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NV. GEN/PMI/353/03/2020

07 December 2020

The Permanent Mission of India to the Office of the United Nations and Other International Organizations in Geneva presents its compliments to the Special Procedures Branch of the Human Rights Council and has the honor to refer to the Communication from the Special Rapporteur on freedom of religion or belief regarding a call for submissions for his next thematic report to be presented at the 46th Session of the Human Rights Council in February-March 2021 on "Report on Anti-Muslim Hatred and Discrimination".

2. The Permanent Mission of India would like to bring to the attention of the Special Rapporteur on freedom of religion or belief the deploring situation of Ahmadi and Shia Muslim communities in Pakistan. In this regard, please find enclosed detailed information in the two annexures, which may be brought to the attention of the Special Rapporteur on freedom of religion or belief.
3. The Permanent Mission of India would like to inform that this information is being shared on confidential basis and should not be made public.
4. The Permanent Mission of India to the Office of the United Nations and Other International Organizations in Geneva avails itself of this opportunity to renew to the Special Procedures Branch of the Human Rights Council, the assurances of its highest consideration.

**The Secretariat of the Human Rights Council
(Kind attn: Chief of the Special Procedures Branch)
8-14 Avenue de la Paix
Palais des Nations**



Persecution of Ahmadis in Pakistan

The Ahmadis are among the most persecuted Muslim communities in Pakistan facing systematic and persistent discrimination for their right to freedom of religion or belief.

2. This systematic and constitutional persecution of the community in Pakistan is well recognized. This persecution had increased during the term of Zulfikar Ali Bhutto and then the former military dictator Zia-ul-Haq in 1970s and 1980s, who played a malign role in this persecution. It was during Zia-ul-Haq's oppressive rule that Ahmadis were banned from calling themselves as Muslims. The Second Constitutional amendment of Pakistan in 1974 under Zulfikar Ali Bhutto designated Ahmadis as non-Muslims, despite the insistence of Ahmadis to the contrary. The provisions against Ahmadis in the Pakistani Constitution in 1974 were aggravated by an Ordinance in 1984 under Zia-ul-Haq which further de-humanised them and forbade them from calling themselves Muslims or to "pose as Muslims".

3. Ahmadis in Pakistan were barred from professing the Islamic creed publicly; call their places of worship 'mosques'; from worshipping in non-Ahmadi mosques or public prayers rooms; and publishing and disseminating their religious materials. Such acts were punishable by imprisonment of up to three years and a fine. In addition, such 'offences' have the risk of being labelled as blasphemy, an offence punishable by death in Pakistan. Ahmadis are singled out in their passports and legal identification and cannot hold governmental positions without publicly denouncing founder of Ahmadi movement. This effectively prevents Ahmadis from obtaining legal documents and puts pressure on them to deny their beliefs in order to enjoy citizenship rights, including the right to vote.

4. Anti-Ahmadi legislation influences societal attitudes, leaving them shunned by many mainstream Muslims and vulnerable to extremist violence. Hundreds of Ahmadis in Pakistan have been killed over the decades, including in the Lahore riots of 1953, anti-Ahmadi riots of 1974, Shah Qadar incident, and the May 2010 bombing of Ahmadi mosques among others. Ahmadis in Pakistan are subjected to threats on a daily basis on account of their belief. Since 1984 more than 83 Ahmadi mosques have been demolished in various parts of Pakistan. On 25 October 2019, a historic 70-year-old Ahmadi mosque in Bahawalpur, Punjab in Pakistan was demolished with the police standing by. One of the worst atrocities was in 2010, when more than 90 worshippers were

killed during an assault on two Ahmadi mosques in Lahore, Pakistan. In 2019 itself, there were 11 incidents of desecration, denial of worship, restrictions on congregation amongst others.

5. Pakistan has witnessed an unprecedented surge in Islamic extremism and religious fanaticism in the past decade. As a result, the past decade has seen tens of thousands of Pakistani Ahmadis seeking asylum in other countries. Members of Ahmadi community have warned of genocide against them. From birth till death, Ahmadis do not enjoy any life of dignity in Pakistan. In fact, even after death, Ahmadis in Pakistan cannot rest in peace, their graves in cemeteries are routinely desecrated. There are continuing reports of bodies of Ahmadis being exhumed after their burial and on various occasions, Ahmadis have been denied burial in public cemeteries.

6. Prominent Pakistani Ahmadis have not been spared from targeted persecution either. Abdus Salam was the first Pakistani to receive a Nobel Prize in science in 1979 and only the second from an Islamic country to receive any Nobel Prize. However, his identity as an Ahmadi stoked violent reactions in Pakistan. In September 2018, Atif Mian, a prominent economist and an Ahmadi was chosen by Pakistan Prime Minister Imran Khan to be a member of his Economic Advisory Council. However, bowing to pressure from religious groups Atif Mian was removed from the Council within a week. These experiences are representative of the ones experienced by the roughly four million Ahmadis in Pakistan.

7. The travails of being an Ahmadi in Pakistan have been sensitively brought out in various local and international publications and observations of rights groups. Amnesty International on 8 May 2020 urged Pakistan to fulfill its international obligations to protect the human rights of all communities, including of the Ahmadis and their right to freedom of religion or belief, adding that Ahmadis have endured decades of persecution. Following the surge of targeted killings of Ahmadis, Amnesty International on 26 November 2020 observed that *“the recent wave of killings tragically underscore not just the seriousness of the threats they face, but also the callous indifference of the authorities, who have failed to protect the community or punish the perpetrators”*.

8. In its April 2020 report the Human Rights Commission of Pakistan (HRCP) noted that the Ahmadi community faces constant persecution and discrimination, ineligibility to hold government positions, in contesting elections, in their lack of freedom to publish or distribute their own literature. It goes on to say that this discrimination extends to their businesses and has led to destruction and desecration of their places of worship. The United States

Commission on International Religious Freedom and the US State Department in their latest Annual Reports continue to designate Pakistan as a 'Country of Particular Concern' for severe violations of religious freedom against the Ahmadis.

9. The Joint Report to the European Parliament and the Council Report on the Generalized Scheme of Preferences (2018-19) mentions that religious minorities in Pakistan continue to face attacks from extremist groups and society at large and misuse of the country's strict blasphemy laws results in the suppression of rights for non-Muslims, Shias, and Ahmadis.

10. Britain's All-Party Parliamentary Group (APPG) for the Ahmadiyya Muslim Community in a report published in July 2020 on the persecution of Ahmadi Muslims in Pakistan, titled "*Suffocation of the Faithful*" states that "*Such is the extent of persecution that it is no exaggeration to describe the life of an Ahmadi Muslim in Pakistan as one that faces persecution from the cradle to the grave... At every step of their lives, they remain ever at risk of arrest, attack or harassment. Ahmadis have been denied their fundamental right to vote, they cannot possess their religious texts, and even after death their graves are targeted and bodies exhumed.*" The report also states that Federal laws in Pakistan make it a criminal offence for any Ahmadi Muslim in Pakistan to practice Islam or refer to their faith as Islam. The APPG Inquiry heard that Ahmadi Muslims are denied the right to rest in peace after death as Ahmadi families are routinely barred by local extremist clerics from burying their loved ones at the local cemetery.

11. Successive Pakistani governments have failed to protect the human rights and security of the Ahmadi community. In a clear indication of state-sponsored persecution and incitement violence against persons based on their beliefs, on 29 April 2020, State Minister for Parliamentary Affairs Ali Muhammad Khan endorsed beheading as "the only punishment for those who mock Prophet Muhammad" referring to Blasphemers in his tweets. He supported an anti-Ahmadiyya twitter campaign by calling for Ahmadis to be punished by death which resulted in a tirade of abuse and hate speech against Ahmadi Muslims.

12. Pakistani print and broadcast media outlets have continued to occasionally publish and broadcast anti-Ahmadi rhetoric. On 9 November 2019, Pakistan Tehreek-e-Insaf (PTI) politician and former Minister for Science and Technology Azam Swati said in a live talk show broadcast that he and PM Khan both "sent curses" upon Ahmadis, responding to Islamist politicians' accusations that PM Khan was sympathetic to the Ahmadiyya community. **The Urdu-language press in Pakistan frequently prints hate speeches in news stories and op-eds. There are also reports of continued**

government failure to restrict advertisements or speeches inciting anti-Ahmadi violence.

13. On 11 May 2020 Pakistan notified the re-constitution of the National Commission on Minorities. However, the government refused to include Ahmadis in this Commission, bowing to pressure from various groups. Regarding this exclusion of Ahmadis, Brad Adams, Asia Director of Human Rights Watch (HRW) noted that *“The Ahmadis are among the most persecuted communities in Pakistan and to exclude them from a minority rights commission is absurd. Keeping Ahmadis off the commission shows the extent to which the community faces discrimination every day”*. HRW noted that the persecution of the Ahmadi community is embedded in Pakistani law and encouraged by the Pakistan government

14. The world is aware of the plight of the Ahmadis and has time and again expressed serious concern for their plight in Pakistan. The fact that Pakistan continues to blatantly persecute the Ahmadis, despite such concerns, highlights the need to ensure stricter compliance by Pakistan for internationally accepted principles of human rights and dignity.

Some recent instances of persecution of Ahmadi under current regime

January 2019: In Mandi Bahauddin District, Punjab, Ahmadi Mahdi Khan was shot and killed by unknown assailants. According to community representatives, his family was the only Ahmadi family in their village, and Khan had received threats (US State Department’s International Religious Freedom Report 2019)

June 2019: Four teenagers on their way home after playing cricket set on fire a watchman’s cabin outside an Ahmadi worship place in Wah Cantt. (HRCP Report - State of Human Rights in 2019)

June 2019: Police in Sheikhapura District, Punjab Province, Pakistan denied Ahmadis access to a mosque they used for prayer and forced them to sign a declaration they would no longer pray in the mosque.

August 2019: District administration in Lahore sealed a Ahmadi prayer centre after the local clerics objected to Ahmadis being allowed to pray openly. (HRW World Report 2020 – Pakistan)

September 2019: On 25 October 2019, a historic 70-year-old Ahmadi mosque in Bahawalpur, Punjab was demolished with the police standing by.

October 2019: State authorities destroyed a 70-year-old Ahmadi mosque at Chak in Hasilpur of Punjab. The police and local authority workers seized the mosque (in Murad, Dist. Bahawalpur) and disconnected its electrical supply and used plant machinery to destroy and reduce a section of the mosque to rubble. The police also seized all CCTV footage from the mosque. Local Ahmadi who had recorded the incident on their phones, were arrested by police and released on bail the following day (USCIRF Annual Report 2020; Britain's APPG for Ahmadiyya report titled "*Suffocation of the Faithful*" published in July 2020)

January 2020: Locals protested the burial of an Ahmadi (Muhammad Anwar) of District Nankana and prevented it going ahead (Britain's APPG for Ahmadiyya report titled "*Suffocation of the Faithful*" published in July 2020).

February 2020: The corpse of eleven-year-old Ahmadi child (Tanzeel Ahmad) was found in a steel trunk in his neighbour's apartment. Upon police interrogation, his body was recovered, and it appeared as if he had been tortured. (Britain's APPG for Ahmadiyya report titled "*Suffocation of the Faithful*" published in July 2020).

April 2020: 55-year-old Ramzan Bibi made a monetary contribution towards an event organised by the local non-Ahmadi Mosque in the village of Cheleki (Nankana District). The donation was turned down as the Mosque refused to accept a donation from an Ahmadi Muslim. On inquiring about refusal of donation, she was physically and verbally assaulted in public. Subsequently, based on allegations of blasphemy by the local clerics, she was charged under section 295-C of Pakistan's Penal Code (which carries death penalty) and is currently in jail awaiting her trial (Britain's APPG for Ahmadiyya report titled "*Suffocation of the Faithful*" published in July 2020).

May 2020: 30-year-old Rohan Ahmad, an Ahmadi Muslim missionary was arrested following a raid at his family home in Lahore, Pakistan. Pakistan's Cyber Crimes Department conducted a raid based on allegations that Mr Ahmad had received WhatsApp messages inviting him to participate in a quiz hosted by the Ahmadiyya Muslim Youth Association. Reports also suggest that Mr Ahmad was tortured by police before being arrested and taken to Camp Jail in Lahore. He currently awaits trial and if guilty could be sentenced to death. (Britain's APPG for Ahmadiyya report titled "*Suffocation of the Faithful*" published in July 2020).

July 2020: On 29 July, a 19-year-old assailant killed Tahir Ahmad Naseem, 57, inside a high security courtroom while facing a trial for blasphemy accusations.

(Amnesty International) Ahmadi graves were desecrated in a remote village in Gujranwala with the help of police officials. (social media)

August 2020: Meraj Ahmed (61), an Ahmadi was shot dead near his medical store in Dabgari Gardens, Peshawar. He & his brother were facing threats over their faith. He had also filed a complaint with FIA about an online hate campaign. (social media and Amnesty International)

September 2020: An elderly Ahmadi was attacked at his store located in the Qissa Khawani market of Peshawar. (Rabwah Times – 22 September 2020)

October 2020: Professor Naeemuddin Khan Khattak, from the persecuted Ahmadiyya community, was murdered as he was returning home after finishing his classes at Peshawar's Superior College. He and his family had been facing threats for past several months. (social media)

November 2020: Gunmen shot and killed an 82-year-old Ahmadi man (Mahmoob Khan), as he stood at a bus terminal, on the outskirts of Pakistan's northwestern city of Peshawar. On 20 November, a tennage assailant fatally shot Dr. Tahir Mahmood, 31, as he answered the door of his house in Nankana Sahib district, Punjab while also injuring Mahmood's father and two others(The Washington Post, Al Jazeera–9 November 2020, Amnesty International, USCIRF tweet – 10 November 2020, other social media handles)

Persecution of Shia in Pakistan

1. In the past couple of months, there has been a resurgence of anti-Shia sentiment in Pakistan. Salient features of the resurgent anti-Shia sentiment in Pakistan are:
 - i. Hitherto unseen unity amongst the Sunni sects and political groups and a convergence of their anti-Shia rhetoric (expanded beyond Deobandis to include Hanafis and Salafis);
 - ii. Demands that Shia be declared non-Muslims are increasing – ‘*Takfiri Demands*’ (Takfiri logic was applied to declare Ahmadiya community as non-Muslims);
 - iii. Increasing political space of Sunni extremist/hardline groups (Pakistan government has been conspicuously silent about massive demonstrations in major cities).
2. While on the one hand Pakistan is trying to project itself as a leader of Muslim Ummah and has been raising the issue of Islamophobia, on the other hand the Shias in Pakistan are being increasingly persecuted.
3. Instances of targeted violence and killings of Shia Muslims in Pakistan over the past few months is as follows:
 - i. Massive anti-Shia rallies have been held in major cities including Karachi (estimated attendance of over 30,000), Peshawar, Islamabad in September 2020. Banned groups such Ahle Sunnat Wal Jamaat (ASWJ), extremist groups like Tehreek-e-Labbaik, and leaders of banned groups addressed or shared the stage at these rallies and even encouraged followers to bomb Shias.
 - ii. On 4 September 2020, several Sunni organizations created a coalition demanding the arrest of Shias for Blasphemy; Over 150 FIRs alleging blasphemy against Shias including prominent leaders and clerics have been registered in September 2020. A number of Shia Ulema have also been detained by the police.
 - iii. Pakistani media have reported that over 22,000 Shias have been killed since 1968 for their faith. Two Shiites have been gunned down in past month alone for religious reasons.

- iv. A case was registered against a three-year-old Shia child under 16 Maintenance of Public Order (MPO) for allegedly organizing a majlis at his residence.
 - v. Reportedly, a total, 33 people have been wounded, and seven others lost their lives in August 2020 in targeted attacks in Pakistan. Attacks take the form of bombings within districts with dense populations of Shia presence and armed shootings of individuals recognized as Shia Muslims.
 - vi. On the 9th August 2020, unidentified shooters targeted Syed Mukhtar Hussain Shah, 52, a caretaker of the Imambargah Chah Roshan Shah Malana, a congregation hall Shia commemorations, as he returned home from the market. Shah lost his life at the hospital.
 - vii. A day later, a bomb on a motorbike detonated in Chaman's border city, resulting in the death of 6 and the injury of 20 others. Local law enforcement noted a high prevalence of extremist violence that target Shia communities in the province.
 - viii. The city of Quetta is another location in Pakistan with a high volume of anti-Shia violence. On the 13th of August 2020, anti-Shia instigators threw a grenade in a market place wounding and killing nine civilians. Among those killed was a child.
 - ix. There was also a case of brutal death of Qaiser Imran in Kohat, an attack on a procession in Okara, and the desecration of an Imambargah in the Lines Area.
4. In addition to direct violence, Shia Muslims in Pakistan face derogatory language and labelling. In Karachi, homes of Shia Muslims have been marked with words translating to "Shia Infidel." Some in Pakistan have labelled the Coronavirus as "Shia Virus," scapegoating the population for the countries pandemic.
 5. During the recent anti-Shia Rally in Karachi, affiliates of Sipah-e-Sahaba and Tehreek Labbaik Pakistan waved flags and shout derogatory slurs against Shia Muslims, calling them "infidels" and damaging not only identified Shia property but also the city's public infrastructures.
 6. In July 2020, Punjab legislature passed a bill (Tahaffuz-e-Bunyad-e-Islam Bill) prohibiting printing and publication of objectionable material. This was largely seen as targeting Shia.
