



SUBMISSION TO APPG for International Freedom of Religion or Belief

Factual background

1. Details of the persecution faced by Ahmadi Muslims in Pakistan have been well documented by various governmental and non-governmental reports. Other minorities also face persecution but it is beyond dispute that the persecution of Ahmadis is most severe and sustained, particularly as it is endorsed by the State. A key and most recent comprehensive and independent Report is attached at Annex I. This Report is the first of its type covering the persecution of Ahmadi Muslims in detail. The Report was recently presented at a side-event at the recent UN Human Rights Council Meeting in March by the UN Special Rapporteur for Religious Freedom or Belief, Heiner Bielefeldt.

General situation in Pakistan for Ahmadi Muslim

2. Ahmadis are under constant persecution in Pakistan, most notably, from i) state persecution and ii) persecution from private individuals and groups which has direct or indirect state support.
3. *The general security situation for Ahmadi Muslims in Pakistan is dire. The Blasphemy legislation and Ahmadi-specific repressive laws are implemented on a daily basis at political, economic, social and educational level affecting Ahmadis from all sectors of society and of all ages. This repressive legislation and state endorsed compliance has had traumatic consequences for all Ahmadis as they continue to live in fear of daily persecution by the state, the judiciary, the police, religious vigilantes, media and the general public, thus effectively denying them their most basic fundamental entitlements of religious freedom and human rights.*
4. Recently the State introduced a column in 'Educational Forms' for examinations to educational boards where every person has to declare as to whether he/she is a Muslim or a non-Muslim. This places Ahmadis in a situation where if they say they are Muslims they are liable to punishment according to the laws of Pakistan while on the other hand if they say they are non-Muslims it is specifically against their faith. Further in case of a Muslim declaration they are forced to sign a declaration that founder of Ahmadiyya Muslim Community is an imposter or a liar, which no Ahmadi can do. This effectively amounts to



closing the doors of education to Ahmadi children unless they violate their religious beliefs or face prosecution.

5. Further even courts are siding or at least are silent against Ahmadi persecuting. Most judges are scared to take any decision favourable to Ahmadis. In some cases (at least 3 at High Court level) even after announcing the decisions in favour of Ahmadis, judges were forced to take them back under pressure from the clerics and lawyers representing the hardline religious groups. This deprives Ahmadis of their sole hope of any sort of justice from the law in Pakistan.
6. The security situation is such that the Ahmadi Muslim Community in Pakistan is one living in a climate of constant fear at all times looking over its shoulder and completely isolated with nowhere to turn but to itself for support. Even Rabwah an Ahmadi predominant town is not safe. Since then the position of Ahmadis has deteriorated further and it is acknowledged at least by the United Kingdom's tribunals that the persecutory laws, which are of countrywide application, are in themselves the mischief. Opponents of the Ahmadiyya Muslim Community are fully aware that there is a concentration of Ahmadis in Rabwah and seek to focus their attention upon this city. "Rabwah is thus always likely to provide only an ephemeral and false sense of security to an Ahmadi since neither the law enforcement agencies nor the politicians have any special interest in protecting the Ahmadi population evidenced by the fact that the entire population of the town has been the object of persecutory FIRs being lodged against them. It is unlikely that an Ahmadi could safely relocate to any new location elsewhere in Pakistan as one's religion appears on most official documents and it would only be a matter of time before the Ahmadi faith of the individual might come to the fore. For instance, the fact that an Ahmadi would not attend a Sunni mosque would become noticeable and if an Ahmadi declines an invitation to pray at a Sunni mosque it could alert a neighbour or colleague to the individual's faith." (Fact Finding Report – On the rising persecution of the Ahmadiyya Muslim Community)
7. In the past few months there have been a spate of incidents in Pakistan ranging from IS declaring through social media that they will attack Ahmadi Muslim's in Pakistan to an armed attack on an Ahmadi Mosque on Sunday 12 July. An Ahmadi mosque in Tonsa Sharif in Pakistan was attacked by armed gunmen. The attack was similar in nature to the Lahore attacks but thank fully did not have the same consequences as the attack was not successful.



8. In short the general security situation for Ahmadi Muslims is bleak with no short-term prospect of improvement. This is more so for Ahmadi ladies who now due to the security concerns do not go to the mosques for worship and are unable to take part in social or religious gatherings.

Possibilities for Ahmadis to profess their faith and the possibilities to express it publicly, through evangelism or otherwise

9. Article 298C PPC prevents Ahmadis from propagating the faith. Under this article an Ahmadi becomes liable to be imprisoned for up to three years or face a fine if he or she “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. Further, Article 298C forbids Ahmadis from “posing as Muslims” directly or indirectly “or from outraging the feelings of Muslims”. The loose wording of the law means it is regularly abused to harass and discriminate against Ahmadis.
10. By virtue of the anti-Ahmadiyya laws, specifically Ordinance XX Ahmadis are prohibited from expressing their true faith as Muslims. They are also barred for communicating about their faith to others as it will most certainly constitute propagating their faith or inviting others to their faith.
11. “Ahmadis are constrained from uttering even the most basic of Islamic greetings such as “Assalamu alai kum” or referring to an Ahmadi place of worship as a “mosque”. Although not specifically referred to in the law anything that might remotely display the Muslim nature of their faith such as wearing a ring with a Quranic verse, displaying the “kalma” (Islamic creed) in one’s home or shop, being found in the possession of a Quran, beginning a letter with “Bismillahirrahmanirahim” (In the name of Allah, the Benevolent, the Merciful) as is customary for Muslims, saying “Insh’allah” (God willing) or even bearing a name such as “Mohammed” may incur the wrath of fanatical elements who may then take vengeance upon the individual as a case may be brought against them for “posing as a Muslim” since the law is very loosely drafted and thus a charter for abuse has been provided to fundamentalist elements. Alternatively they may take the law into their own hands since their belief is that by eliminating infidels by killing them one earns a place in heaven.” (Fact Finding Report – Rising Persecution of Ahmadiyya Muslim Community)
12. The law clearly states that Ahmadi Muslims cannot preach or propagate their faith. This is beyond doubt and dispute. This makes the Ahmadiyya Muslim Community unique in



Pakistan as being the only religious community in Pakistan to be targeted by the state simply on grounds of faith. This legislation not only prohibits preaching and other forms of proselytizing but also in practice restricts other elements of manifesting religious belief, such as holding open discourse about religion with non-Ahmadis, even where these do not amount to proselytizing. The prohibitions include referring openly to one's place of worship as a mosque and to one's religious leader as an Imam. Ahmadis are not allowed to refer to the call to prayer as "azan", or to call themselves Muslims, or to refer to their faith as Islam. Sanctions include a fine and imprisonment and, if blasphemy is found, there is the possibility of the death penalty. If the death penalty is imposed there is a risk of lengthy incarceration. This legislation is used by non-state actors to threaten and harass Ahmadis.

13. *Ahmadi Muslims cannot openly profess their faith publicly through evangelism or otherwise. The definition of proselytizing is being stretched for Ahmadi Muslims and is now limited to activities such (but not exclusively) as serving humanity through medical camps which may lead to discussions about Ahmadiyyat although not publicly; Ahmadis discussing Ahmadiyyat with non-Ahmadis once they have become familiar with them although they run the risk of being reported; for women the attire generally worn by Ahmadi ladies can be a means and way of proselytizing – again this attracts the risk of being discriminated against particularly socially where they are easy targets. Performing the aforementioned activities is still not an easy task as it means there is risk to the relevant Ahmadi and can have negative repercussions.*

HOME OFFICE/UNHCR

14. The United Kingdom current Home Office Policy states “Internal relocation may be an option where the risk is from non-state actors”. This is incorrect and contrary not only to the UNHCR Eligibility Guidelines, international observations through NGOs but also through the United Kingdom country guidance case of MN which also recognizes that Rabwah does not provide any greater level of safety than elsewhere in Pakistan.
15. From the information we have and according to reports we receive from other organisations and individuals, particularly those claiming asylum, the guidelines set out in MN are not being followed and cases are being pushed down the Tabligh (preaching route). All too often there is a general pattern of refusing cases due to adverse credibility when the circumstances are not fully appreciated, the situation of Ahmadis in Pakistan, MN not being followed and not fully considering the evidence of the Ahmadiyya Muslim Association UK.



The Ahmadiyya Muslim Community is very careful in verifying accounts and will only verify where the Ahmadiyya Muslim Community is 100% sure to ensure its credibility that is paramount. However, the fact that information is not verified does not mean it is not true. The Ahmadiyya Muslim Community is a religious organisation, although well organised it cannot be compared to a professional or corporate entity.

16. We have also been informed about delays by the Home Office in processing asylum claims that in some cases have taken several years. There are also concerns where higher courts have granted permission for Judicial Review particularly with regards to agreeing Consent Orders. Further, the situation of Ahmadi ladies needs to be recognised as their rights and activities are more curtailed further intensifying the persecution suffered.
17. It has also been observed that there has been a lack of consistency in decisions on Ahmadi cases by judges. Again this is down to not following the guidelines of MN and more importantly not fully understanding the issue of persecution of Ahmadis. In this regard, it is important to note that the Ahmadiyya Muslim Association UK letter of verifying details of an Ahmadi Muslim asylum claimant is vital and due regard should be given to this. We would recommend better training of not only judges but interviewers, case handlers and interpreters to understand the situation of Ahmadis and application of MN.
18. UNHCR Guidelines do not appear to be followed which is also a concern. With regards to the UNHCR, for Ahmadi Muslims it is very difficult to leave Pakistan and those who manage to leave are primarily going to Sri Lanka, China, Thailand and Malaysia which are a transit destination for quite a few. However, there are many issues in these countries not least with cases taking in many instances between 3 to 5 years to be processed. Whilst there is provision for the UK to take Ahmadis through the Gateway and Mandate Schemes we understand none have been taken. We would recommend that they are and the Home Office liaises with the UNHCR in this regard. Further, just as Canada has a formal resettlement programme for Ahmadi Muslims we suggest that the United Kingdom should also look into this and implement. The persecution and suffering of Ahmadis Muslims is unique and sustained and they should be afforded appropriate protection.

International Human Rights Committee

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ANNEX 1

Fact Finding Report – Rising Persecution of the Ahmadiyya Muslim Community