Ahmadis. Even when specific threats are made, the state fails to provide any protection. In one such case, after the attack of an Ahmadi by a mob in Sialkot, after going to the police, the victim was advised that ‘if you want to save your life, get away from here’. After subsequently fleeing the area he was found and shot after the distribution of his photograph at a *Khatme Nabuwwat* conference.

1. Failure to prevent

See D.(ii)(b) above.

1. Failure to investigate and prosecute perpetrators

The police regularly refuse to investigate crimes against Ahmadis when they are reported. This is often as a result of individual or collective support of the actions of the perpetrators, or sometimes as a result of a culture of fear if seen to be assisting Ahmadis. No one dares to prosecute the Mullahs for incitement: there would be too strong a backlash.[[25]](#footnote-25) According to Amnesty International Pakistan: ‘Police investigations of targeted killings of Ahmadis in Pakistan have been slow or have not taken place at all. In many cases the perpetrators have not been brought to justice. We at Amnesty International believe that the government’s consistent failure to investigate attacks and killings of members of religious minorities fails to discourage further human rights abuses against such groups.’[[26]](#footnote-26)

1. Failure of judicial system to vindicate rights of Ahmadis

When blasphemy cases are being heard people protest outside the court having a tangible impact on decisions: as seen in cases that have been quashed in the higher courts due to unsustainable findings of fact rather than on a legal basis. District courts will give sentences such as amputations, relying on the higher courts to quash the case. Some judges in the High Court may receive protection, rendering the whole judiciary susceptible to threats from extremists. There have been cases where judges hearing Ahmadi cases have been threatened and even forced into hiding.[[27]](#footnote-27)

1. **Mistreatment of victims and complainants**

Not only do officials fail to take action against the perpetrators when complaints are made to them by Ahmadis, they often arrest and take action against those who are the victims of the persecution. The atmosphere of intolerance towards Ahmadis is increasing, and is being directly and indirectly nurtured by the government who do not defend Ahmadis. No members of the judiciary or government speak out against the violence and persecution. This has led to many Ahmadis fleeing Pakistan with some faring no better as refugees in places like Thailand and Malaysia.

**END**

**1 June 2010**

1. [...] who by words, either spoken or written, or by visible representation;

(a) refers to, or addresses, any person, other than a Caliph or companion of the

Holy Prophet Muhammad (peace be upon him), as ‘*Ameerul Mumineen*’,

‘*Khalifa-tul-Mumineen*’, ‘*Khalifa-tul-Muslimeen*’, ‘*Sahaabi*’ or ‘*Razi Allah*

*Anho*’

(b) refers to, or addresses, any person, other than a wife of the Holy Prophet

Muhammad (peace be upon him) as ‘*Ummul-Mumineen*’

(c) refers to, or addresses, any person, other than a member of the family (Ahlebait)

of the Holy Prophet Muhammad (peace be upon him), as ‘*Ahle-bait*’; or

(d) refers to, or names, or calls, his place of worship as ‘*Masjid*’ [↑](#footnote-ref-1)
2. *Rabwah: A Place for Martyrs?* Report of the Parliamentary Human Rights Group Mission to Pakistan into internal flight for Ahmadis, January 2007 (hereinafter, *Rabwah Report*), 1 [↑](#footnote-ref-2)
3. *Ibid.*, 30 [↑](#footnote-ref-3)
4. *Ibid.*, 17 [↑](#footnote-ref-4)
5. Human Rights Commission of Pakistan, *State of Human Rights 2005*, January 2006, 118 [↑](#footnote-ref-5)
6. *Rabwah Report*, iii-iv [↑](#footnote-ref-6)
7. *Ibid.*, 25 [↑](#footnote-ref-7)
8. *Ibid.*, iii [↑](#footnote-ref-8)
9. *Ibid.*, 6. This is particularly troubling as Ahmadis are amongst the most highly educated within Pakistani society. Indeed, prior to 1974, despite discrimination existing, there was scope for Ahmadis to advance in public employment. In fact, Pakistan’s first foreign minister was an Ahmadi as was its first and only Muslim Nobel Laureate. [↑](#footnote-ref-9)
10. *Ibid.*, iii. “Muslim students must declare in writing that they believe in the unqualified finality of the prophethood of Muhammad, a measure designed to single out Ahmadis”, US State Department, International Religious Freedom Report 2006, September 2006, www.state.gov/g/drl/rls/irf/2006/ [↑](#footnote-ref-10)
11. *Ibid.*, 24 [↑](#footnote-ref-11)
12. *Ibid.*, 7 [↑](#footnote-ref-12)
13. *Ibid.*, 6 [↑](#footnote-ref-13)
14. *Ibid.*, 8 [↑](#footnote-ref-14)
15. *State of Pakistan 2005*, 118 [↑](#footnote-ref-15)
16. Translates as ‘Finality of Prophethood’. This organisation was established primarily to attack the Ahmadis and their beliefs. They are often supported by the local and national governments of Pakistan. [↑](#footnote-ref-16)
17. *Rabwah Report*, 8. See also UK Home Office Science and research Group Country of Origin Information Service, Country of Origin Report Pakistan, 26/04/2006, Annex C: Political parties and militant groups. [↑](#footnote-ref-17)
18. *Ibid.*, 16 [↑](#footnote-ref-18)
19. *Ibid.*, 16 [↑](#footnote-ref-19)
20. For state support of persecution of Ahmadis, see section D below. [↑](#footnote-ref-20)
21. Figures are from 1984-2006 [↑](#footnote-ref-21)
22. *Rabwah Report*, 18 [↑](#footnote-ref-22)
23. *Ibid.*, 6-7 [↑](#footnote-ref-23)
24. *Ibid.*, 21 [↑](#footnote-ref-24)
25. *Ibid.*, 22 [↑](#footnote-ref-25)
26. Fact Finding report of Amnesty International Pakistan – Mission to Jhando Sahi, 13 August 2006 [↑](#footnote-ref-26)
27. *IHRC Fact Finding Report Pakistan 2015.* [↑](#footnote-ref-27)