

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	753
Land:	Pakistan
Kilde:	Coordination des Associations et des Particuliers pour la Liberté de Conscience (CAP LC)
Titel:	CCPPR – International Covenant on Civil and Political Rights 142 Session (14 October– 8 November 2024). Persecution of the Ahmadiyya Community in Pakistan
Udgivet:	17. oktober 2024
Optaget på baggrundsmaterialet:	22. oktober 2024

**CCPR - International Covenant on Civil and Political
Rights
142 Session (14 Oct 2024 - 07 Nov 2024)**

PAKISTAN

**Coordination des Associations et des Particuliers pour la
Liberté de Conscience**

Persecution of the Ahmadiyya Community in Pakistan

Introduction

The Ahmadiyya Muslim Community in Pakistan is enduring an alarming rise in violence and systemic persecution in 2024, with a disturbing trend of targeted murders, desecration of mosques and graves, and the continued denial of basic civil rights.

This year, up to July 2024 alone, four Ahmadi Muslims have been brutally murdered in religiously motivated attacks. These include the killing of Tahir Iqbal, the president of the local Ahmadiyya Muslim Community in Bahawalpur, who was gunned down by motorcyclists in March. In June, a 16-year-old madrassa student murdered two Ahmadi men, Ghulam Sarwar and Rahat Ahmad Bajwa, in separate incidents in Mandi Bahauddin, citing religious motives. The violence continued in July when Zaka ur Rehman, a 53-year-old dentist, was shot dead in his clinic in Lala Musa, Gujrat. These heinous acts reflect the extreme vulnerability of the Ahmadiyya Muslim Community, who are routinely targeted for their faith, with little accountability for the perpetrators.

The violence against the community extends beyond physical attacks to the systematic desecration of Ahmadi Muslim mosques and graves. In February 2024, extremists armed with guns, hammers, and shovels attacked an Ahmadi mosque in Kotli, Azad Jammu and Kashmir, destroying its minarets and brutally beating worshippers. In June, during Eid celebrations, a mob of 150 people attacked another Ahmadi mosque in Kotli and across Pakistan more than 30 Ahmadis were arrested – including a 13 year old boy - for celebrating the Islamic festival of Eid.

The violence against Ahmadi Muslim mosques is compounded by state-sanctioned desecration of their graves. In January 2024, Punjab police desecrated 65 Ahmadi tombstones in Musay Wala, claiming to act on orders from a local official known for persecuting Ahmadis. These acts of desecration not only violate the sanctity of the community's religious sites but also send a chilling message that their existence is unwelcome in Pakistan.

Adding to this climate of fear and suffocation of faith, is the ongoing legal discrimination against Ahmadi Muslims, particularly in the realm of voting rights. Since 1985, Pakistan has denied Ahmadis the right to vote as they are placed on a separate non-Muslim electoral register meaning that the only way they can vote is by renouncing their Islamic faith. As a result, the community has been systematically disenfranchised for nearly four decades including in the elections earlier this year.

The persecution of the Ahmadiyya Muslim Community reached a new level of intensity in

August 2024 following the ruling in the Mubarak Ahmad Sani case. In February 2024, Chief Justice Qazi Faez Isa's bench ordered the release of Mubarak Sani, an Ahmadi Muslim accused of acting in contravention of the Punjab Holy Quran (Printing and Recording) (Amendment) Act, 2021.

Mr Sani had been charged, in 2022, for giving a copy of the book Tafseer-e-Sagheer (Holy Quran with commentary) to Ahmadi students in 2019. However, the court found that as the alleged offense of distributing such material occurred in 2019, no action could be taken as it was not unlawful until the 2021 amendment, and the law could not be applied retrospectively.

It also rejected the call for further charges under the blasphemy laws to be added as there was no evidence of such offences in the FIR or police reports, and it thus ordered his release. This ruling sparked a massive backlash from extremist groups, particularly Tehreek-e-Labbaik Pakistan (TLP), which launched widespread protests and a hate campaign against Ahmadis and Chief Justice Isa.

The situation escalated further in July when the Supreme Court issued a verdict after its review of the decision in which it upheld its decision to release Mr Sani and noted that while the status of Ahmadis under the constitution remain unchanged, Ahmadis had the right to profess and practice their faith in private. This sparked further protests and hostility against the Ahmadiyya Muslim Community, and the issuance of a bounty on Chief Justice Isa's head by TLP leaders.

The Supreme Court was then pressured by extremists and the Punjab Government to conduct a clarification hearing where it was pressed again to overturn the decision despite such action being beyond the remit of such a hearing. Shockingly the earlier verdict was amended - despite it being a final verdict of the country's highest court - and a notice was issued that sections that referenced that Ahmadis had the right to practice their faith in private are to be removed.

This sets a very dangerous precedent for the country. The case underscores the dangerous intersection of the judiciary and politics in Pakistan, where judicial decisions that challenge extremist views can provoke violent reprisals, and it leaves open the door for any future verdict to be overruled by violent threats by extremists.

This is an extremely serious development that clearly threatens Ahmadis, but it also threatens all minorities and indeed every citizen as it completely undermines the independence of the judiciary. This is a far cry from the noble vision of the founder of Pakistan, Mohammad Ali Jinnah, and from the respect, dignity and justice that all Pakistanis deserve, and indeed are entitled to, as equal citizens of the country.

Statistics 2023

Mosque attacks

In 2023, Pakistan witnessed **44 attacks** on Ahmadi mosques, many of which were carried out by the authorities themselves:

- 21 minarets demolished
- 2 arson attacks
- 5 kalima removed
- 7 mehrab demolished
- 6 mob attacks

Desecration of graves

A disturbing total of 109 Ahmadi graves were destroyed or desecrated

Police cases

In a troubling trend, 13 faith-based criminal cases were initiated against Ahmadis in Pakistan in 2023

Human rights abuses against Ahmadis during Eid Festival

- 23 complaints against Ahmadis for carrying out the Eid sacrifice
- 13 Ahmadis formally accused in six cases
- 10 sacrificial animals illegally seized
- 89 Ahmadis harassed by the police

Longstanding human rights violations

- Ahmadis continue to be prohibited from publishing the Holy Quran and its translation
- The entire written works of the founder of the Ahmadiyya Community remain banned in the Punjab province
- Ahmadis continue to be prohibited from holding their annual conference in their headquarters of Rabwah, as well as other public gatherings and events. The last annual conference held in Pakistan was in December 1983, with 250,000 participants in attendance
- Ahmadis remain unable to participate in national and local elections due to discriminatory laws and regulations that specifically target and exclude them from the electoral process
- Multiple community magazines, periodicals and newsletters continue to be banned in Punjab, including a magazine for children
- Ahmadi TV channels remain banned in Pakistan
- Several denationalised Ahmadi educational institutes have not been returned to the community due to ongoing discriminatory policies and reluctance from authorities to restore their ownership rights
- Ahmadis are compelled to declare themselves a non-Muslim minority in order to obtain a national identity card or a Pakistani passport, which contradicts their religious beliefs and impinges on their right to self identify
- The Ahmadiyya mosque in Dulmial has been sealed since 2016, leaving the local community without a place for congregational worship

Recommendations

Discriminatory laws, particularly the Second Amendment to the Constitution of Pakistan and the Anti-Ahmadi laws ushered in through Ordinance XX which curtail the right of Ahmadis to freedom of thought, conscience, religion and belief **need to be repealed.**

Legislative and institutional responses need to be strengthened **to address violence effectively, incitement of religious hatred and hate speech against Ahmadis**, in accordance with the established international human rights standards.

In light of pervasive discrimination and violence against Ahmadis in Pakistan, urgent steps must be taken **to safeguard their fundamental human rights and ensure their full participation in public life, free from fear, hatred and reprisal.**

In order to uphold principles of democratic governance and ensure the protection of fundamental human rights, it is imperative that Ahmadis in Pakistan are guaranteed **the right to vote without discrimination or prejudice**. This recommendation underscores the **needs for legislative reform to amend electoral laws that currently disenfranchise Ahmadis based on their religious beliefs**. Such reforms should unequivocally affirm the right of all citizens, regardless their religious affiliation, to participate in the democratic process and exercise their fundamental right to vote.

Political leaders and lawmakers must unequivocally refrain from perpetuating hatred against Ahmadis or exploiting religious sentiments for political gain. **Such actions not only undermine social cohesion but also contribute to the perpetuation of violence and discrimination against Ahmadis in Pakistan, but also other minorities.** It is imperative that politicians and lawmakers adhere to principles of inclusivity, tolerance and respect for religious diversity in their public discourse and policy-making processes.

State authorities in Pakistan need to cease any involvement in attacks against places of worship and cemeteries and instead fulfil their **duty to protect all religious and cultural sites, including those of the Ahmadi community**. This necessitates strict adherence to the rule of law, impartial enforcement of legal protections for religious minorities, and **accountability for any complicity or negligence in facilitating attacks on Ahmadi mosques and cemeteries**.

It is imperative that Ahmadis are granted the **freedom to practice their religious festivals without fear of reprisals or arrest**, as guaranteed by international human rights standards and Pakistan's constitution. **The targeting of Ahmadis by both law enforcement authorities and extremists during religious festivals, such as the Eid, is a flagrant violation of their rights** and undermines principles of religious freedom and tolerance.

Any **ban on Ahmadiyya books, magazines, newsletters, websites and other forms of media and publications must be rescinded** and all steps must be taken to ensure that Ahmadis fully enjoy **the right to seek, receive and impart information and ideas**.

The discriminatory measures and regulations targeting Ahmadi lawyers enacted by bar councils and associations in Pakistan in recent years must be promptly revoked to uphold the principles of equality, fairness and justice within the legal profession. These discriminatory practices undermine the fundamental rights of Ahmadi lawyers and perpetuate a culture of intolerance and exclusion.

The government of Pakistan must work to eliminate all forms of anti-Ahmadi discrimination in schools, work places, commerce and housing. In the case of education, steps must be taken **to revise and amend national curricula and textbooks to eliminate prejudicial references to and caricatures of Ahmadis in particular**.

Recommendations :

The government of Pakistan must uphold its obligations under the ICCPR to respect and ensure the rights of the Ahmadiyya community without discrimination. Specifically:

- Repeal discriminatory laws and policies that violate the Ahmadis' rights to freedom of thought, conscience, religion, and belief **(Article 18 of the ICCPR)**.
- Take effective measures to prevent and address violence, incitement of hatred, and attacks against the Ahmadiyya community, in line with the state's duty to protect the right to life **(Article 6)** and prohibit advocacy of religious hatred **(Article 20)**.

- Guarantee the Ahmadis' right to participate in public affairs, vote, and have access to public service on an equal basis with others, without discrimination **(Article 25)**.
- Ensure the Ahmadis' right to equality before the law and equal protection of the law without discrimination **(Article 26)**.
- Protect the rights of the Ahmadis, as a religious minority, to enjoy their own culture, profess and practice their religion, and use their language **(Article 27)**.
- Refrain from any unlawful or arbitrary interference with the Ahmadis' privacy, family, home, or correspondence, and protect them against unlawful attacks on their honor and reputation **(Article 17)**.
- Ensure the Ahmadis have access to effective remedies for any violations of their rights **(Article 2)**.