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Country Information and Guidance

Pakistan: Ahmadis

February 2015

Preface

This document provides guidance to Home Office decision makers on handling claims made by nationals/residents of – as well as country of origin information (COI) about – Pakistan. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the guidance contained with this document; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Country Information

The COI within this document has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the European Asylum Support Office’s research guidelines, [Country of Origin Information report methodology](#), dated July 2012.

Feedback

Our goal is to continuously improve the guidance and information we provide. Therefore, if you would like to comment on this document, please [e-mail us](#).

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

It is not the function of the IAGCI to endorse any Home Office material, procedures or policy.

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Section 1: Guidance

Updated: 23 February 2015

1. Introduction

1.1 Basis of Claim

- 1.1.1 Fear of persecution by the Pakistani authorities or by non state actors due to the person being an Ahmadi (Ahmadiyya).

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1.2 Summary of Issues to Consider

- 1.2.1 Is the person's account a credible one?
- 1.2.2 Are Ahmadis at risk of mistreatment or harm in Pakistan?
- 1.2.3 Are those at risk able to seek effective protection?
- 1.2.4 Are those at risk able to internally relocate within Pakistan?

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2. Consideration of Issues

2.1 Is the person's account a credible one?

- 2.1.1 Decision makers must consider whether the material facts relating to the person's account of their religion and of their experiences as such are reasonably detailed, internally consistent (e.g. oral testimony, written statements) as well as being externally credible (i.e. consistent with generally known facts and [the country information](#)). Decision makers should take into account the possible underlying factors as to why a person may be inconsistent or unable to provide details of material facts.

For further information on these and assessing credibility more generally, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

- 2.1.2 In determining whether the person is an Ahmadi and is at risk because they are an Ahmadi, based on the guidance contained in [MN and others \(Ahmadis - country conditions - risk\) Pakistan CG \[2012\] UKUT 389 \(IAC\)](#) (14 November 2012), decision makers must reach a conclusion on the risk to a person based on all the evidence as a whole giving such weight to aspects of that evidence as appropriate. This is likely to include enquiring whether the person was registered with an Ahmadi community in Pakistan and worshipped and engaged there on a regular basis.
- 2.1.3 Post-arrival activity will also be relevant. Evidence of this likely to be relevant includes:
 - a. confirmation from the UK Ahmadi headquarters regarding the activities relied on in Pakistan; and
 - b. confirmation from the local community in the UK where the person is worshipping ([MN and others](#), paragraph 122).
- 2.1.4 A claim by an Ahmadi based on post-arrival conversion or revival in belief and practice (a 'sur place' claim) will require careful evidential analysis. This includes consideration of evidence of the head of the person's local UK Ahmadi Community and from the UK headquarters, the latter particularly in cases where there has been a conversion. Any adverse findings in the person's account as a whole may be relevant to the assessment of likely behaviour on return ([MN and others](#), paragraph 126).

2.1.5 In the reported case of [AB \(Ahmadiyya Association UK: letters\) Pakistan \[2013\] UKUT 511 \(IAC\)](#) (18 September 2013) the Upper Tribunal concluded that in deciding a claim for international protection based on a person's Ahmadi faith where credibility is in issue, the more that a letter from the Ahmadiyya Association UK contains specific information as to the person's activities in the United Kingdom, the more likely the letter is to be given weight (paragraph 44).

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2.2 Are Ahmadis at risk of mistreatment or harm, amounting to persecution, in Pakistan?

2.2.1 As confirmed in the country guidance case of [MN and others](#) (paragraph 119ii), it is, and has long been, possible in general for Ahmadis to practise their faith on a restricted basis either in private or in community with other Ahmadis, without infringing domestic Pakistan law.

2.2.1 However, the legislation that restricts the way in which Ahmadis are able to openly practise their faith not only prohibits preaching and other forms of proselytising but also in practice restricts other elements of manifesting one's religious beliefs, such as holding open discourse about religion with non-Ahmadis, even where this does not amount to proselytising ([MN and others](#), paragraph 119).

2.2.2 The prohibitions include:

- openly referring to one's place of worship as a mosque;
- referring to one's religious leader as an Imam;
- referring to the call to prayer as azan;
- calling themselves Muslims; and
- referring to their faith as Islam ([MN and others](#), paragraph 119i).

2.2.3 An Ahmadi for whom it is of particular importance to their religious identity to practise and manifest their faith openly in Pakistan should not be expected to avoid engaging in such behaviour to avoid a risk of prosecution ([MN and others](#), paragraph 120ii).

2.2.4 Sanctions include a fine and imprisonment and – if blasphemy is found – there is a risk of the death penalty. To date, this has not been carried out. However, there is a risk of lengthy incarceration if the penalty is imposed ([MN and others](#), paragraph 119i).

2.2.5 Ahmadis who are able to demonstrate that it is of particular importance to their religious identity to practise and manifest their faith openly in Pakistan in defiance of the restrictions in the Pakistan Penal Code are likely to be in need of protection. The need for protection applies equally to men and women ([MN and others](#), paragraphs 119i, 121). (See also [Blasphemy laws](#) in the country information).

2.2.6 There is clear evidence that the legislation is used by non-state actors to threaten and harass Ahmadis. This includes the filing of First Information Reports (FIRs) (the first step in any criminal proceedings), which can result in detention whilst prosecution is being pursued. Ahmadis are also subject to attacks by non-state actors from sectors of the majority Sunni Muslim population ([MN and others](#), paragraph 119i).

For more information on FIRs, see the Country Information and Guidance on [Pakistan: background information, including actors of protection, and internal relocation](#) – in particular sections 2.4.9 and section 2.11.

2.2.7 Decision makers must consider the person's intentions or wishes as to their faith, if returned to Pakistan. This is relevant because of the need to establish whether it is of particular importance to the religious identity of an Ahmadi concerned to engage in practise and manifest their faith openly in Pakistan in defiance of the restrictions in the

Pakistan Penal Code. The burden is on the person to demonstrate that any intention or wish to practise and manifest aspects of the faith openly that are not permitted by the Pakistan Penal Code (PPC) is genuinely held and of particular importance to the person to preserve their religious identity. Decision makers must evaluate all the evidence. Behaviour since arrival in the UK may also be relevant ([MN and others](#), paragraph 123).

- 2.2.8 An Ahmadi who is not able to show that they practised their faith at all in Pakistan or that they did so on anything other than the restricted basis are, in general, unlikely to be able to show that their genuine intentions or wishes are to practise and manifest their faith openly on return in defiance of the restrictions in the Pakistan Penal Code ([MN and others](#), paragraph 125).
- 2.2.9 Whilst an Ahmadi who has been found to be not reasonably likely to engage or wish to engage in behaviour, in defiance of the restrictions in the Pakistan Penal Code, is, in general, not at real risk on return to Pakistan, decision makers may need to consider whether that person would nevertheless be reasonably likely to be targeted by non-state actors on return for religious persecution by reason of his/her prominent social and/or business profile ([MN and others](#), paragraph 127). See also Country Information and Guidance: [Pakistan: Fear of the Taliban and other militant groups](#) (16 July 2014)
- 2.2.10 Blasphemy charges, which are often false, are commonly used to intimidate members of religious minorities or others with whom the accusers disagree or have business or other conflicts (see [Blasphemy laws](#) in the country information).
- 2.2.11 If an Ahmadi is able to demonstrate that it is of particular importance to their religious identity to practise and manifest their faith openly in Pakistan in defiance of the restrictions in the Pakistan Penal Code, they are likely to be in need of protection. This is based on the findings of the country guidance case of [MN and others](#) (paragraphs 118-127). Members of religious minorities accused of blasphemy, including Ahmadis, are likely to be in need of protection.

2.3 Are Ahmadis able to seek effective protection?

- 2.3.1 Pakistani legislation, commonly known as the 'anti-Ahmadi laws', restricts the way in which Ahmadis can openly practise their faith (see [Blasphemy laws](#) and [Ahmadis](#) in the country information).
- 2.3.2 Where a person is at risk from the authorities because they would openly practice their faith on return in defiance of the restrictions in the Pakistan Penal Code, , they would be unable to avail themselves to those authorities for protection.
- 2.3.3 Where the risk is from non state actors, decision makers should note that the reported case of [AW \(sufficiency of protection\) Pakistan \[2011\] UKUT 31 \(IAC\)](#) (26 January 2011) found that 'Notwithstanding systemic sufficiency of state protection, a claimant may still have a well founded fear of persecution if authorities know or ought to know of circumstances particular to his/her case giving rise to the fear, but are unlikely to provide the additional protection the particular circumstances reasonably require...).'
- 2.3.4 Therefore, decision makers must assess whether effective protection is available in relation to the particular circumstances and profile of the person. Any past persecution and past lack of effective protection may indicate that effective protection would not be available in the future. In some instances, the authorities may be unwilling or unable to provide effective protection – for example if the person has been accused of blasphemy. There are also instances where the authorities have reportedly failed to investigate, arrest, or prosecute those responsible for societal abuses or protect victims of religiously motivated violence (See [Violence and discrimination against Ahmadis](#) in the country information).

For more information on the effectiveness of state protection, see also the Country Information and Guidance on [Pakistan: background information, including actors of protection, and internal relocation](#).

2.4 Are Ahmadiis able to internally relocate within Pakistan?

- 2.4.1 Where a person is at risk from the authorities, [MN and others](#) held that in light of the nationwide effect in Pakistan of the anti-Ahmadi legislation, the option of internal relocation – previously considered to be available in Rabwah – is not, in general, reasonably open to a person who genuinely wishes to practise and manifest their faith openly in Pakistan in defiance of the restrictions in the Pakistan Penal Code (paragraph 7).
- 2.4.2 Where an Ahmadi is at risk of local hostility from non state actors they may be able to avoid this by moving elsewhere in Pakistan, but only if the risk is not present there and if it would not be unduly harsh to expect them to do so. In such cases decision makers need to consider the relevance and reasonableness of internal relocation on a case by case basis taking full account of the individual circumstances of the particular person. Such factors include the ability of the persecutor to pursue the person in the proposed site of relocation, and whether effective protection is available in that area. Decision makers will also need to consider the age, gender, health, financial circumstances and support network of the person, as well as the security, human rights and socio-economic conditions in the proposed area of relocation, including their ability to sustain themselves.

For more information on internal relocation, see the Country Information and Guidance on [Pakistan: background information, including actors of protection, and internal relocation](#). See also Section 8 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#),

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3. Policy Summary

- **Legislation in Pakistan restricts the way in which Ahmadis can openly practise their faith. This does not, in itself amount to persecution.**
- **Ahmadis who openly practise their faith above the restricted basis permitted by domestic law are liable to prosecution under the blasphemy laws and this will amount to persecution.**
- **Some Ahmadis in Pakistan face discrimination and attacks by non state actors and are unable to seek effective state protection from the authorities.**
- **Internal relocation is not generally available to an Ahmadi who wishes to practise and manifest their faith openly in Pakistan.**
- **Internal relocation may be an option where the risk is from non-state actors.**
- **Where a claim falls to be refused, it is unlikely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.**

For further information on making asylum decisions, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#), the [Asylum Instruction on Humanitarian Protection](#) and the [Asylum Instruction on Discretionary Leave](#).

For further information on certification, see the [Asylum Instruction on Non-Suspensive Appeals: Certification Under Section 94 of the NIA Act 2002](#).

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Section 2: Information

Updated: 6 January 2015

1. Overview

1.1 Laws on Religious Freedom

- 1.1.1 Religious freedom is restricted by the constitution and other laws and policies, many of which were enforced by the government of Pakistan. Islam is the state religion, requiring laws to be consistent with Islam. Freedom of religion was limited, particularly for minorities. Abuses under the blasphemy law and other discriminatory laws continued and few effective measures were taken by the government to prevent these incidents or reform the laws to prevent abuse. There were also inadequate measures to investigate or prosecute the perpetrators of attacks against religious minorities, or those promoting tolerance.¹

See also [Blasphemy laws](#)

1.2 Religious Demography

- 1.2.1 Approximately 95 per cent of Pakistan's population identify as Muslim. Sunnis represent around 75 per cent of the population and Shias 20 per cent.² A 2010 estimate put figures at 85-90 per cent Sunni and 10-15 per cent Shia.³ Other minorities constitute the remaining five per cent of the population, which includes Christians, Hindus and Ahmadis.⁴ While Ahmadis consider themselves Muslim, the law prohibits them from identifying as such.⁵ Hindus and Christians are the largest non-Muslim minority in Pakistan. Pakistan is also home to smaller populations of Sikhs, Bahais, Parsis, Parsis/Zoroastrians and Buddhists.⁶ Other religious groups include Kalasha, Kihals, and Jains.⁷

1.3 Daily Life

- 1.3.1 The Austrian Federal Asylum Agency conducted a fact finding mission to Pakistan from 8 to 16 March 2013, focusing on, amongst other issues, religious minorities. The contents of the report were based on interviews and conversations undertaken during the mission. The executive summary stated:

'In short the results of the interviews show that coexistence in everyday life is described as relatively peaceful, however tensions do exist. If the Muslim majority see themselves insulted in their religious feelings, the atmosphere can nevertheless become agitated.'

¹ US Department of State <http://www.state.gov/>, International Religious Freedom Report for 2013, 28 July 2014, Executive summary, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222339>, date accessed 19 November 2014

² Australian Government, Department of Foreign Affairs and Trade (DFAT) reports, Country Information Report: Pakistan, 29 November 2013, Page 11, <https://www.immi.gov.au/media/publications/pdf/dfat-cir-pakistan.pdf>, date accessed 22 January 2014

³ CIA <https://www.cia.gov/index.html>, World Factbook, Pakistan, People and society, last updated 14 January 2014, <https://www.cia.gov/library/publications/the-world-factbook/geos/pk.html>, date accessed 27 January 2014

⁴ Australian Government, Department of Foreign Affairs and Trade (DFAT) reports, Country Information Report: Pakistan, 29 November 2013, Page 11, <https://www.immi.gov.au/media/publications/pdf/dfat-cir-pakistan.pdf>, date accessed 22 January 2014

⁵ US Department of State, International Religious Freedom Report for 2013, 28 July 2014, Section I, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222339>, date accessed 19 November 2014

⁶ Australian Government, Department of Foreign Affairs and Trade (DFAT) reports, Country Information Report: Pakistan, 29 November 2013, Page 11, <https://www.immi.gov.au/media/publications/pdf/dfat-cir-pakistan.pdf>, date accessed 22 January 2014

⁷ US Department of State, International Religious Freedom Report for 2013, 28 July 2014, Section I, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222339>, date accessed 19 November 2014

Since the 1990s, three instances of wide-ranging looting of Christian settlements due to accusations of blasphemy have occurred, all of them in the otherwise liberal-minded Punjab. Aside these infrequent extreme forms of outbreak of interreligious violence, more frequent “minor” acts of violence, such as vandalising the graves or places of worship of minorities, occur. The police investigate cases of violence only poorly and rarely intervene. However there is police protection on special occasions, such as processions.’⁸

See also the Country Information and Guidance on [Pakistan: Background information including actors of protection and internal relocation](#).

- 1.3.2 Discrimination and inequality – sometimes due to poverty and entrenched prejudice – is common in daily life for religious minorities, both economically and socially, in education, health and in government. Mixed-faith marriages are common; unions between Muslim men and Christian women are usually accepted without difficulty;⁹ however the reverse situation is against the law.¹⁰ The Secretary in the National Ministry for Harmony stated that the law and constitution do not discriminate, citing the five per cent quota stipulated for minorities in all state departments, whilst admitting this remained unfulfilled.¹¹
- 1.3.3 The US Commission on International Religious Freedom (USCIRF) reported on its Religious Violence Project, whereby the USCIRF has tracked publicly-reported attacks against religious communities in Pakistan over the past 30 months. In a Factsheet, dated August 2014, USCIRF commented that the findings of the Project show that:
‘... religious-based violence continues to persist, with little to no effective Pakistani government response at federal, provincial, or local levels. While the attacks occurred in the context of general episodes of violence confronting the entire country, the overall climate for religious freedom continues to deteriorate. For instance, the past year saw several individuals sentenced to death for activity considered blasphemous. Regarding attacks on religious groups, the government failed to take steps to hold perpetrators accountable or protect the vulnerable. For example, Malik Ishaq, the leader of the terrorist organization Lashkar-i-Jhangvi, responsible for repeated attacks against Shi’a Muslims, was released from jail in May 2014. And Rashid Rehman was threatened for weeks before his murder, yet the government was unable or unwilling to provide protection or investigate the threats. Basic law enforcement is needed, as well as reform or repeal of the abusive blasphemy and anti-Ahmadi laws, which encourage violence against innocents.’¹²
- 1.3.4 The Factsheet also provided ‘[Statistics on Targeted Violence against Religious Communities in Pakistan July 2013 – June 2014](#)’.¹³
- 1.3.5 In October 2014, the Pakistan Institute for Peace Studies (PIPS) produced a report based on a countrywide survey conducted with 327 respondents belonging to Christian, Hindu, Baha’i and Sikh communities in Sindh, Punjab, Khyber Pakhtunkhwa and Balochistan. The survey findings revealed that:

⁸ Austrian Federal Asylum Agency, Report on Fact Finding Mission – Pakistan, June 2013, Religious minorities, page 36, accessed via http://www.ecoi.net/file_upload/1729_1374674206_ffm-bericht-pakistan-2013-06.pdf, accessed 27 January 2014, English translation available on request

⁹ Austrian Federal Asylum Agency, Report on Fact Finding Mission – Pakistan, June 2013, Religious minorities, page 52, accessed via http://www.ecoi.net/file_upload/1729_1374674206_ffm-bericht-pakistan-2013-06.pdf, accessed 27 January 2014, English translation available on request

¹⁰ FCO, Letter, Christians in Pakistan, 16 December 2013

¹¹ Austrian Federal Asylum Agency, Report on Fact Finding Mission – Pakistan, June 2013, Religious minorities, page 51, accessed via http://www.ecoi.net/file_upload/1729_1374674206_ffm-bericht-pakistan-2013-06.pdf, accessed 27 January 2014, English translation available on request

¹² US Commission on International Religious Freedom, Factsheet – Pakistan, August 2014, page 2, <http://www.uscirf.gov/sites/default/files/Pakistan%20Factsheet.pdf>, date accessed 3 December 2014

¹³ US Commission on International Religious Freedom, Factsheet – Pakistan, August 2014, pages 3-31, <http://www.uscirf.gov/sites/default/files/Pakistan%20Factsheet.pdf>, date accessed 3 December 2014

‘discrimination against minorities is connected with overall inequality and government inattention. One of the recurrent themes of this survey reveals a persistent complaint from minority groups about the lack of effective protection accorded by the state against violence, intimidation and intolerance. This survey also finds that most respondents although deeply committed to their faith are able to integrate and live peacefully with other religious groups but feel threatened by the overall deteriorating security situation countrywide. However, a big majority of respondents from all four provinces also believe that they are not part of the larger social and cultural mainstream. This is despite the fact that a considerable number of respondents say they participate freely in cultural and religious festivals along with followers of other religions and have exchange of visits with the latter. Also, most respondents do not experience any problem in business and other transactions with followers of other religions.’¹⁴

- 1.3.6 On 23 December 2014, Dawn reported that Prime Minister Nawaz Sharif said, whilst addressing a meeting in Islamabad relating to terrorism in the country, that ‘each and every citizen of Pakistan will be protected by the state, irrespective of their religion, sect or caste, and that no cause is holier than protecting the life and property of the people.’¹⁵

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2. Blasphemy Laws

2.1 Place in the Pakistan Penal Code

- 2.1.1 Tabulated summary of the blasphemy laws and the penalties for breaching them:¹⁶

Pakistan Penal Code	Description	Penalty
298a	Use of derogatory remarks etc., in respect of holy personages	Three years’ imprisonment, or fine, or both
298b	Misuse of epithets, descriptions and titles etc., reserved for certain holy personages or places, by Ahmadis	Three years’ imprisonment and fine
298c	An Ahmadi, calling himself a Muslim, or preaching or propagating his faith, or outraging the religious feelings of Muslims, or posing himself as a Muslim	Three years’ imprisonment and fine
295	Injuring or defiling places of worship, with intent to insult the religion of any class	Up to two years’ imprisonment or fine, or both
295a	Deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs	Up to 10 years’ imprisonment, or fine, or both
295b	Defiling, etc., of Holy Quran	Imprisonment for life
295c	Use of derogatory remarks, etc; in respect of the Holy Prophet	Death and fine

- 2.1.2 See also the [Pakistan Penal Code](#).

¹⁴ Pakistan Institute for Peace Studies, *Minority Rights in Pakistan – Historic Neglect or State Complicity?*, October 2014, Executive summary, <http://san-pips.com/download.php?f=257.pdf>, date accessed 15 December 2014

¹⁵ Dawn, State will protect every citizen irrespective of religion, sect or caste: Nawaz, 23 December 2014, <http://www.dawn.com/news/1152671>, date accessed 6 January 2015

¹⁶ Parliamentary Human Rights Group (PHRG), ‘Rabwah: A Place for Martyrs?’, January 2007, page 10, section 2.3, accessed via <http://www.thepersecution.org/archive/phrg/index.html>, date accessed 24 January 2014

2.2 Application in Practice

- 2.2.1 Human Rights Watch (HRW) reported ‘Abuses are rife under the country’s abusive blasphemy law, which is used against religious minorities, often to settle personal disputes. Dozens of people were charged with the offense in 2013. At least 16 people remained on death row for blasphemy, while another 20 were serving life sentences at time of writing (January 2014).’¹⁷
- 2.2.2 As reported by Agenzia Fides:
‘According to the data collected by an NGO network in Pakistan “Awaz-e-Haq Itehad” (AHI) and sent to Agenzia Fides, 1,438 people were accused of blasphemy between 1987 and October 2014. This data shows that religious minorities which form less than 4% of the population figure make about 50% of those accused of blasphemy (Ahmadis 501, Christians 182, Hindus 26 – the religion of 10 victims could not be ascertained). Among the 60 people who were killed in connection with blasphemy allegations since 1990: 32 were religious minorities and 28 Muslims. 20 of the total were either attacked in police custody or killed by policemen while 19 were killed in mob attacks.’¹⁸
- 2.2.3 The US Commission on International Religious Freedom (USCIRF) Annual Report 2014 also noted that blasphemy laws:
‘target members of religious minority communities and dissenting Muslims and frequently result in imprisonment. During the reporting period, Muhammad Asghar was sentenced to death and Sajjad Masih was sentenced to life in prison. After the reporting period, in March 2014, a Pakistani court sentenced Sawah Masih to death for blasphemy. In April 2013, Younis Masih’s blasphemy conviction was overturned by the Lahore high court; he was released from prison after nine years in jail. Overall, USCIRF is aware of at least 17 individuals on death row and 19 more serving life sentences. Many others have been charged and await trial.’¹⁹
- 2.2.4 On 4 December 2013, Pakistan’s Federal Shariat Court (FSC) issued an order to the Pakistan government to reform the blasphemy laws and make the death penalty the only lawful punishment for blasphemy. At the time of writing this report no action had been taken by the government to implement the FSC’s order.²⁰
- 2.2.5 The US Commission on International Religious Freedom Annual Report 2013 stated that:
‘Blasphemy allegations, which are often false, have resulted in the lengthy detention of, and occasional violence against, Christians, Ahmadis, Hindus, other religious minorities, and members of the Muslim majority community. Reportedly, more cases are brought under these provisions against Muslims than any other faith group, although the law has a greater impact per capita on minority religious faiths. While no one has been executed under the blasphemy law, the law has created a climate of vigilantism that has resulted in societal actors killing accused individuals.’²¹

¹⁷ Human Rights Watch (HRW) <http://www.hrw.org/>, World Report 2014 – Pakistan, 21 January 2014, Religious minorities, <http://www.hrw.org/world-report/2014/country-chapters/pakistan>, date accessed 21 January 2014

¹⁸ Agenzia Fides, ASIA/PAKISTAN - Blasphemy in Pakistan, data on victims: who will pay off all the suffering?, 14 November 2014, http://www.fides.org/en/news/36763-ASIA_PAKISTAN_Blasphemy_in_Pakistan_data_on_victims_who_will_pay_off_all_the_suffering#.VGyNJYH6_ct, date accessed 19 November 2014

¹⁹ US Commission on International Religious Freedom <http://www.uscifr.gov/>, Annual Report 2014, April 2014, page 76, <http://www.uscifr.gov/sites/default/files/USCIRF%202014%20Annual%20Report%20PDF.pdf>, date accessed 6 May 2014

²⁰ International Christian Concern, Pakistan’s deadly “reform” to controversial blasphemy laws, 6 January 2014, <http://www.persecution.org/2014/01/06/pakistans-deadly-reform-to-controversial-blasphemy-laws/>, date accessed 27 January 2014

²¹ US Commission on International Religious Freedom <http://www.uscifr.gov/>, Annual Report 2013, April 2013, page 125, <http://www.uscifr.gov/sites/default/files/resources/Pakistan%202013%281%29.pdf>, date accessed 27 January 2014

2.2.6 The U.S Department of State (USSD) reported in its 2013 International Religious Freedom (IRF) report that:

‘During the year [2013] media and NGOs reported killings and torture of religious minorities by government authorities. According to the local NGO Center for Legal Aid Assistance and Settlement (CLAAS), on June 10, police reportedly tortured to death an 18-year-old Christian, Adnan Masih, at Lahore’s Sharakpur Sharif police station... In July the Asian Human Rights Commission reported an internal police inquiry had cleared three officers of any responsibility for Masih’s death.’²² The USSD’s 2012 IRF report noted ‘Non-Muslim prisoners generally were accorded poorer facilities than Muslim inmates. According to an October 2011 study by the NGO Life for All, prisoners accused of violating the blasphemy laws often were treated differently than those accused of other crimes. Many of them were kept in solitary confinement due to threats from other inmates and, in some instances, prison guards.’²³

See also the Country Information and Guidance on [Pakistan: Background information including actors of protection and internal relocation](#).

2.2.7 Despite the majority of blasphemy cases being brought against Muslims, Christians make up a high proportion of those accused. Most cases of blasphemy come from Punjab, which has a high Christian population.²⁴

2.2.8 The US Department of State’s IRF report for 2013 noted that:

‘Observers noted individuals frequently initiated blasphemy complaints against neighbors, peers, or business associates to settle personal grievances or to intimidate vulnerable people. While the law required a senior police official to investigate any blasphemy charge before a complaint was filed, this was not uniformly enforced. As blasphemy cases moved through the justice system, lower courts often failed to adhere to basic evidentiary standards, which led to some convicted persons spending years in jail before higher courts overturned their convictions and ordered them freed for lack of evidence. Lower courts conducted proceedings in an atmosphere of intimidation by violent extremists and generally refused to free defendants on bail or acquit them for fear of reprisal. In an effort to avoid confrontation with or violence from extremists, judges and magistrates often delayed and continued trials indefinitely.’²⁵

2.2.9 The US Commission on International Religious Freedom (USCIRF) 2014 Annual report explained that Pakistan’s blasphemy law:

‘...does not require proof of intent or evidence to be presented after allegations are made, and does not include penalties for false allegations. Further, the laws do not provide clear guidance on what constitutes a violation, empowering accusers to apply their personal religious interpretations. In September 2013, the Council of Islamic Ideology recommended against amending the blasphemy laws to add procedural safeguards, noting situations of misuse or fraud could be penalized through other sections of the Penal Code.’²⁶

²² US Department of State, International Religious Freedom Report for 2013, 28 July 2014, Section I, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222339>, date accessed 19 November 2014

²³ US Department of State, International Religious Freedom Report for 2012, 20 May 2013, Section II, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2012&dliid=208438>, date accessed 18 November 2014

²⁴ FCO, Letter, Christians in Pakistan, 16 December 2013

²⁵ US Department of State, International Religious Freedom Report for 2013, 28 July 2014, Section II, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222339>, date accessed 19 November 2014

²⁶ US Commission on International Religious Freedom <http://www.uscifr.gov/>, Annual Report 2014, April 2014, page 77, <http://www.uscifr.gov/sites/default/files/USCIRF%202014%20Annual%20Report%20PDF.pdf>, date accessed 6 May 2014

2.2.10 The USCIRF Annual Report for 2013 added:

'In addition, blasphemy offenses are considered cognizable, so that the police file charges and can arrest without a warrant. And blasphemy is a non-compoundable crime, a category that does not allow for out-of-court settlements. Consequently, once a charge is filed, it is difficult for the case to be quashed, and the accuser cannot simply drop the charges. Once a case is registered and a court hearing is scheduled, militants often pack courtrooms and publicly threaten violence if there is an acquittal. Lawyers who have refused to prosecute cases of alleged blasphemy or who defend those accused, as well as judges who issue acquittals, have been harassed, threatened, and even subjected to violence.'²⁷ In May 2014, a lawyer defending a university lecturer accused of blasphemy was shot dead in Multan.²⁸

2.2.11 According to the Human Rights Commission of Pakistan (HRCP) and the National Commission for Justice and Peace Commission (NCJP):

'In the cases under 295b and 295a bail until the trial is normally granted. In case of charges under 295c – insulting the Prophet – it is regularly not granted. Bail is also frequently granted in cases under the "anti-Ahmadi" act 298. In the trial a conviction in such cases frequently follows, which is usually overturned by the higher court. In total, more cases result in acquittal or are dropped than result in conviction. Only a few are in prison due to the blasphemy or anti-Ahmadiyya laws. One reason is that these accusations mostly are not based on facts, but result from disputes.'²⁹

2.2.12 Two prominent Pakistani officials – Punjab Governor Salman Taseer and Federal Minister for Minorities Affairs Shahbaz Bhatti – were assassinated in early 2011 because of their opposition to Pakistan's blasphemy law.³⁰ Christian Solidarity Worldwide reports that it 'received deeply concerning reports that several key people involved in the case against four militants accused of assassinating Shahbaz Bhatti, Pakistan's Federal Minister for Minorities Affairs, have received death threats from militant Islamist groups [the Tehreek-e-Taliban Pakistan (TTP) and Lashkar-e-Jhangvi (LeJ)].'³¹

2.2.13 The NCJP stated that in cases of blasphemy, it '... prefers that the accused remain in custody during trial, since the danger of lynch justice by incited mobs exists. Even in case of acquittal the victims also need re-settling and rehabilitation on safety grounds following the release. The NCJP organises and assists with the re-settlement. This causes high costs. State restrictions with the re-settlement do not exist. With unknown cases re-settlement in Pakistan is possible, with prominent cases however not.'³²

See also the Country Information and Guidance on [Pakistan: Background information including actors of protection and internal relocation.](#)

²⁷ US Commission on International Religious Freedom, Annual Report 2013, Pakistan, April 2013, page 9, <http://www.uscirtf.gov/sites/default/files/resources/Pakistan%202013%281%29.pdf>, date accessed 15 December 2014

²⁸ BBC News, Pakistan 'blasphemy lawyer' shot dead in Multan office, 7 May 2014, <http://www.bbc.co.uk/news/world-asia-27319433>, date accessed 19 November 2014

²⁹ Austrian Federal Asylum Agency, Report on Fact Finding Mission – Pakistan, June 2013, Religious minorities, page 49, accessed via http://www.ecoi.net/file_upload/1729_1374674206_ffm-bericht-pakistan-2013-06.pdf, accessed 27 January 2014, English translation available on request

³⁰ US Commission on International Religious Freedom, Annual Report 2013, Pakistan, April 2013, page 6, <http://www.uscirtf.gov/sites/default/files/resources/Pakistan%202013%281%29.pdf>, date accessed 15 December 2014

³¹ Christian Solidarity Worldwide, Pakistan: militants issue death threats to key people in Shahbaz Bhatti murder case, 11 February 2014, <http://dynamic.csw.org.uk/article.asp?t=press&id=1642>, date accessed 15 December 2014

³² Austrian Federal Asylum Agency, Report on Fact Finding Mission – Pakistan, June 2013, Religious minorities, page 50, accessed via http://www.ecoi.net/file_upload/1729_1374674206_ffm-bericht-pakistan-2013-06.pdf, accessed 27 January 2014, English translation available on request

2.2.14 Aid organisations for people accused of blasphemy do exist. The NCJP works as a legal aid organisation and offers assistance in eight regional offices, to all faiths, although most clients of the NCJP are Christians.³³

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3. Ahmadis (Ahmadiyya)

3.1 Background

3.1.1 The website of the Ahmadiyya Muslim Community, Al Islam, provided an [overview of the Ahmadi religion](#)³⁴. The [Lahore Ahmadiyya Movement in Islam](#) provided information on its group³⁵, and also a [comparative study of the beliefs between the two sections of the Ahmadiyya movement \(the Lahore group and the Qadian branch\)](#)³⁶.

3.1.2 Figures estimating the number of Ahmadis in Pakistan varied greatly, ranging from 500,000³⁷ to three to four million³⁸. The Ahmadi headquarters in Pakistan is based in Rabwah (renamed Chenab Nagar) and more than 95 per cent of its population was Ahmadi, according to a 2010 report³⁹. Based on official government figures provided in a 2007 report Rabwah had a population of about 70,000 Ahmadis.⁴⁰

See Pakistan: Country Information and Guidance report [Background information including actors of protection and internal relocation](#)

3.1.3 The headquarters for the Ahmadi Muslim Community is based in the UK⁴¹. See the website for the [Ahmadi Muslim Community in the UK](#) for news and events, and Ahmadi Mosques, in the UK.⁴²

3.1.4 According to an Australian Department of Foreign Affairs and Trade (DFAT) report on Pakistan, it is generally not possible to identify Ahmadis by name alone.⁴³ It would be presumed that someone with an address in Rabwah was Ahmadi.⁴⁴

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³³ Austrian Federal Asylum Agency, Report on Fact Finding Mission – Pakistan, June 2013, Religious minorities, page 49, accessed via http://www.ecoi.net/file_upload/1729_1374674206_ffm-bericht-pakistan-2013-06.pdf, accessed 27 January 2014, English translation available on request

³⁴ Al Islam <http://www.alislam.org/>, Ahmadiyya Muslim Community – An overview, undated, <http://www.alislam.org/introduction/index.html>, date accessed 27 January 2014

³⁵ The Lahore Ahmadiyya Movement in Islam <http://aaail.org/index.shtml>, Ahmadiyyat, undated, <http://aaail.org/ahmadiyyat.shtml>, date accessed 27 January 2014

³⁶ The Lahore Ahmadiyya Movement in Islam, A Comparative Study of the Beliefs of the Two Sections of the Ahmadiyya Movement (Lahore vs. Qadiani Groups), undated, <http://aaail.org/text/qadi/intro/cmprsn.shtml>, date accessed 27 January 2014

³⁷ Australian Government, Department of Foreign Affairs and Trade (DFAT) reports, Country Information Report: Pakistan, 29 November 2013, Page 12, <https://www.immi.gov.au/media/publications/pdf/dfat-cir-pakistan.pdf>, date accessed 22 January 2014

³⁸ US Commission on International Religious Freedom <http://www.uscifr.gov/>, Annual Report 2013, April 2013, page 119, <http://www.uscifr.gov/sites/default/files/resources/Pakistan%202013%281%29.pdf>, date accessed 27 January 2014

³⁹ Persecution of the Ahmadiyya Muslim Community <http://www.persecutionofahmadis.org/>, Persecution of Ahmadis in Pakistan during the year 2010 – A Summary, 31 December 2010, page 4 and page 65, <http://www.persecutionofahmadis.org/wp-content/uploads/2010/03/Annual-News-Report-2010.pdf>, date accessed 27 January 2014

⁴⁰ Parliamentary Human Rights Group (PHRG), 'Rabwah: A Place for Martyrs?', January 2007, page 2, section 1, accessed via <http://www.thepersecution.org/archive/phrg/index.html>, date accessed 24 January 2014

⁴¹ Al Islam <http://www.alislam.org/>, Ahmadiyya Muslim Community – An Overview, undated <http://www.alislam.org/introduction/index.html>, date accessed 3 March 2014

⁴² Ahmadiyya Muslim Community UK, <http://www.ahmadiyya.org.uk/>, date accessed 3 March 2014

⁴³ Australian Government, Department of Foreign Affairs and Trade (DFAT) reports, Country Information Report: Pakistan, 29 November 2013, Page 12, <https://www.immi.gov.au/media/publications/pdf/dfat-cir-pakistan.pdf>, date accessed 22 January 2014

⁴⁴ Parliamentary Human Rights Group (PHRG), 'Rabwah: A Place for Martyrs?', January 2007, page 20, section 4.1, via <http://www.thepersecution.org/archive/phrg/index.html>, date accessed 21 February 2014

3.2 Legislation discriminating against Ahmadis

- 3.2.1 According to 298b and 298c of the Pakistan Penal Code, commonly referred to as the “anti-Ahmadi laws”, Ahmadis are prevented by law from calling themselves Muslims, or referring to their faith as Islam, preaching or propagating their religious beliefs, inviting others to accept Ahmadiyya teachings, or insulting the religious feelings of Muslims, calling their places of worship “mosques,” worshipping in non-Ahmadi mosques or public prayer rooms, performing the Muslim call to prayer, using the traditional Islamic greeting in public, publicly quoting from the Qur'an, or displaying the basic affirmation of the Muslim faith. The punishment for violation of these provisions is imprisonment for up to three years and a fine.⁴⁵ Ahmadis are restricted in building new houses of worship, holding public conferences or other gatherings, and travelling to Saudi Arabia for religious purposes, including the hajj.⁴⁶
- 3.2.2 Concern was expressed by Ahmadi leaders over the government’s use of the penal code to pursue Ahmadis on the basis of their faith. Leaders alleged that “anti-Ahmadi laws” were used to target and harass Ahmadis, and ‘frequently accusing Ahmadis of blasphemy, violations of “anti-Ahmadi laws,” or other crimes. The vague wording of the provision forbidding Ahmadis from directly or indirectly identifying themselves as Muslims enabled officials to bring charges against members of the community for using the standard Muslim greeting and for naming their children Muhammad.’⁴⁷

See [Blasphemy laws](#)

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3.3 Passports and ID documents

- 3.3.1 A person’s religious affiliation is recorded in passports, and required for national identity cards. ID cards are required to vote. When applying for either document those wishing to be listed as Muslims must sign a declaration denouncing the Ahmadiyya Muslim prophet. This effectively prevents Ahmadi Muslims from obtaining legal documents and puts pressure on them to deny their beliefs in order to enjoy citizenship rights, including the right to vote.⁴⁸ However, it has been reported that individuals who refused to sign the declaration when applying for a passport still received the document.⁴⁹ The term ‘Ahmadiyya’ is printed on page two of a passport.⁵⁰ Changing your recorded religion from Islam to another is forbidden.⁵¹ This requirement has a particularly negative impact on Ahmadis and effectively prevents them from participating in the hajj or other Islamic

⁴⁵ US Department of State, International Religious Freedom Report for 2013, 28 July 2014, Section II, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222339>, date accessed 19 November 2014

⁴⁶ US Department of State, International Religious Freedom Report for 2013, 28 July 2014, Section II, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222339>, date accessed 19 November 2014

⁴⁷ US Department of State, International Religious Freedom Report for 2013, 28 July 2014, Section II, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222339>, date accessed 19 November 2014

⁴⁸ US Department of State, International Religious Freedom Report for 2013, 28 July 2014, Section II, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222339>, date accessed 19 November 2014

⁴⁹ US Commission on International Religious Freedom <http://www.uscifr.gov/>, Annual Report 2013, April 2013, page 127, <http://www.uscifr.gov/sites/default/files/resources/Pakistan%202013%281%29.pdf>, date accessed 27 January 2014

⁵⁰ Foreign and Commonwealth Office (FCO), [Letter from British High Commission, Islamabad, 20 January 2011](#)

⁵¹ FCO, [Letter, Christians in Pakistan, 16 December 2013](#)

pilgrimages. It also affects the distribution of cash assistance for internally displaced Ahmadis.⁵²

See also the Country Information and Guidance on [Pakistan: Background information including actors of protection and internal relocation](#).

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3.4 Violence and discrimination against Ahmadis

3.4.1 The U.S. Commission on International Religious Freedom reported that “Pakistan’s repressive blasphemy laws and other religiously discriminatory legislation, such as the anti-Ahmadi laws, have fostered an atmosphere of violent extremism and vigilantism. Pakistani authorities have not consistently brought perpetrators to justice or taken action against societal actors who incite violence”.⁵³ In its November 2013 report, DFAT assessed that there was a high level of official discrimination, as well as practical discrimination against the Ahmadi community in Pakistan. The DFAT Pakistan report added that the Ahmadi community reported:

‘... Pakistani authorities have demolished 24 Ahmadi places of worship, sealed 29 others and prevented the construction of new Ahmadi places of worship. In addition, 13 Ahmadi places of worship have been set on fire by mobs and 16 others occupied by force. Ahmadi graves have also reportedly been desecrated and their dead disinterred from graveyards. There have been further reports of harassment of the Ahmadi community, including closure of Ahmadi publications, removal of Ahmadi students from schools and universities and reporting of Ahmadi communities en masse to local police forces for unspecified crimes.’⁵⁴ It was also reported that as many as 20 Ahmadis were killed in 2012 on account of their religion.⁵⁵ Al Jazeera reported in August 2014 that so far in 2014, 13 Ahmadis had been killed for their faith.⁵⁶

3.4.2 HRW stated:

‘Members of the Ahmadiyya religious community continue to be a major target of blasphemy prosecutions and are subjected to longstanding anti-Ahmadi laws across Pakistan. In 2013, they (Ahmadis) faced increasing social discrimination as militant groups accused them of illegally “posing as Muslims,” barred them from using their mosques in Lahore, vandalized their graves across Punjab province, and freely engaged in hate speech, inciting violence against them as authorities looked the other way or facilitated extremists.’⁵⁷

3.4.3 The US Department of State noted that:

‘According to data provided by the Human Rights Commission of Pakistan, 34 new cases were registered under the blasphemy laws during the year [2013]. While at least one death sentence for blasphemy was overturned during the year, at least another 17

⁵² UN High Commissioner for Refugees (UNHCR), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Members of Religious Minorities from Pakistan, 14 May 2012, HCR/EG/PAK/12/02, page 23, available at: <http://www.refworld.org/docid/4fb0ec662.html>, date accessed 15 December 2014

⁵³ US Commission on International Religious Freedom, Annual Report 2013, Pakistan, April 2013, page 2, <http://www.uscifr.gov/sites/default/files/resources/Pakistan%202013%281%29.pdf>, date accessed 15 December 2014

⁵⁴ Australian Government, Department of Foreign Affairs and Trade (DFAT) reports, Country Information Report: Pakistan, 29 November 2013, Page 13, <https://www.immi.gov.au/media/publications/pdf/dfat-cir-pakistan.pdf>, date accessed 22 January 2014

⁵⁵ Human Rights Commission of Pakistan, State of Human Rights in 2012, March 2013, page 103, <http://hrcp-web.org/hrcpweb/wp-content/pdf/AR2012.pdf>, date accessed 29 January 2014

⁵⁶ Al Jazeera, Pakistan’s Ahmadiyya: An ‘absence of justice’, 7 August 2014, <http://www.aljazeera.com/indepth/features/2014/08/pakistan-ahmadiyya-an-absence-justice-20148616414279536.html>, date accessed 19 November 2014

⁵⁷ Human Rights Watch (HRW) <http://www.hrw.org/>, World Report 2014 – Pakistan, 21 January 2014, Religious minorities, <http://www.hrw.org/world-report/2014/country-chapters/pakistan>, date accessed 21 January 2014

people were awaiting execution for blasphemy and at least 20 others were serving life sentences. Although the government has never carried out a death sentence for blasphemy, NGOs reported at least five persons accused of blasphemy had died in police custody in recent years.’⁵⁸

- 3.4.4 The USCIRF received reports of 44 different attacks targeting Ahmadis which occurred between January 2012 and January 2013 across the country, including major cities such as Lahore, Quetta, and Karachi. The poor legal standing of Ahmadis under Pakistan's constitution and criminal code fosters a climate of impunity, where perpetrators feel empowered to attack them with little or no fear of arrest or prosecution.⁵⁹
- 3.4.5 Dawn reported on the deaths of three Ahmadis in Gujranwala, who were killed when their house, and five others, were set alight following an alleged blasphemous post of Facebook by an Ahmadi youth. According to a spokesman for the Ahmadi community, the police failed to prevent the attack.⁶⁰ Dawn reported that residents claimed they were unable to return to their homes for fear of reprisals, and that a case was registered against the rioters:
- ‘Over a hundred “unidentified people” and six nominated persons were booked under terrorism and murder laws but no arrests were made. A police official said a separate case had been registered against [the Ahmadi youth] and his friends for blasphemy. He also said that the station house officer (SHO) of People’s Colony was suspended for his delayed reaction to the riot and the fire which resulted in the deaths. A show-cause notice was also reportedly served to the district superintendent police.’⁶¹
- 3.4.6 Al Jazeera reported that following the incident in Gujranwala, a local cleric at an ‘anti-Ahmadi’ gathering demanded the release of those arrested in connection with the arson attack.⁶²
- 3.4.7 As reported by Al Jazeera in August 2014, the most prominent “anti-Ahmadi” group in Pakistan is Khatm-e-Nabuwat (Finality of the Prophethood) ‘which organises regular rallies and conferences against the Ahmadi community, terming them heretics for not accepting the finality of the prophethood of Muhammad. The group also distributes a number of pamphlets, several of which call upon followers to consider killing Ahmadis a religious obligation... Despite several complaints, community leaders say action is seldom taken against such groups under Pakistan's existing hate speech laws.’⁶³ The Rabwah Times reported on the Khatme Nabuwat 33rd conference due to be held in the region of Rabwah on 6 September 2014.⁶⁴ No further information on whether the event took place, or its outcome, could be found at the time of writing.

⁵⁸ US Department of State, International Religious Freedom Report for 2013, 28 July 2014, Section II, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222339>, date accessed 19 November 2014

⁵⁹ US Commission on International Religious Freedom, Annual Report 2013, Pakistan, April 2013, page 6, <http://www.uscifr.gov/sites/default/files/resources/Pakistan%202013%281%29.pdf>, date accessed 15 December 2014

⁶⁰ Dawn, Mob attack over alleged blasphemy: Three Ahmadis killed in Gujranwala, 28 July 2014, <http://www.dawn.com/news/1122143>, date accessed 17 December 2014

⁶¹ Dawn, Ahmadis on the run: Fearing death in People's Colony, undated, <http://www.dawn.com/news/1123873>, date accessed 17 December 2014

⁶² Al Jazeera, Pakistan's Ahmadiyya: An 'absence of justice', 7 August 2014, <http://www.aljazeera.com/indepth/features/2014/08/pakistan-ahmadiyya-an-absence-justice-20148616414279536.html>, date accessed 17 December 2014

⁶³ Al Jazeera, Pakistan's Ahmadiyya: An 'absence of justice', 7 August 2014, <http://www.aljazeera.com/indepth/features/2014/08/pakistan-ahmadiyya-an-absence-justice-20148616414279536.html>, date accessed 19 November 2014

⁶⁴ The Rabwah Times, Islamic extremists to hold Khatme Nabuwat conference in Rabwah, undated, <https://www.rabwah.net/islamic-extremists-to-hold-khatme-nabuwat-conference-in-rabwah/>, date accessed 17 December 2014

- 3.4.8 The website Persecution of Ahmadiyya Muslim Community, which reports on the religious persecution of Ahmadi Muslims, provided details on religiously motivated murders of Ahmadis in Pakistan.⁶⁵ The same source provided Monthly Reports of incidents against the Ahmadi community in Pakistan, dating back from the year 2000.⁶⁶
- 3.4.9 An official at the German Embassy in Islamabad reported that ‘Even within the Pakistani middle and educated class, it is apparent that only little acceptance for this minority [Ahmadis] exists. For example even within this more “open minded” classes, it is denied that Ahmadis are Muslims. If they describe themselves as Muslims... it can result in charges based on legislation specifically aimed against Ahmadis, or even a violent attack.’⁶⁷
- 3.4.10 The May 2012 UNHCR Eligibility Guidelines noted that ‘Little or no protection is reportedly afforded by the State authorities. It appears that crimes and acts of violence against Ahmadis are not consistently investigated, allegedly due to intimidation tactics and pressure from Islamic fundamentalist groups, and perpetrators of such crimes are reportedly rarely brought to justice.’⁶⁸ It further stated that ‘On 28 May 2010, Taliban militants carried out coordinated attacks during Friday prayers on two Ahmadi congregations in Lahore, which left over 80 dead and injured hundreds. Although the attacks received global and national attention, and were condemned by both the United Nations and the National Assembly of Pakistan, as of March 2011 no official investigation had reportedly been conducted.’⁶⁹
- 3.4.11 Al Jazeera reported in August 2014 that ‘Zohra Yusuf, the chairperson of the Human Rights Commission of Pakistan (HRCP), says that the police are “deeply entrenched” in the persecution of Ahmadis. “There is a reticence to file [cases] or to pursue killers by the police,” she told Al Jazeera. “There really is a total absence of justice when it comes to the Ahmadi community”.’⁷⁰
- 3.4.12 The HRCP added ‘The situation therefore is more difficult for Ahmadis than for other groups. They have no political representation, as they refuse to be specified as non-Muslims and take advantage of the minorities regulations, therefore they also cannot exercise their political rights.’⁷¹
- 3.4.13 In 2013, the U.S. Department of State reported that ‘The government’s general failure to investigate, arrest, or prosecute those responsible for societal abuses promoted an environment of impunity that fostered intolerance and acts of violence, according to domestic and international human rights organizations. In numerous cases during the

⁶⁵ Persecution of the Ahmadiyya Muslim Community <https://www.persecutionofahmadis.org/>, Religiously motivated murders, 1998-2012, <https://www.persecutionofahmadis.org/persecution-activities/social-boycott/>, date accessed 20 November 2014

⁶⁶ Persecution of the Ahmadiyya Muslim Community, Monthly Reports, 2000-2014, <https://www.persecutionofahmadis.org/monthly-reports/>, date accessed 20 November 2014

⁶⁷ Austrian Federal Asylum Agency, Report on Fact Finding Mission – Pakistan, June 2013, Religious minorities, page 53, accessed via http://www.ecoi.net/file_upload/1729_1374674206_ffm-bericht-pakistan-2013-06.pdf, accessed 27 January 2014, English translation available on request

⁶⁸ UN High Commissioner for Refugees (UNHCR), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Members of Religious Minorities from Pakistan, 14 May 2012, HCR/EG/PAK/12/02, page 22, available at: <http://www.refworld.org/docid/4fb0ec662.html>, date accessed 15 December 2014

⁶⁹ UN High Commissioner for Refugees (UNHCR), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Members of Religious Minorities from Pakistan, 14 May 2012, HCR/EG/PAK/12/02, page 22, available at: <http://www.refworld.org/docid/4fb0ec662.html>, date accessed 15 December 2014

⁷⁰ Al Jazeera, Pakistan's Ahmadiyya: An 'absence of justice', 7 August 2014, <http://www.aljazeera.com/indepth/features/2014/08/pakistan-ahmadiyya-an-absence-justice-20148616414279536.html>, date accessed 15 December 2014

⁷¹ Austrian Federal Asylum Agency, Report on Fact Finding Mission – Pakistan, June 2013, Religious minorities, page 53, accessed via http://www.ecoi.net/file_upload/1729_1374674206_ffm-bericht-pakistan-2013-06.pdf, accessed 27 January 2014, English translation available on request

year, authorities failed to protect victims of religiously motivated mob violence.’⁷² It also noted ‘continued reports of law enforcement personnel abusing members of religious minorities and persons accused of blasphemy while in custody.’⁷³

3.4.14 According to the Asian Human Rights Commission:

‘Banned religious groups continue to operate freely. Banned religious groups under the supervision of Punjab provincial government launched a public hate campaign calling for citizens to kill members of the Ahmadiyya community and attack their businesses. The authorities took no action against the group. The law enforcing agencies, the local court system and above all the government institutions are failing to protect the lives and properties of religious minorities all around the country.’⁷⁴

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3.5 Ahmadis in Rabwah

3.5.1 On the subject of internal relocation within Rabwah, the Parliamentary Human Rights Group (PHRG) spoke with Amnesty International President, Faiz ur Rehman, who noted:

‘...that it is only Rabwah where the Ahmadi are in the majority and as a result an Ahmadi may feel a little safe in Rabwah compared to a town or village where they are in a small minority. Those from outside Rabwah may therefore flee there if they are in fear in their home area. However, Mr Rehman pointed out that Khatme Nabuwwat have an office in Rabwah. Thus, whilst those who flee to Rabwah might gain safety for a period of time, fear of Khatme Nabuwwat is ever present... Broadly agreeing with Mr Rehman, the HRCP [Human Rights Commission of Pakistan] explained that whilst Rabwah is safer than most other places in Pakistan for Ahmadi’s, there are instances of violence here as well. When asked about whether Rabwah can offer a refuge for those targeted elsewhere in Pakistan, the HRCP explained that if an Ahmadi was pursued across Pakistan, they would be caught by their persecutor in Rabwah. Clarifying this point, the HRCP stated that safety in Rabwah depends on the nature of the persecution and/or the influence of the persecutor... The HRCP explained that the best way for an Ahmadi to protect her or himself is to hide their religion: living in Rabwah has the opposite effect as it is the focus of Khatme Nabuwwat and living in the town marks a person as an Ahmadi. The HRCP stated that a newcomer fleeing to Rabwah would have to be very rich and not pursued by their persecutor to survive. If they have a normal income (and are not pursued), then they would face many difficulties, first amongst which is that there are no jobs in Rabwah. It is very unusual for someone to commute for work even to Chiniot or Faisalabad. Even if an Ahmadi were to do this it would create new problems: they would be a “sitting duck” for anti-Ahmadi activists whilst they travelled. Moreover, an address in Rabwah is practically a bar to getting a job as a potential employer would suspect that a person is Ahmadi if they have a Rabwah address. They would only be able to get work from a fellow Ahmadi.’⁷⁵

3.5.2 Al Jazeera reported in August 2014 that, according to community leaders, more than 100 Ahmadi families were taking refuge in Rabwah following attacks on them. The report noted that ‘Most fled to Rabwah after the twin attacks on Ahmadi mosques in the city of Lahore in 2010, which killed 94 people.’ Saleemuddin, the community’s spokesperson for

⁷² US Department of State, International Religious Freedom Report for 2013, 28 July 2014, Section II, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222339>, date accessed 19 November 2014

⁷³ US Department of State, International Religious Freedom Report for 2013, 28 July 2014, Executive summary, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222339>, date accessed 19 November 2014

⁷⁴ Asian Human Rights Commission, [The State of Human Rights in Pakistan in 2012](#), 10 December 2012 I. Status of Religious Minorities in Pakistan

⁷⁵ Parliamentary Human Rights Group (PHRG), ‘Rabwah: A Place for Martyrs?’, January 2007, page 20, section 4.1, via <http://www.thepersecution.org/archive/phrg/index.html>, date accessed 21 February 2014

the last eight years, told Al Jazeera that 'police have often approached the community to "accept" the demands of those who would persecute them, rather than charging those people with hate speech.'⁷⁶

3.5.3 The PHRG were informed by the Ahmadi Community Representatives that they could not look to the police or the Courts for protection in Rabwah and were unable to give an example, to the PHRG mission, of the police having provided protection to an Ahmadi in Rabwah. Other sources consulted expressed similar views:

'Faizur Rehman, President, Amnesty International Pakistan stated that nowhere, including Rabwah, is safe for Ahmadis as the police would refuse to give protection to an Ahmadi. When asked if the police might react differently in Rabwah to elsewhere in Pakistan, Mr Rehman explained that whilst it is not impossible, it has not happened. He explained that... even relatively senior and educated local police officers find that their hands are tied by their superiors when dealing with Ahmadi cases.'⁷⁷

3.5.4 The UNHCR stated that there was a scarcity of housing and employment opportunities in Rabwah, as well as the city administration being predominantly non-Ahmadi.⁷⁸

3.5.5 According to the 2012 Human Rights Commission of Pakistan annual report, 'the Ahmadis complained that while the authorities banned their conferences, rallies and major sporting events in Rabwa[h], the centre of the Ahmadi community in Pakistan, anti-Ahmadi clerics were given a free hand to hold a number of provocative rallies in and around Rabwah.'⁷⁹ Qamar Suleman, a spokesman for the Ahmadi community in the town of Rabwah in the Punjab told IRIN news in October 2013 that 'Pamphlets are distributed, saying Ahmadis should be killed as infidels,'⁸⁰

See also the Country Information and Guidance on [Pakistan: Background information including actors of protection and internal relocation](#).

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⁷⁶ Al Jazeera, Pakistan's Ahmadiyya: An 'absence of justice', 7 August 2014, <http://www.aljazeera.com/indepth/features/2014/08/pakistan-ahmadiyya-an-absence-justice-20148616414279536.html>, date accessed 15 December 2014

⁷⁷ Parliamentary Human Rights Group (PHRG), 'Rabwah: A Place for Martyrs?', January 2007, page 21, section 4.2, via <http://www.thepersecution.org/archive/phrg/index.html>, date accessed 21 February 2014

⁷⁸ UN High Commissioner for Refugees, www.unhcr.org, Eligibility guidelines for assessing the international protection needs of members of religious minorities from Pakistan', 14 May 2012, page 43, <http://www.unhcr.org/refworld/pdfid/4fb0ec662.pdf>, date accessed 21 February 2014

⁷⁹ Human Rights Commission of Pakistan, State of Human Rights in 2012, March 2013, page 104, <http://hrqp-web.org/hrcpweb/wp-content/pdf/AR2012.pdf>, date accessed 15 December 2014

⁸⁰ Integrated Regional Information Network: Minorities under pressure in Pakistan, 17 October 2013, <http://www.irinnews.org/report/98950/minorities-under-pressure-in-pakistan>, date accessed 15 December 2014

Annex A: FCO Letters

FCO Letter, Dated 20 January 2011

British High Commission (letterhead)

20 January 2011

The UK Border Agency requested the following information:-

- What is the process to record your faith in a Pakistani passport?
- Is a stamp issued to confirm the individuals Ahmadiyya faith?
- Who applies the stamp in the Pakistani passport?
- Can the stamp be applied at any stage?
- Could a bribe be paid for an Ahmadiyya stamp to be issued?
- Do those with the Ahmadiyya faith declared in their passport have problems with immigration when departing from Pakistan?

In relation to the first four questions only, the British High Commission consulted with an official working within the Passport Circle within the Government of Pakistan's Federal Investigation Agency. He responded as follows:-

'There is no stamp of 'Ahmadiyya'. Its printed on second page of the passport...it's one time process and it can be printed only at once when passport is printed'.

The British High Commission also consulted with a locally employed member of staff within the British High Commission, whose opinion was as follows:-

'The old PAK ppt had religion column on the biodata page. The new PAK machine readable ppts were introduced in Oct 2004 when religion was not being mentioned. In 2006 the authorities started putting religion on annotation page. The passport database is interconnected with the NADRA's system, where the things are being tallied. During the database recording for a new PAK ppt, religion question is asked. If there is any discrepancy the applicants are asked to submit affidavit on this to remove doubts.

1. At the time of data recording for a new passport questions are asked verbally including religion.
2. There has never been any stamp impression (Rubber Stamp) for religion/faith on the manual (old) PAK ppt. However the faith/religion is printed on the annotation page of the new PAK ppt. The term Ahmadiyya is printed on page two of the passport. We are not aware of there being a wet ink stamp.
3. The passport and Immigration authorities are responsible for printing the biodata and additional info of the applicant (faith/religion) on the passports both on manual and machine readable.
4. Yes, but in such cases applicants needs to reapply for modifications and new passport will be issued.

5. The system can be abused by culprits by different ways. It is possible that a bribe could be paid at the time the passport is issued, but we do not have any direct evidence of this.
6. There isn't any problem in departing from Pakistan for Ahmadis holding Pakistani ppt. As long as the visa and passport is genuine.'

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Change Record

Version	Date	Change References
1.0	16/07/2014	First version of CIG on Religious freedom
2.0	February 2015	Updated COI sections; guidance separated from wider 'religious freedom' CIG.

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