

# Pakistan : situation des ahmadi-e-s

Recherche rapide de l'analyse-pays de l'OSAR

Berne, le 7 mai 2018

## **Impressum**

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CCP dons: 10-10000-5

Versions

Allemand et français

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# 1 Introduction

Le présent document a été rédigé par l'analyse-pays de l'Organisation suisse d'aide aux réfugiés (OSAR) à la suite d'une demande qui lui a été adressée. Il se penche sur les questions suivantes:

1. De quelles informations dispose-t-on sur la situation actuelle des ahmadi-e-s, y compris dans la province de Pendjab ?
2. Dans quelle mesure la situation s'est-elle détériorée durant les années 2016, 2017 et 2018 ?

Pour répondre à ces questions, l'analyse-pays de l'OSAR s'est fondée sur des sources accessibles publiquement et disponibles dans les délais impartis (recherche rapide) ainsi que sur des renseignements d'expert-e-s.

## 2 Situation des ahmadi-e-s

### 2.1 Cadre juridique, responsabilité de l'État

**Informations générales sur la communauté ahmadie.** Selon les directives du HCR de janvier 2017 pour l'évaluation des besoins de protection internationale des membres des minorités religieuses au Pakistan et selon le *New York Times* (NYT, 19 octobre 2017), le mouvement ahmadi (*ahmadiyya Jama'at*) a été fondé en 1889 dans la ville de Qadian, dans ce qui est aujourd'hui la partie indienne du Pendjab, en tant que mouvement de réforme au sein de l'islam. Les estimations relatives au nombre d'ahmadi-e-s au Pakistan vont de 126 000 à plusieurs millions selon le HCR (janvier 2017). Le NYT (19 octobre 2017) fait état d'estimations allant de 500 000 à quatre millions ; il semble que nombre d'ahmadi-e-s ne s'identifient pas publiquement en tant que tels et que d'autres ne participent pas aux recensements. Selon le NYT (19 octobre 2017), les ahmadi-e-s sont également appelés Qadiani, désignation qu'ils perçoivent eux-mêmes comme dégradante. Le HCR (janvier 2017) mentionne deux autres désignations: Lahori et Mirzai.

Selon le HCR (janvier 2018), le siège de la communauté ahmadie au Pakistan est situé dans la ville de Rabwah dans la province du Pendjab. A Rabwah, selon des rapports cités par le HCR (janvier 2017), plus de 97 % de la population appartient à la communauté ahmadie. Les ahmadi-e-s s'identifient eux-mêmes comme des musulman-e-s. Certaines de leurs croyances diffèrent des interprétations sunnites des concepts islamiques fondamentaux et sont donc considérées par certains musulmans comme contraires à l'islam et blasphématoires. La majorité musulmane du Pakistan est apparemment opposée à toute croyance divergente à l'égard du prophète Mahomet, considéré à leurs yeux comme le dernier prophète. Selon le NYT (19 octobre 2017), *Mirza Ghulam Ahmad*, le fondateur du mouvement, a prétendu être l'incarnation d'un messie promis dans les textes sacrés islamiques, s'opposant ainsi à la croyance de la majorité des musulman-e-s selon laquelle Mahomet serait le dernier prophète de l'islam. Selon *Matthew Nelson*, chercheur à l'Institut SOAS de l'Université de Londres et

expert sur le Pakistan qui est cité par l'EASO (février 2018), la majorité musulmane du Pakistan considère comme une hérésie le point de vue des ahmadi-e-s selon lequel le fondateur de leur mouvement est un prophète post-Mahomet.

**La constitution pakistanaise nie l'identité musulmane des ahmadi-e-s.** Les directives du HCR de janvier 2017 soulignent que la constitution pakistanaise a classé les membres de la minorité religieuse ahmadie dans la catégorie des non-musulman-e-s depuis 1974, bien que ceux-ci se considèrent eux-mêmes comme des musulmans.

**Les amendements du Code pénal (« lois anti-ahmadies ») discriminent et criminalisent les ahmadi-e-s et restreignent leur liberté religieuse.** Selon le HCR (janvier 2017), en 1984, le Président Zia ul-Haq a institutionnalisé davantage le sentiment anti-ahmadi au Pakistan en adoptant des amendements du Code pénal (sections 298B et 298C, par ordonnance n° XX). Ces amendements, communément appelés « lois anti-ahmadies » et définissant certaines pratiques religieuses ahmadies comme illégales, sont largement critiqués car ils violent le droit fondamental à la liberté religieuse des ahmadi-e-s ainsi que d'autres droits. Ainsi, conformément à la section 298B, l'utilisation de qualificatifs, de descriptions et de titres destinés à certaines personnes et à certains lieux saints peut entraîner pour les ahmadi-e-s jusqu'à trois ans d'emprisonnement et une amende. L'article 298C interdit aux ahmadi-e-s de « se présenter directement ou indirectement en tant que musulman-e-s », d'« appeler leur croyance islam » et de « prêcher et répandre leur foi ».

Selon le HCR (janvier 2017), les deux sections contiennent des mesures discriminatoires : les ahmadi-e-s ne peuvent pratiquer leur religion, prier dans des lieux privés ou publics, diffuser des enseignements religieux et publier et distribuer des documents religieux. Ces mesures leur interdisent également d'appeler leur fondateur « prophète », de désigner leurs personnages saints par leurs titres religieux, de définir leurs lieux de culte comme des « mosquées », d'utiliser la forme islamique traditionnelle de salutation et l'appel islamique à la prière (*Azan* ou *Adhan*) et d'appeler leur propre appel à la prière « Azan ». De plus, les deux sections sont exprimées de manière vague, ouvrant la porte à des interprétations très différentes des dispositions juridiques, ce qui favorise les abus. Ainsi, l'article 298C prévoit que soient puni-e-s les ahmadi-e-s qui « blessent les sentiments des musulman-e-s par leurs paroles ou écrits ou par toute représentation visible ou par quelque forme que ce soit ». L'article 298C prévoit des peines d'emprisonnement pouvant aller jusqu'à trois ans et/ou des amendes.

**Arrestations et condamnations d'ahmadi-e-s en vertu de la loi antiterroriste.** En outre, des membres de minorités religieuses, y compris des ahmadi-e-s, ont été arrêtés et inculpés en vertu de la loi antiterroriste de 1997, selon des rapports de 2016, 2015 et 2013 cités par le HCR (janvier 2017).

**Les ahmadi-e-s sont accusés de blasphème ; même après l'acquittement, le risque perdure.** Selon le HCR (janvier 2017), dans certains cas, les juges ont interprété la pratique des croyances religieuses ahmadies comme une forme de blasphème en soi en raison du libellé vague de l'article 298C. Selon le NYT (19 octobre 2017), le fait de répéter une déclaration ou une action blasphématoire d'autrui peut également constituer un blasphème ; par conséquent, dans les cas de blasphème, la nature exacte de l'action blasphématoire ne serait souvent pas assez exactement examinée.

Selon l'USDOS (20 avril 2018), les tribunaux ont continué en 2017 d'appliquer de manière disproportionnée les lois sur le blasphème contre les chiites, les chrétiens, les ahmadi-e-s et les membres d'autres minorités religieuses. Selon cette même source, les tribunaux de première instance n'exigent souvent pas de preuves adéquates dans les cas de blasphème, et les personnes condamnées passent souvent des années en détention avant qu'un tribunal supérieur ne retire la sentence ou n'ordonne la libération. Le rapport annuel 2017 paru en mars 2018 de la *Commission indépendante des droits humains au Pakistan (Human rights Commission of Pakistan, HRCP)* le confirme : prouver l'innocence d'une personne condamnée dans les cas de faux blasphème peut prendre beaucoup de temps, les personnes passant parfois de huit à dix ans en prison avant d'être libérées.

Même après un acquittement dans un cas de blasphème, la personne accusée est exposée à des risques selon le HRCP (mars 2018). Dans la plupart des cas, les victimes de cas de blasphème déménagent dans un autre lieu après leur libération pour éviter tout problème. Récemment toutefois, selon le HRCP (mars 2018), la tendance a été de tuer les ahmadi-e-s plutôt que de les accuser de blasphème.

**Exemples d'arrestations et de condamnations d'ahmadi-e-s, y compris de peines de mort.** Selon le HRCP (mars 2018), trois ahmadi-e-s de Bhoiwal ont été condamnés à mort le 11 octobre 2017 à Ferozewala, dans la province du Pendjab, pour avoir prétendument déchiré un autocollant ou une brochure anti-ahmadie en mai 2014. Un quatrième ahmadi accusé dans la même affaire a été tué en garde à vue. Un autre ahmadi a été condamné le 1<sup>er</sup> juillet 2017 à la réclusion à perpétuité à Rawalpindi, également dans la province du Pendjab, pour avoir prétendument profané le Coran. Il avait été arrêté le 20 novembre 2015 à Jhelum, dans la province du Pendjab, à la suite d'un grave incendie criminel perpétré par une foule contre une usine de panneaux agglomérés détenue par un ahmadi.

En décembre 2016, selon le HCR (janvier 2017), le *Counter Terrorism Department (CTD)* de la province du Pendjab a effectué un raid au siège de la communauté ahmadie à Rabwah. Quatre ahmadi-e-s ont été arrêtés. Des accusations criminelles ont été portées contre neuf personnes pour avoir prétendument publié des écrits interdits. Selon l'USDOS (20 avril 2018), un tribunal antiterroriste a condamné à trois ans de prison deux des ahmadi-e-s arrêtés lors du raid de mai 2017. Le BAMF (5 mars 2018) cite le rapport annuel 2017 d'une organisation ahmadie selon lequel 77 ahmadi-e-s ont fait l'objet en 2017 d'allégations en vertu du droit pénal religieux. Neuf ahmadi-e-s avaient été arrêtés pour de telles accusations à la fin de 2017. Selon *Al-Jazeera* (12 octobre 2017), un tribunal de Sheikhpura, dans la province du Pendjab, a condamné à mort trois ahmadi-e-s pour blasphème. Ils avaient été arrêtés après avoir arraché des affiches religieuses d'un mur. Un quatrième accusé a été abattu en garde à vue.

Un imprimeur de publications ahmadies a passé deux ans et un mois en prison avant d'être acquitté par un tribunal antiterroriste le 5 mai 2017. Il avait été inculpé en vertu de la loi sur le blasphème, de la loi anti-ahmadie et de la loi antiterrorisme pour avoir prêché la foi ahmadie.

**Les lois anti-ahmadies et sur le blasphème permettent aux acteurs étatiques de harceler et de discriminer les ahmadi-e-s et de restreindre leurs droits civils et politiques.** Selon des rapports cités par le HCR (janvier 2017), les lois anti-ahmadies et les lois sur le blasphème sont souvent utilisées par les autorités de l'État pour cibler et harceler les

ahmadi-e-s et les personnes converties à la foi ahmadie. Les ahmadi-e-s font l'objet de discriminations en raison de mesures sanctionnées par l'État restreignant leurs droits civils et politiques. *Matthew Nelson* (cité dans EASO, février 2018) souligne que la constitution pakistanaise garantit la liberté religieuse, mais seulement tant qu'elle ne menace pas l'ordre public. La minorité religieuse est donc considérée comme susceptible de nuire à l'ordre public, et l'État restreint parfois la liberté religieuse de la minorité afin de rétablir l'ordre public.

Selon *Reuters* (9 mars 2018), la Haute Cour d'Islamabad a estimé en mars 2018 que toute personne postulant à un emploi au gouvernement devait déclarer sa religion. Il est à supposer que cette décision exercera de nouvelles pressions sur les ahmadi-e-s au Pakistan. Selon le site d'informations *Christian Century* (5 avril 2018), les certificats de naissance, cartes d'identité, passeports et listes électorales doivent toujours indiquer la confession d'une personne.

Selon des rapports cités par le HCR (2017), les passeports pakistanais contiennent des informations sur l'appartenance religieuse. Les musulman-e-s qui demandent un passeport doivent déclarer qu'ils considèrent le fondateur du mouvement ahmadi comme un faux prophète et ses partisan-e-s comme des non-musulman-e-s et qu'ils croient que Mahomet est le dernier prophète. Pour les ahmadi-e-s, cela signifie qu'ils doivent soit renier leur foi, soit renoncer à un passeport. Cela signifie également qu'ils ne peuvent pas bénéficier des programmes gouvernementaux de financement et d'organisation de pèlerinages à la Mecque. Les ahmadi-e-s qui signent la déclaration demandée risquent une peine en vertu de la section 298C du Code pénal pour avoir voulu « se faire passer » pour des musulmans. USDOS (20 avril 2018) cite des rapports de représentant-e-s ahmadi-e-s selon lesquels les ahmadi-e-s qui refusent de signer la déclaration se voient inscrire le mot « ahmadi » sur leur passeport. Selon le HCR (janvier 2017), les cartes d'identité nationales ne contiennent aucune information sur la religion, toutefois la *National Database and Registration Authority* (NADRA) recueille des informations sur la religion des demandeurs et les demandeurs musulmans sont tenus de fournir une déclaration semblable à celle qui figure sur la demande de passeport.

Selon le HCR (janvier 2017), les ahmadi-e-s ne sont toujours pas autorisé-e-s à figurer sur la liste électorale générale, mais doivent s'inscrire sur une liste électorale distincte pour les ahmadi-e-s. Selon le BAMF (5 mars 2018), un projet de loi qui aurait facilité la participation des ahmadi-e-s aux élections a été retiré après des semaines de blocus de la part de groupes islamistes à Islamabad. Selon le rapport annuel 2017 de la *Commission indépendante des droits humains au Pakistan* (*Human rights Commission of Pakistan*, HRCP, mars 2018), la loi de 2017 sur les élections (*Elections (Second Amendment) Act, 2017*) prévoit que le statut des ahmadi-e-s (ou des personnes qui ne croient pas à la « finitude absolue et inaltérée de la prophétie de Mahomet ») demeure inchangé. Si une personne s'est inscrite comme électrice ou électeur et qu'un recours est déposé auprès de la *Revising Authority* (autorité de révision) sous prétexte qu'elle n'est pas musulmane, la personne concernée doit se présenter dans les quinze jours et signer une déclaration confirmant sa foi en la « finitude absolue et inaltérée de la prophétie de Mahomet ». Si elle refuse de signer cette déclaration, son nom est radié de la liste électorale commune et est inscrit sur la liste des électrices et électeurs non-musulmans.

Selon des rapports cités par le HCR (janvier 2017), certaines autorités refusent en outre d'enregistrer les mariages entre ahmadi-e-s.

Selon le HCR (janvier 2017), lorsque des personnes postulent pour un poste au sein d'un établissement d'enseignement public ou privé, elles doivent également indiquer leur appartenance religieuse, et les musulman-e-s doivent déclarer qu'ils croient que Mahomet est le dernier prophète, exigence qui exclut les ahmadi-e-s. Selon des rapports, les personnes qui se déclarent ahmadies subissent de la discrimination en matière d'accès aux établissements d'enseignement supérieur. Le 20 mars 2018, le *Rabwah Times* a fait état de protestations de la part de chefs religieux islamiques contre les déclarations religieuses à leurs yeux « frauduleuses » (« *fraudulent misrepresentation* ») d'un élève de Gojrah, dans la province du Pendjab, concernant son appartenance religieuse. Selon ces chefs religieux, l'élève était ahmadi et s'était « fait passer pour un musulman » afin de pouvoir participer aux examens.

Selon le HCR (janvier 2017), les autorités de l'État interdisent par ailleurs depuis 1983 aux ahmadi-e-s d'organiser des conférences ou des réunions et la vente de publications religieuses ahmadies est également interdite.

Selon HRCP (mars 2018), l'Assemblée de la province de l'Azad Cachemire a adopté une déclaration anti-ahmadie le 26 avril 2017, qui demandait à enregistrer les ahmadi-e-s comme des non-musulman-e-s. Conformément à cette déclaration, les musulman-e-s qui rejoignent le mouvement ahmadi doivent en outre être déclarés apostats (*murtad*) et être poursuivis en justice.

## 2.2 Culture de l'intolérance religieuse, harcèlement, meurtres ciblés d'ahmadi-e-s

**Culture de l'intolérance religieuse, impunité généralisée.** Selon des rapports cités par le HCR (janvier 2017), les lois répressives et discriminatoires, ainsi que les pratiques discriminatoires sanctionnées par l'État au Pakistan, favorisent une culture de l'intolérance religieuse et de l'impunité. Les membres de la communauté ahmadie sont donc victimes de mauvais traitements, de violence, y compris de meurtres, de harcèlement et d'intimidations de la part des membres de la société majoritaire. Les accusations de blasphème contre les ahmadi-e-s ont donné lieu, selon cette même source, à des émeutes de masse et à des meurtres. Selon l'USDOS (20 avril 2018), des émeutes de masse et des actes de violence contre les minorités religieuses, y compris les ahmadi-e-s, ont également eu lieu en 2017.

**Harcèlement et violence contre les ahmadi-e-s, pouvant aller jusqu'au meurtre ciblé.** Selon l'USDOS (20 avril 2018), plusieurs ahmadi-e-s sont mort-e-s en 2017 en raison d'assassinats manifestement ciblés. Ainsi, des inconnu-e-s ont abattu trois ahmadi-e-s lors de trois attaques différentes, les 30 mars, 7 avril et 3 mai 2017. BAMF (5 mars 2018) cite le rapport annuel 2017 d'une organisation ahmadie, selon lequel quatre ahmadi-e-s ont été tués en 2017 en raison de leur religion. Selon *Muhammad Amir Rana*, directeur du *Pakistan Institute for Peace Studies* (PIPS) (cité dans EASO, février 2018), une autre attaque contre des ahmadi-e-s a été signalée en octobre 2017. L'on dénombre donc six meurtres d'ahmadi-e-s et cinq attaques contre cette communauté entre début janvier et mi-octobre 2017.

HRCP (mars 2018) rapporte qu'entre l'adoption des lois anti-ahmadies en 1984 et la fin de 2017, 264 ahmadi-e-s ont été tués en raison de leur religion, dont 182 dans la province du Pendjab. Selon cette même source, entre mars et mai 2017, trois ahmadi-e-s ont été

abattu-e-s et une quatrième, une professeure à la retraite, a été poignardée à mort dans son appartement. En juin 2017, un autre ahmadi a survécu à une tentative de meurtre près de Lahore après avoir reçu des menaces de mort de la part de l'administration d'un hôpital qui voulait acquérir ses terres contre son gré. En avril 2017, un étudiant de la province de Khyber Pakhtunkhwa a été victime d'un meurtre par lynchage, sous prétexte qu'il aurait tenté de répandre la foi ahmadie sur Facebook.

En octobre 2017, le site d'information *Rabwah Times* a rapporté l'exécution par arme à feu d'un avocat, de sa femme et de son fils de deux ans à leur domicile à Rehman Garden, Sheikhpura, province du Pendjab. La police a soupçonné, selon cette même source, qu'il s'agissait d'un « crime d'honneur » – la famille de l'épouse n'ayant pas soutenu son mariage avec un ahmadi huit ans auparavant – et que le meurtre a été commis par le frère de celle-ci.

ACCORD (23 janvier 2018) fait état en 2017 et 2016 des cas susmentionnés ainsi que d'autres cas d'assassinats d'ahmadi-e-s en raison de leur religion.

**Attaques contre les mosquées ahmadies, mosquées ahmadies exclues du nouveau plan de protection des lieux de culte dans la province de Sindh.** Selon HRCP (mars 2018), en août 2017, un jeune a mis le feu à la mosquée ahmadie de Muridke, district de Sheikhpura, province du Pendjab. Le feu a été contenu avant qu'il ne puisse se propager. La mosquée ahmadie de Dulmial, également dans la province du Pendjab, qui a été dévastée en 2016, est restée scellée malgré un ordre de la *National Commission for Human Rights*, si bien que les ahmadi-e-s de la région n'ont toujours pas de lieu de prière. Selon HRCP (mars 2018), le nouveau plan du gouvernement de la province de Sindh visant à installer une vidéosurveillance des lieux de prière des minorités religieuses afin d'assurer leur sécurité exclut les mosquées ahmadies.

**Les barelvis et d'autres groupes islamiques traquent les ahmadi-e-s, la raison d'être de 84 des 247 organisations religieuses du Pakistan cible les minorités religieuses.** Selon *Matthew Nelson* (cité dans EASO, février 2018), ces dernières années, ce sont surtout les membres du groupe salafiste des barelvis (qui considèrent leur conception de la prophétie comme particulièrement importante) qui ont perpétré des attaques à l'encontre des ahmadi-e-s en raison de leur conception divergente de la prophétie. *Muhammad Amir Rana* (cité dans EASO, février 2018) fait état d'une forte augmentation du nombre d'organisations religieuses au Pakistan. Sur les 247 organisations actuellement actives, 84 ont, selon cette même source, un programme exclusivement confessionnel, leur raison d'être étant dirigée contre les minorités religieuses, y compris les chiites, les ahmadi-e-s, les hindou-e-s ou les chrétien-ne-s. *Muhammad Amir Rana* ajoute que ces groupes exercent une influence de plus en plus grande sur le courant politique dominant.

Dans la province du Sindh, selon HRCP (mars 2018), la majorité des plaintes adressées contre des ahmadi-e-s provenaient, à un moment donné en 2017, d'un seul prédicateur religieux dans une ville près d'Hyderabad. Les délits allégués vont de l'inscription « Bismillah » dans une lettre privée à la prédication de la foi ahmadie.

**Campagne publique et discours de haine contre les ahmadi-e-s, y compris de la part de politicien-ne-s de haut rang.** Dans tout le pays, selon le HCR (janvier 2017), il est fait état de rassemblements et de campagnes de haine encourageant l'intolérance et la discrimination



à l'égard des ahmadi-e-s, que ce soit de la part des médias traditionnels ou à travers la distribution de pamphlets et l'utilisation d'autocollants et de graffitis sur les murs. La *Commission indépendante des droits humains au Pakistan (Human Rights Commission of Pakistan, HRCP, mars 2018)* fait également état d'une campagne de haine impitoyable contre les ahmadi-e-s, qui s'est poursuivie tout au long de 2017, y compris des banderoles sur des rickshaws, des communiqués de presse de la part de chefs religieux et des discours de fanatiques religieux lors de séminaires et de conférences dépeignant les ahmadi-e-s comme des infidèles méritant la mort (*wajib ul qatal*). Les personnalités pondérées s'exprimant dans les médias ont été réduites au silence après avoir subi des menaces ou forcées de quitter le pays. Rana Tanveer, journaliste connu pour ses reportages sur les minorités religieuses, a été renversé le 9 juin 2017 par une voiture qui roulait à pleine vitesse, quelques jours seulement après que la police a refusé d'enquêter sur les menaces de mort proférées à son encontre. Il a survécu.

Selon HRCP (mars 2018), la violence de masse contre les ahmadi-e-s est généralement incitée dans les zones rurales de la province du Pendjab par des chefs religieux barelvis. Par exemple, lors d'une conférence à Nankana Sahib, des leaders des barelvis ont appelé à la peine de mort pour apostasie et promis de persécuter les ahmadi-e-s jusqu'à leur dernier souffle. Une partie des médias soutient la discrimination à l'égard des ahmadi-e-s et glorifie les chefs religieux qui justifient la violence à l'encontre des ahmadi-e-s. Selon cette même source, cela influence la jeune génération, qui n'est pas consciente ou ignore que les ahmadi-e-s jouissent de tous les droits civils garantis par la Constitution pakistanaise.

HRCP (mars 2018) mentionne une série de rassemblements et de conférences qui se sont tenus dans tout le Pakistan en septembre 2017 pour célébrer l'amendement anti-ahmadi de la Constitution de 1974. En outre, Allah Wasaya, chef religieux du groupe barelvi *Tehreek-i-Khatam-e-Nabuwwat* (mouvement qui lutte pour la finitude de la prophétie), a déposé une pétition à la Haute Cour d'Islamabad demandant la création par le gouvernement pakistanais d'une base de données distincte pour les employé-e-s de l'Etat « Qadiani/Lahori » pour empêcher qu'ils occupent à l'avenir des positions en lien avec des questions sensibles.

Le NYT (19 octobre 2017) relate une entrevue télévisée du ministre pakistanais des affaires étrangères, *Khawaja Muhammad Asif*, qui, après sa visite aux Etats-Unis, a été accusé d'y avoir rencontré des ahmadi-e-s. Au cours de l'entrevue, le ministre a expliqué avec beaucoup d'insistance qu'il n'avait jamais rencontré un ahmadi de sa vie.

*Cyril Almeida*, journaliste au journal pakistanais Dawn (cité dans EASO, février 2018), a rendu compte du discours qu'un député membre du parti gouvernemental *Pakistan Muslim League (PML-N)* a tenu devant le parlement à l'encontre de la communauté ahmadie et qui a été diffusé en direct à la télévision. Le député – gendre de l'ancien premier ministre Nawaz Sharif – a réclamé le changement de nom d'un bâtiment universitaire portant le nom du premier prix Nobel pakistanais, un ahmadi ; l'identification et le retrait de tous les ahmadi-e-s de l'armée pakistanaise ; l'obligation pour chaque fonctionnaire, parlementaire et représentant-e de l'Etat de signer une déclaration selon laquelle il ou elle est un-e véritable musulman-e et qu'il ou elle s'oppose au fondateur du mouvement ahmadi ; et l'identification et le retrait de l'ensemble des ahmadi-e-s de la commission civile de l'énergie atomique du Pakistan. Selon *Cyril Almeida* et HRCP (mars 2018), aucun-e parlementaire ne s'est opposé au discours du député. La PML-N ne s'est pas non plus distanciée de ce discours, d'après la même source. Seul-e-s quelques membres du parti ont essayé de s'en distancier sur les réseaux sociaux. Enfin,

l'ancien Premier ministre Nawaz Sharif a publié une déclaration confirmant la détermination de la PML-N à protéger les droits des minorités.

Selon *Cyril Almeida* (cité dans EASO, février 2018), de telles déclarations publiques de personnalités de haut rang, prononcées à quelques années, voire à quelques mois d'intervalle, montrent à la société pakistanaise qu'il est normal et acceptable d'échauffer les esprits à l'encontre des ahmadi-e-s, d'en parler publiquement et d'agir en conséquence. Selon cette même source, la communauté ahmadie est utilisée comme une diversion politique : lorsqu'un-e politicien-ne se retrouve sous pression, il ou elle peut stigmatiser la communauté ahmadie et obtient alors le soutien politique du reste de la population.

**Discours de haine contre les ahmadi-e-s dans les établissements d'enseignement et dans le cadre professionnel, perte de postes de travail en raison d'accusations de blasphème et pressions de la part des collègues.** Selon le HCR (janvier 2017), des discours de haine contre les ahmadi-e-s ont également lieu dans les établissements d'enseignement. Des accusations de blasphème ont conduit dans certains cas au licenciement d'enseignant-e-s appartenant à la communauté ahmadie. Selon le HCR (janvier 2017), des rapports de groupes d'ahmadi-e-s signalent que des employé-e-s issu-e-s de la communauté ahmadie travaillant dans d'autres secteurs ont également été victimes de harcèlement et, dans certains cas, ont dû quitter leur emploi en raison des pressions exercées par leurs collègues après que leur identité ahmadie a été révélée.

**Boycott d'entreprises appartenant à des ahmadi-e-s.** Selon le HCR (janvier 2017), des travailleuses et travailleurs ahmadi-e-s ainsi que des petites entreprises appartenant à la communauté ahmadie font l'objet de campagnes de boycott et ont été contraints de délocaliser leurs activités. Selon HRCP (mars 2018), environ 90 % des magasins de Nankana Sahib et plusieurs magasins de Lahore et du sud du Pendjab portent l'avertissement suivant : « Accès aux Qadianis (ahmadi-e-s) interdit ».

**Accusations religieuses contre les ahmadi-e-s utilisées comme prétextes dans des conflits personnels ou commerciaux.** Selon le HCR (janvier 2017), les membres de la communauté ahmadie sont souvent accusés de crimes religieux sur la base de fausses allégations ou pour régler des différends personnels ou commerciaux.

## 2.3 Protection de l'Etat

**Presque aucune protection de l'État.** Selon le HCR (janvier 2017), les autorités de l'État sont souvent incapables ou peu enclines à fournir une protection adéquate aux ahmadi-e-s. D'après des rapports, les crimes et la violence contre les ahmadi-e-s ne font pas l'objet d'enquêtes cohérentes et les auteurs de ces crimes sont rarement traduits en justice. Les tactiques d'intimidation et les pressions exercées sur les autorités par les groupes fondamentalistes islamiques contribuent au manque de volonté de l'État d'intervenir dans les actes de violence et les crimes religieux, d'enquêter à leur sujet et de les poursuivre.

En outre, selon le HCR (janvier 2017), des rapports indiquent que des membres de la police ont eu recours à la violence contre les ahmadi-e-s ou n'ont pas empêché la violence contre les ahmadi-e-s. Selon l'USDOS (20 avril 2018), en 2017 aussi, la police a été incapable ou peu encline à protéger les membres des minorités religieuses, y compris les ahmadi-e-s.

L'USDOS cite également des rapports d'organisations ahmadies selon lesquels les détenue-s ahmadi-e-s sont souvent victimes d'abus.

Selon l'USDOS (20 avril 2018), les tribunaux pakistanais ont, en 2017 encore, manqué régulièrement à leur mandat de protection des droits des minorités religieuses, y compris des ahmadi-e-s.

Selon le HCR (janvier 2017), les autorités de l'État se montrent tolérantes et conciliantes face à l'atmosphère anti-ahmadie qui prévaut dans la société. Il est reproché au gouvernement de fermer les yeux et d'être incapable d'arrêter les extrémistes qui répandent des tirades haineuses et incitent à la violence contre les ahmadi-e-s. Les autorités ne restreignent en général pas et/ou ne punissent pas les discours de haine et incitations à la violence contre les ahmadi-e-s, y compris de la part d'érudits islamiques.

## 2.4 Aggravation de la situation des ahmadi-e-s

**Aggravation de la situation des ahmadi-e-s ces dernières années.** Selon le rapport annuel 2017 de la *Commission indépendante des droits humains au Pakistan (Human Rights Commission of Pakistan, HRCP, mars 2018)*, les ahmadi-e-s ont été davantage persécutés en 2017 que l'année précédente. Ils sont confrontés à une grande intolérance au Pakistan et leur persécution est apparemment soutenue par le gouvernement. Selon *Muhammad Amir Rana*, directeur du Pakistan Institute for Peace Studies (PIPS) (cité dans EASO, février 2018), les attaques contre les ahmadi-e-s en 2017 ont légèrement augmenté par rapport à 2016.

ACCORD, 23 janvier 2018:

**«Im Mai 2017 berichtet die pakistanische Tageszeitung The Express Tribune, dass ein 62-jähriger Ahmadi im Distrikt Rahim Yar Khan (Provinz Punjab) erschossen worden sei. Das Motiv für den Mord müsse noch festgestellt werden, ein Sprecher der Ahmadiyya-Gemeinde habe jedoch erklärt, dass der Mann wegen seines religiösen Glaubens zum Ziel geworden sei:**

*„A 62-year-old Ahmadi man was shot dead on Wednesday night in Saddar area of Rahim Yar Khan district. Basharat Ahmad was on his way to his house in Green Town from a petrol pump situated in Zahir Pir Road when unidentified assailants intercepted him. He was taken to a local hospital where doctors pronounced him dead on arrival. The 62-year-old sustained two bullet wounds. The reason behind the murder is yet to be ascertained. However, Jamaat-e-Ahmadiyya spokesperson Saleemuddin claimed Ahmad was targeted because of his religious beliefs.” (The Express Tribune, 4. Mai 2017)*

**Im April berichtet die pakistanische Tageszeitung Dawn, dass eine ehemalige Assistenzprofessorin an der Punjab-Universität in der Stadt Lahore (Provinz Punjab), die Ahmadi sei, in ihrem Haus auf dem Universitätsgelände ermordet aufgefunden worden sei. Ein Sprecher der Ahmadiyya-Gemeinde habe angegeben, dass die Gemeinde dabei sei zu eruiieren, ob die Frau wegen ihres Glaubens zum Ziel worden sei:**

*„Another member of the Ahmadi community — this time a woman, a retired assistant professor of molecular genetics at Punjab University — was found murdered in her house on Tuesday. Tahira Malik was found dead at her residence on the premises of the university. Her throat had*

been slit. Saleemuddin, spokesperson for the Jamaat-i-Ahmadia Pakistan, told Dawn that Prof Malik was Ahmadia. 'We are trying to determine whether she was targeted because of her faith.'" (Dawn, 19. April 2017)

**Ebenfalls im April 2017 berichtet Dawn, dass ein Veterinärmediziner in der Stadt Lahore, der Ahmadia sei, vermutlich aufgrund seines Glaubens erschossen worden sei:**

„Veterinary doctor Ashfaq Ahmed, 68, was shot dead on Friday in the Sabzazar area of Lahore in what appeared to be a faith-based targeted attack. The doctor, who was from the Ahmadia community, was being driven by his grandson when a motorcyclist pulled up next to their car and fired at point-blank range, killing him on the spot. His grandson, Shahzeb, remained unhurt, while the attacker, who was wearing a helmet, fled the scene." (Dawn, 7. April 2017)

**Im März 2017 berichtet Dawn, dass ein Rechtsanwalt, der Ahmadia sei, in der Stadt Nankana Sahib (Provinz Punjab) durch Mitglieder der verbotenen fundamentalistischen Gruppierung Lashkar-e-Jhangvi (LeJ) al-Alami erschossen worden sei. Der Sohn des Rechtsanwalts sei bei dem Vorfall leicht verletzt worden:**

„A senior lawyer and prominent member of the minority Ahmadia community was gunned down in Nankana Sahib on Thursday in an attack claimed by the banned sectarian outfit Lashkar-e-Jhangvi (LeJ) al-Alami.

Malik Saleem Latif – a member of the Nankana Bar Association and relative of Pakistan's first Nobel Laureate Dr Abdus Salam – was riding a bike being driven by his son Advocate Malik Farhan when an assailant shot him only a few metres away from their home. They were on their way to the Nankana district courts.

A police officer, Nazim Ali, told AFP news agency that a bullet hit Mr Latif in his chest and he died on the spot. His son, on the other hand, suffered minor injuries.

Hours after the attack, the LeJ sent journalists a statement claiming responsibility for the ghastly attack. Its spokesperson Ali bin Sufyan said Latif had been killed 'for spreading Ahmadia beliefs in the region'.

Our Correspondent in Lahore adds: Police in the city of Nankana Sahib said they had arrested a suspect in the case, known as Rashid.

Earlier, they had claimed that the assailant was wearing a security guard's uniform. After shooting Mr Latif, the attacker was seen fleeing from the crime scene in a rickshaw." (Dawn, 31. März 2017)

**The Express Tribune schreibt im März 2017 unter Berufung auf einen kürzlich erschienenen Bericht der Ahmadia-Gemeinde, dass während des Jahres 2016 mindestens sechs Ahmadis in Pakistan aufgrund ihres Glaubens getötet worden seien (The Express Tribune, 30. März 2017).**

**Fälle von Tötung von Ahmadis während des Jahres 2016 werden unter anderem in folgenden Medienartikeln berichtet:**

- Dawn: DSP, Ahmadi man shot dead in Karachi, 28. November 2016, <https://www.dawn.com/news/1299140/dsp-ahmadi-man-shot-dead-in-karachi>
- Dawn: Doctor belonging to Ahmadi community shot dead in Karachi, 20. Juni 2016, <https://www.dawn.com/news/1266124>
- Dawn: Man from Ahmadi community shot dead in Attack, 4. Juni 2016, <https://www.dawn.com/news/1262748>
- The Nation: Ahmadi man murdered outside his house, 25. Mai 2016, <https://nation.com.pk/25-May-2016/ahmadi-man-murdered-outside-his-house>
- Singh, S. Binodkumar: South Asia Intelligence Review (South Asia Terrorism Portal, SATP), Band 14, Nummer 51, 20. Juni, 2016, [http://www.satp.org/satporgtp/sair/Archives/sair14/14\\_51.htm](http://www.satp.org/satporgtp/sair/Archives/sair14/14_51.htm)» Source: Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), Anfragebeantwortung zu Pakistan: Situation von Ahmadis, insbesondere in Gujranwala (rechtlicher Rahmen; Vorgehen staatlicher und nichtstaatlicher Akteure); interne Fluchtalternative [a-10478], 23 janvier 2018: [www.ecoi.net/en/document/1423146.html](http://www.ecoi.net/en/document/1423146.html).

Al-Jazeera, 12 octobre 2017:

**«Three members of Pakistan's persecuted Ahmadi sect have been sentenced to death for blasphemy by a court in the central town of Sheikhpura, a community spokesperson said. Mubasher Ahmad, Ghulam Ahmed and Ehsan Ahmed were convicted by the court on Wednesday for insulting Prophet Mohammad under the country's strict blasphemy laws, Ahmadi community spokesperson Saleemuddin told Al Jazeera.**

**The three men were arrested in May 2014 after they tore down religious posters in Bhoiwal, a village about 22km southwest of the city of Lahore. Khalil Ahmed, a fourth accused, was shot and killed in police custody just days after the incident took place. While the accused claimed the posters carried anti-ahmadi slogans, the prosecution said they carried religious significance and that tearing them down was tantamount to insulting the prophet. Saleemuddin said that the Ahmadi community would challenge the trial court's decision in the high court.»** Source: Al-Jazeera, Three Ahmadis sentenced to death for blasphemy, 12 octobre 2017:

[www.aljazeera.com/news/2017/10/ahmadis-sentenced-death-blasphemy-171012081709423.html](http://www.aljazeera.com/news/2017/10/ahmadis-sentenced-death-blasphemy-171012081709423.html).

BAMF, 5 mars 2018:

«*Situation der Ahmadis*

**Auf der Internetseite der Ahmadiyya-Gemeinde „The Persecution of Ahmadis“ wurde im Februar der Jahresbericht „A Report on Persecution of Ahmadis in Pakistan During the year 2017“ veröffentlicht. Hierin werden u.a. die Ereignisse um die geplante Änderung des Wahlgesetzes beschrieben, die es den Ahmadis erleichtert hätte, an Wahlen teilzunehmen. Islamistische Gruppen hatten durch wochenlange Blockaden in Islamabad erreicht, dass der Gesetzesvorschlag zurückgenommen wurde. Weiterhin wird berichtet, dass im vergangenen Jahr 77 Ahmadis wegen Vorwürfen nach dem Religionsstrafrecht**

**angeklagt. Neun Ahmadis wären Ende 2017 wegen entsprechender Anklagen in Haft gewesen. Vier Ahmadis wegen ihres Glaubens ermordet worden seien.»** Source: Bundesamt für Migration und Flüchtlinge (BAMF), Briefing Notes vom 05.03.2018, 5 mars 2018, p. 3-4: [www.ecoi.net/en/file/local/1426088/5734\\_1520417204\\_deutschland-bundesamt-fuer-migration-und-fluechtlinge-briefing-notes-05-03-2018-deutsch.pdf](http://www.ecoi.net/en/file/local/1426088/5734_1520417204_deutschland-bundesamt-fuer-migration-und-fluechtlinge-briefing-notes-05-03-2018-deutsch.pdf).

Christian Century, 5 avril 2018:

**«A high court in majority-Muslim Pakistan recently ruled that citizens must declare their religious affiliation before joining the civil service, military, or judiciary. All birth certificates, identity cards, passports, and voting lists must also indicate the person's faith. The judgment, a victory for hard-line clerics pressuring the state to single out minorities, adds that all Muslim candidates for national or provincial assemblies must swear that Islam's Prophet Muhammad was the last of God's prophets.**

*This move has spread fear among Christians, Hindus, Sikhs, and other religious minorities already under pressure in the South Asian nation. Ahmadis, who believe another Muslim prophet came after Muhammad, feel especially targeted. (...)*

*In its March 9 ruling, the Islamabad High Court argued that citizens should be easily identifiable by their faith and that applicants for public offices should declare their beliefs before being considered for employment. Justice Shaukat Aziz Sid-diqui, in a remark many see as aimed at Ahmadis, said it was "alarming that one of the minorities was often mistaken for being Muslims" because their names and general attire were like those of Muslims.*

*The court's ruling outraged human rights activists, who fear it will lead to more persecution. The independent Human Rights Commission of Pakistan called on the government to counter it immediately. "It is essential that the government acts in aid of its minority citizens by appealing this ruling," said Mehdi Hasan, chair of the commission. "Forums for justice such as the Islamabad court should play their due role in safeguarding the fundamental rights of the most vulnerable sections of society." (...)*

**The campaign against Ahmadis has gained momentum in the run-up to Pakistan's general election, slated for July. A new ultraconservative religious party shut down Islamabad for three weeks late last year with protests against a new election law that seemed to ease some restrictions on Ahmadis.** Last December, lawmaker Muhammad Safdar Awan called for a ban on Ahmadis from joining the armed forces. Safdar is the son-in-law of former prime minister Nawaz Sharif. "These people are a threat to this country, its constitution and ideology," Safdar said at the time. "A person who doesn't believe in the jihad in the path of Allah, that person cannot be a part of our pious army."» Source: Christian Century, Pakistani court requires citizens to identify religious affiliation, 5 avril 2018: [www.christiancentury.org/article/news/pakistani-court-requires-citizens-identify-religious-affiliation](http://www.christiancentury.org/article/news/pakistani-court-requires-citizens-identify-religious-affiliation).

EASO, février 2018:

«2. Sectarian politics

*Matthew Nelson, Reader in Politics, PhD, School of Oriental and African Studies (SOAS), University of London*

(...)

## 2.1 Constitution

(...) *With reference to the Constitution, and I will say more about this later, we often hear about the second amendment in the Constitution. This is the amendment that basically rejected the Ahmadi self-identification as Muslims, and it is a constitutional amendment saying that, although the Ahmadiyya may identify themselves as Muslim, the state will not legally recognize them as Muslim.*

(...)

*The other clause, which I actually think is more salient, is somewhat surprisingly the religious freedom clause concerning fundamental rights in Pakistan. And this clause, just as in the European convention - this is a clause in Pakistan that is drawn explicitly from the Irish Constitution, the Indian Constitution and from many international conventions, and it says that religious freedom is protected 'subject to public order'. It is actually this second phrase, the derogation phrase 'subject to public order', that has become more interesting and important. In the past, religious vigilantes who would attack religious minorities in Pakistan were accused of disturbing the peace for acting against religious minorities in defiance of State authority. Nowadays this pattern is increasingly reversed. Religious minorities, the Ahmadi, figured prominently here. The minority is often considered a disruptive provocateur and thus a source of public disorder. That religious difference is regarded as agitating the public, and the difference, on its own, is regarded as 'provoking' the rest of the population. This means that the State becomes implicated in identifying potential provocation as a source of public disorder, and then trying to reduce the provocation. Reducing the provocation sometimes means restricting the religious freedoms of the minority in order to prevent public disorder.*

*Basically, this notion that religious freedom is protected subject to public order gets turned around. So, where there is a risk of public disorder, the 'religious freedom' (regarded as a provocation) can be derogated. That is a complex legal development that I think deserves more attention. The clauses in the Pakistan Constitution about religious freedom are usually regarded as a space of protection for religious minorities. This is not always the case where the religious minority is regarded as a provocation to public disorder. (...)*

### 2.2.3 Salafi

(...) *Barelvis, given their particular focus on the prophet, have been particularly energetic in recent years in attacks on the Ahmadiyya. The Ahmadiyya are regarded as a group that has what might be called 'a latter-day prophet'. But the Barelvis, as I said, have a particular focus on the prophet, so any alternative understanding of how prophecy works will be regarded as particularly concerning for them. (...)*

## 2.3 Ahmadiyya

*Even beyond the intermediating space of sheikhs and shrines, the idea of intermediation for the Ahmadiyya stretches to the space of prophecy itself, including what might be described as a latter-day prophet, known as Ghulam Ahmad, who emerged in the Punjab in the late*

**19th century.** And just to familiarise you with the concept that they have - you may be familiar with the Mormon community in the Christian context, and the idea of the Mormons like The Church of Jesus Christ of Latter Day Saints. The idea that there are subsequent inspirations after Jesus Christ. And the Ahmadiyya, I don't want to make the comparison too close, but the idea is that after Mohammed there is a further iteration of prophecy. **And this idea that there is a later prophecy is regarded by other Muslims as a form of heresy. The idea is that the prophet Muhammad is the seal of the prophets; he is the last prophet, never to have a further prophecy. So the idea that there could be a Latter Day prophecy filling in the space of guidance is regarded as heresy.**

(...)

**In 1974, there were again public disturbances on a relatively wide scale. These public disturbances prompted a parliamentary debate about how to address the issue of public disturbance and the Ahmadiyya and, this time, the parliamentary debate culminated in a unanimous vote for a constitutional amendment. There were a few abstentions, but otherwise a unanimous vote for a constitutional amendment legally redefining the Ahmadiyya as non-Muslim. So again, the Ahmadiyya might define themselves as Muslim, but the state would not accept that self-identification. Even then, in 1978, this is after Zia-ul-Haq came to power in 1978, the Supreme Court again decided that, although constitutionally the Ahmadiyya were now not Muslim, they were still entitled to religious freedom. The Ahmadiyya still, as citizens, have the right to religious freedom and can practice their religion peacefully as they wish. So the constitutional amendment was a difference of nomenclature. Just the naming – Muslim or non-Muslim. Religious freedom is still accessible for all.**

**Unfortunately, this decision, this Supreme Court decision holding on to a conventional understanding of religious freedom, prompted a series of amendments in the Pakistan penal code. The amendments in the Pakistan penal code basically made the Ahmadi peaceful practice of their religion a crime. Now, how do they make the peaceful practice of religion a crime? Basically, what they said is that the Ahmadiyya are “posing as Muslims” by calling themselves Muslims, and this is regarded as outraging the feelings of other Muslims. They have, basically, a claim to ‘false identity’. And this outrages the rest of the community, and so these changes in the penal code are regarded as efforts to protect public order. Protect against public disorder that might emerge from the outraged population. So, in order to protect public order, we have to criminalize provocation.**

**Finally, in 1993 there is a landmark judgment, a Supreme Court judgment in the case Zaheeruddin. Zaheeruddin is a case that upheld the constitutionality of these penal code amendments. And they were upheld because the amendments were said to protect public order. And therefore, criminalizing the peaceful practice of the Ahmadis was not a violation of a fundamental right to religious freedom because a fundamental right to religious freedom is protected only subject to public order. So if the law privileges public order, it is not inconsistent with the right to religious freedom. So in order to protect public order, the Ahmadiyya practice “must be restricted.”**

(...)

**Most importantly, I want to mention a group—not a strictly Barelvi group (but largely Barelvi)—known as the *Majlis-e-Tahaffuz-e-Khatm-e-Nabuwwat*, the society to protect the finality of**



**the prophethood of Mohammed. This group is known for targeting the Ahmediyya, not only in Pakistan, but abroad.** The UK recently has struggled with a couple of very important cases where activists associated with Khatm-e-Nabuwat have killed Ahmadis in Glasgow, for instance. (...)

Having said that, it is crucially important to note that, although Christians and especially the Ahmediyya are targeted with blasphemy allegations, the majority of blasphemy allegations still target other Muslims. **As a proportion of their population, the Ahmediyya are vastly over-represented in allegations concerning blasphemy.** As a proportion of the population, Christians are vastly over-represented in these allegations of blasphemy. But, in total numbers, the difficulties surrounding Pakistan's blasphemy laws affect Muslims more. (...)

#### 5. Religious minorities

Muhammad Amir Rana, Director, Pakistan Institute for Peace Studies (PIPS)

(...)

#### 5.2 Inter-religious drivers

(...) **Right now there are 247 religious organizations operating in Pakistan and just six months ago there were 234.** Suddenly, 13 organizations have been added to this number. And what kinds are these organizations? **Out of 247, 84 have a pure sectarian agenda, whether it is against the Shia community, the Ahmediyya community, or against Hindus and Christians. Gradually, what we have observed is that these groups are encroaching on mainstream politics.** (...)

#### 6. Security situation in different regions and emerging trends

Muhammad Amir Rana, Director, Pakistan Institute for Peace Studies (PIPS)

(...)

#### 6.2.1 Target killing

(...)

**During the last few years, target killing has become a major tactic for all the militant actors, whether sectarian or Islamic militants or Nationalist insurgents.** This is important in your context, that even if it is not suicide bombing or the mass level of terrorist attacks, **it increases the vulnerability of the individuals whom the militants consider the enemy. They could belong to the Shia community or Ahmediyya or any non-Muslim community, or the secular segment of the society.** The vulnerability of this kind of individual is increasing, particularly in Peshawar valley, Karachi and Quetta. (...)

**Last week another violent incident against the Ahmediyya community was reported, increasing the number of killings to six and the number of attacks to five. Attacks against the Ahmediyya community is therefore a bit higher than last year.** (...)

#### 9. Political life in Pakistan

Cyril Almeida, Assistant editor and journalist, Dawn newspaper, Pakistan

(...)

*Starting with the broader issue about how groups are demonized in Pakistan, **last week unprovoked and seemingly out of the blue, a member of a National Assembly stood on the floor of Parliament and delivered what was a quite astonishing 15 minute speech against Ahmadis in Pakistan. Ahmadiyya, the Ahmadi or the Qadiani community are the same. There's no real context to the parliamentarian's speech, it was not in the agenda for the day. It was a very vicious and violent speech. He refers to Ahmadis as "these people". He called for them to be crushed like snakes. This was aired live on TV. The MNA, this parliamentarian went on to make four very specific and seemingly unusual demands.***

***First of all, last year the Physics centre in Quaid-i-Azam University in Islamabad was renamed in honour of Pakistan's first Nobel Prize winner, Abdus Salam, who was an Ahmadi. The parliamentarian said this is an affront to Muslims in Pakistan to have an Ahmadi's name on this Physics department and the centre should in fact be renamed for some famous or pioneering Muslim figure. This was his first demand.***

***The second demand of the parliamentarian was that because the Ahmadi is what he called a "fake religion" and Ahmadis are clearly not Muslims, they cannot possibly support the idea of jihad and therefore they should be barred and banned from the Pakistan military, which is an astonishing comment. Here was a parliamentarian publicly calling for Ahmadis in the Pakistan Army to be identified and removed from service.***

***And the third demand was that every bureaucrat, every parliamentarian, every public official who is a Muslim in Pakistan ought to be asked to sign a new form declaring themselves to be true Muslims and against the founder of the Ahmadi religion, Ghulam Mirza Ahmad.***

***The fourth demand was that any Ahmadi in the Atomic Commission of Pakistan, which is a civilian Agency and doesn't have anything to do with the military nuclear program, should be identified and removed from the commission.***

***This manifesto against the Ahmadyya community delivered from the floor of the National Assembly last week was by a parliamentarian of the ruling party, the PML-N Pakistan Muslim League. There was no denunciation of this by the party. Some members of the party tried to distance themselves from the comments over social media. Supporters were praising the parliamentarian's boldness and his defiance. Finally, the former Prime Minister Nawaz Sharif put out a statement saying that he reaffirms the PML-N's determination to protect the rights of minorities.***

***Now, this was not just a dog whistle, this was a call to arms really, against the Ahmadiyya community in Pakistan. And whenever you have this kind of public statement, they're not as frequent as people may think but they do occur every few years or perhaps sometimes every few months, it sends out a signal to society that anti-ahmadi sentiment is OK and it can be publicly talked about and acted on. Days after the speech, a local TV channel broadcast a report showing the number of non-Muslims who work in the various departments and Ministries of Pakistan State, the Federal Government. Simply stating that 227 non-Muslims***

work in the Pakistani Government meant that somehow the State of Pakistan is being undermined and weakened by the presence of non-Muslims in the state apparatus. It was clearly a reference to the Ahmadiyya community.

**The background is that the parliamentarian who made this speech is the son-in-law of the former Prime Minister of Pakistan, Nawaz Sharif. He is the husband of the Prime Minister's daughter, Maryam Nawaz, who's thought to be the heir apparent of the PML-N. And he himself is a parliamentarian from Rawalpindi, an urban constituency very close to Islamabad. Why was this man suddenly, so close to the heart of power in the present government and political structure in Pakistan, making a speech from the floor of the Parliament against the Ahmadiyya community? The background is, two things have happened, again in the very recent past. A few weeks ago, the Pakistani Parliament tried to consolidate the electoral laws in our country. The old laws were a mess, a hodgepodge of eight different Acts and Bills of Parliament, and parliament attempted to simplify the law in the form of a single bill that was passed with a parliamentary consensus. And the new law was passed by the Parliament, there was a sudden enormous public outrage generated from the right wing in the country and it was again on the specific issue of the Ahmadiyyas. If you are a Muslim candidate for public office in Pakistan you are required to legally sign a form declaring not only that you are Muslim but that you are against the founder of the Ahmadiyya community, Mirza Ghulam Ahmad.**

**In the new set of electoral laws that was passed, the language which used to be "I solemnly swear", was for some reason changed to "I declare". There is no real legal repercussion, no legal difference between the two, but it was used by the right wing in Pakistan to attack the PML-N government for somehow undermining the consensus that the Ahmadiyya community are not Muslims and somehow undermining the definition of who is true Muslim in Pakistan. The government found itself under a great deal of right wing pressure in the run-up to the speech made by the parliamentarian, the son-in-law of Nawaz Sharif. And the other thing that happened just a couple of months ago was the by-election to the seat that had been won in the 2013 general election by Nawaz Sharif, our disqualified Prime Minister. The by-election was contested by Sharif's wife and she won. That was the headline, but the biggest story in Pakistan was that two new political parties, ultra-right wing, religious parties, captured 11% of the vote. And as a result the PML-N, a centre-right party, was under pressure from the right.**

*If you look at the background, the parliamentarian, the son-in-law of Sharif, himself caught up in the anti-corruption, accountability trials involving the Sharif family, stands up on the floor of the Parliament to either deflect from his own accountability issues or to try and shore up the right wing support of the PML-N, with the party under attack on the Ahmadiyya issue. **So it's just that Ahmadiyya community has been constitutionally declared to be non-Muslim, the community is used as a punching bag, they are used as a political tool. Every once in a while when somebody is under pressure or in trouble for different political reasons, they can denounce the Ahmadi community as a way to shore up support with the rest of the population.***» Source: European Asylum Support Office (EASO), EASO COI Meeting Report: Pakistan; 16-17 October 2017; Rome, février 2018, p. 25, 28-30, 31, 34, 36, 39, 44-45, 48, 50, 54, 60, 61, 80, 81-82:

[www.ecoi.net/en/file/local/1426168/90\\_1520500210\\_easo-pakistan-meeting-report-october-2017.pdf](http://www.ecoi.net/en/file/local/1426168/90_1520500210_easo-pakistan-meeting-report-october-2017.pdf).

Human Rights Commission of Pakistan (HRCP), mars 2018:

«Moreover, the **Elections Act** was also passed which raised a furore due to a mistaken perception that it offended religious sensibilities. As a result, **a regressive amendment was passed to the Act which stated categorically that the status of Ahmadis was to remain unchanged and any person not signing an oath regarding the finality of the Prophethood of Muhammad (PBUH) was to be deemed non-Muslim and added to the non-Muslim electoral roll.** (...)

**The Elections (Second Amendment) Act, 2017 inserts section 48A into the 2017 Act which stipulates that the status of Ahmadis [or a person who does not believe in the 'absolute and unqualified finality of the Prophethood of Muhammad (PBUH)] is to remain unchanged. The provision further states that if a person has enrolled himself as a voter and an objection is filed before the Revising Authority that the voter is not a Muslim, he will be issued notice to appear within 15 days and is required to sign a declaration regarding his belief in the absolute and unqualified finality of the Prophethood of Muhammad (PBUH). If he refuses to sign this, he shall be deemed non-Muslim and his name deleted from the joint electoral rolls and added to a supplementary list of voters as a non-Muslim. If he/she does not appear after receiving notice, an ex-parte order may be passed against him.** (...)

Ahmadis

**The persecution of Ahmadis was harsher in 2017 than the previous year, and the killings continued unchecked. A hate speech reared its head in Parliament. The Ahmadi places of worship were attacked. Their burials were denied in common cemeteries. Demands were made by clerics at the Faizabad sit-in to further strip Ahmadis of their rights as citizens. Ahmadis have faced the worst intolerance in Pakistan and their persecution apparently has the support of the administration.**

**The mob violence against Ahmadis is usually instigated in rural Punjab by Barelvi clerics. In a conference in Nankana Sahib, Barelvi leaders called for the implementation of the death penalty for apostasy. Speakers vowed to persecute Ahmadis until their last breath.**

**Some sections of the media sanction discrimination against Ahmadis and glorify clerics who justify violence against them. The younger generation is influenced by the rhetoric, unaware of, or choosing to ignore, the fact that Ahmadis are entitled to full citizenship rights enshrined in the Constitution.**

**Since the promulgation of the anti-Ahmadi Ordinance XX in 1984 by General Zia, 264 Ahmadis have been killed for their faith. Of these, 182 were murdered in the Punjab alone.**

**Between March and May 2017, three members of the Ahmadiyya community were gunned down and a fourth, a retired female professor, was stabbed to death in her home.**

**In June, Ahmad Ibrahim survived an attack on his life. He was travelling to work in Thokar Niaz Baig, Lahore when assailants fired several bullets at him which narrowly missed him. His home is adjacent to Ittefaq Hospital and the administration of the hospital**

wanted to buy his house, but he had not agreed. A year earlier, they attempted a forced takeover of his house which he resisted. They had threatened him with dire consequences.

An eyewitness at the scene of the shocking lynching of Mashal Khan at Abdul Wali Khan University in Mardan said Mashal and Abdullah, two Mass Communication students, were attacked because they were believed to be 'promoting the Ahmadi faith on Facebook'.

Places of worship have also come under attack. In August, the local Ahmadiyya mosque in Muridke, District Sheikhpura, was set on fire by a youth. It was extinguished before it could spread. The Ahmadiyya mosque in Dulmial, vandalised in 2016, remains sealed despite an order from the National Commission for Human Rights, leaving local Ahmadis with no place of worship. Since the declaration of the Ahmadiyya community being beyond the pale of Islam, 27 of their worship places have been demolished, 33 sealed, 21 set on fire, 17 forcibly occupied, and authorities have barred the construction of 17 worship places.

Ahmadis have also been targeted in blasphemy cases. Mubashir Ahmad, Ghulam Ahmad and Ihsan Ahmad of Bhoiwal were sentenced to death in Ferozewala on 11 October 2017 for allegedly tearing up an anti-Ahmadiyya sticker/pamphlet in May 2014. Khalil Ahmad, the fourth accused in the same case, was killed while in police custody.

Qamar Ahmad Tahir was awarded life imprisonment on 1 July 2017 in Rawalpindi for allegedly defiling the Holy Quran. He was arrested on 20 November 2015 after a major arson attack in Jhelum by a mob on a chipboard factory owned by an Ahmadi.

Two Ahmadis, Idrees Ahmad and Sabah-ul-Zafar, were sentenced to three years' imprisonment by a judge in Faisalabad on 31 May 2017. These two Ahmadis were among the four arrested and seven charged in the case registered after the raid by the Counter-Terrorism Department on the Ahmadiyya central offices in Chenab Nagaron on 5 December 2016.

Tahir Mahdi Imtiaz, a printer of Ahmadiyya publications, was one of six Ahmadis booked for preaching Ahmadiyyat. He was prosecuted under the blasphemy law, anti-Ahmadi law, and anti-terrorism law. He had been at his home over 150 kilometres away at the time of the alleged preaching, and was acquitted by an anti-terrorism court on all counts on 5 May 2017. He had been incarcerated for two years and one month.

Social boycotts of Ahmadis prevailed. Approximately 90 percent of shops in Nankana Sahib and several shops in Lahore and southern Punjab carried this warning: 'Entrance of Qadianis (Ahmadis) is prohibited'. At one point, the majority of complaints against Ahmadis in Sindh were filed by a single preacher in a town near Hyderabad. The offences varied from writing 'Bismillah' in a private letter to preaching the Ahmadi faith. In the Punjab, several Ahmadis were targeted when they were merely delivering their monthly magazine to subscribers, or had made the mistake of buying a goat in the days preceding Eid ul Azha.

The Azad Kashmir (AJK) Assembly passed an anti-Ahmadi resolution on 26 April 2017, calling for Ahmadis to be registered as non-Muslims. Those who did not comply were to

***be punished in accordance with the law. Muslims who joined the Ahmadiyya sect were to be designated apostates (murtad) and subjected to effective penal action.***

***A relentless hate campaign against Ahmadis continued throughout the year, including banners on rickshaws, press statements by clerics, and speeches in seminars and conferences by bigots, branding them infidels and calling them wajib ul qatal (worthy of death). Sane voices in the media were either silenced through threats or forced to leave the country. Rana Tanveer, a journalist known for reporting on religious minorities, was run over by a speeding car on 9 June. The incident came just days after the police refused to investigate death threats against him.***

***Anti-Ahmadi rallies and conferences are organised all over Pakistan in September to commemorate the anti-Ahmadiyya 2nd Amendment to the Constitution. This amendment was introduced by the Bhutto government in 1974, through which Ahmadis were declared non-Muslims. The amendment opened the floodgates of persecution of the Ahmadis in Pakistan.***

*While the Jama'at-i-Ahmadiyya is denied permission to hold public gatherings, seminars and even sports functions, extremists are free to organise as many gatherings as they want to vent their hatred against a peaceful minority.*

*An anti-Ahmadi conference was organised by Markazi Jamiat Ahle Hadith in Lahore with the support of the Ahle Hadith Students' Federation. Tehreeki-Labbaik Ya Rasool Allah took out a procession, led by Khadim Hussain Rizvi in Lahore. He exhorted the participants to wage a holy war against Ahmadis. Another Khatam-e-Nabuwwat conference was held in Lahore.*

*Speakers urged the audience to socially isolate Ahmadis. Yet another Khatam-e-Nabuwwat conference was held at the shrine of Hazrat Shafee Nizami, Fayyaz Park. Speakers urged people to banish Qadianis from Pakistan. A Tajdar-e-Khatam-e-Nabuwwat conference was held in the Jamia Masjid Madni to urge the masses to boycott Ahmadis.*

*On 7 September 2017, Jamiat Ulema Pakistan led a motorcycle rally from the Quaid-e-Azam interchange to Data Darbar in Lahore. Another anti-Ahmadi conference was held in Jamia Masjid Anwar-e-Medina, Lahore. Here also, clerics urged the audience to boycott Qadianis as 'they are busy in destroying the beloved country and Islam.'*

***In a petition submitted to the Islamabad High Court, cleric Allah Wasaya of Tehreek-i-Khatam-e-Nabuwwat demanded that the court direct the Federal Government to maintain a separate database of individuals belonging to the Qadiani/Lahori group entering the civil service so that in future they may not be posted to offices involving sensitive matters.***

***When a parliamentarian from the ruling party stood up in the National Assembly and called for discriminatory actions to be taken against the Ahmadis, he was neither challenged nor his statement condemned. Only after a question was raised in the British Parliament did the ruling party distance itself from the remarks.***

HRCP condemned in the strongest possible terms the targeting of any Pakistani religious minority group, and deplored the use of the National Assembly floor to advocate discrimination, hatred and exclusion for citizens in this manner, without challenge or condemnation. (...)

#### *Blasphemy laws*

(...) Although the religious minorities, especially Christians, continued to suffer because of the misuse of the law, a large number of Muslims are also in jail under blasphemy charges. **The trend in the recent past has been to kill Ahmadis rather than level blasphemy allegations against them. Even after an acquittal in a blasphemy case, the accused is still at risk. In most cases, after proving their innocence, blasphemy law victims relocate to avoid trouble after their release from prison. Proving innocence in a false case of blasphemy is a very long process and by the time the accused is cleared, they will already have spent eight to ten years in prison. Asia Bibi has been incarcerated for the past seven years and the hearing of her case is not expected anytime soon.** (...)

#### *A positive step*

**In the first project of its kind for religious minorities in Pakistan, the Sindh government has proposed a plan to bring hundreds of places of worship of non-Muslims across the province under video surveillance for their security and monitoring of their infrastructure.** Four religious minorities, Christians, Hindus, Parsis and Sikhs, have been selected for the project. This is welcome news but **the exclusion of the Ahmadiyya places of worship is deplored.** However, as of December 2017, no progress on the project has been evident. (...)

#### *Intimidation, threats and attacks on journalists, media houses and press Clubs*

(...) **9 June: Days after finding graffiti on the main door of his house, Rana Tanveer survived an attempt on his life when a car tried to run him over in Lahore. The threat and attack is believed to be in connection with his reporting on minorities, especially stories on the Ahmadi community.** (...)

**The long-persecuted Ahmadi community, forbidden to call themselves Muslim, have suffered victimisation and violence, as reported elsewhere in this publication. Ahmadis are denied the right to freely and fairly vote in local, provincial and national elections and thus lacked representation at national, provincial and district level. In a possible bid to win the support of conservative voters, a lawmaker in the National Assembly called for Ahmadis to be barred from employment in the government, judiciary and military, and his remarks were not censured at the time.** (...)

#### *The Election Act 2017*

The Parliamentary Committee on Electoral Reforms (PCER), set up on 25 July 2014, a little more than a year after the 2013 polls, was able to complete its report after three years and it was submitted to the National Assembly on 21 July 2017, in the form of The Election Bill 2017. The Bill unified eight election laws: the three laws on preparation of electoral rolls, delimitation of constituencies, and conduct of elections; the two election orders of 2002; the Senate election law; and the two laws on political parties and allotment of symbols to parties/candidates. (...)

Soon after the new election law was enacted some members of parliament declared that the State's adherence to the principle of the finality of prophethood had been compromised by a change in an affidavit for Muslim candidates and the deletion of two Ahmadi-related provisions (Sections 7-B and 7-C) from the rules General Musharraf had made in 2002.

The government's defence was that the impugned changes were immaterial and they did not affect the status of the Ahmadiyya community. Besides, the government claimed, the provisions of the new law had been approved by a parliamentary committee on which all parties, including the religio-political ones, were represented. Both these contentions were substantially correct.

**But, fearing a strong mob agitation, the government soon conceded the critics' argument, hurriedly amended the Election Act, and undid the changes to which objections had been raised.** This was taken, not unexpectedly, as a confession of guilt and a new religio-political group [the Lahore-based Tehreek-i-Labbaik Ya Rasool Allah (LYRA)] was given an opening to mount an assault on the government that had already been weakened by the ouster of its head, Muhammad Nawaz Sharif, from the prime minister's post.» Source: Human Rights Commission of Pakistan (HRCP), State of Human Rights in 2017, mars 2018, p. 12, 17, 85-88, 93, 95, 113, 137, 145, 147: <http://hrcp-web.org/publication/wp-content/uploads/2018/04/State-of-Human-Rights-in-2017.pdf>.

NYT, 19 octobre 2017:

«This country has a poor record of protecting its religious minorities, but we outdo ourselves when it comes to Ahmadis. Members of the sect insist on calling themselves Muslims, and we mainstream Muslims insist on treating them like the worst kind of heretics. (...)

**It is always prudent not to ask what blasphemous act is said to have been committed, because under the law, repeating something blasphemous can itself constitute blasphemy.** According to one newspaper report, the men were on trial for attempting to remove from a wall religious posters that incited hatred against Ahmadis. That's right, they were sentenced to death for taking down posters that incited people to kill them. (The prosecution argued that since the posters were religious, removing them was an insult to the Prophet Muhammad.)

**The Ahmadi (or Ahmadiyya) sect is a reformist movement founded by Mirza Ghulam Ahmad toward the end of the 19th century in the city of Qadian, in what is today the Indian part of Punjab. Ahmad claimed to be the incarnation of a Messiah promised in Islamic holy texts. That challenged the mainstream Muslim belief that Muhammad is Islam's last and final prophet.** Ahmad was accused of being an agent of the British Empire.

There are no reliable statistics about the number of Ahmadis in Pakistan today. **Many Ahmadis don't publicly identify as Ahmadi; others refuse to take part in the census. Estimates range from 500,000 to four million.** (...)

In 1974, Pakistan's elected Parliament declared Ahmadis to be non-Muslims. Religious parties had held street protests demanding this, and even though Parliament back then was full of liberals and socialists, there was hardly a dissenting voice when the time came to pass the law.



*Our Parliament today is still at it. Last week Muhammad Safdar, a son-in-law of the recently deposed prime minister, thundered against Ahmadis, demanding they be banned from joining the armed forces. He also demanded that a physics department of a university in Islamabad be renamed because in 2016 it was named after Abdus Salam, the only Pakistani scientist to become a Nobel laureate. The Pakistani government had already taken close to four decades to name anything after Mr. Salam, a theoretical physicist, because he was Ahmadi. It appears that not a single parliamentarian spoke up against Mr. Safdar's diatribe.*

(...)

*The word "Ahmadi" was hardly even used during the debate in Parliament. We prefer to call the Ahmadis "Qadianis," meaning from Qadian. Ahmadis consider the word derogatory, which is why we use it. (...)*

*Early this month, I saw Pakistan's foreign minister, Khawaja Muhammad Asif, give an interview on television. He had just returned from a tour of the United States and had been accused of hobnobbing with Ahmadis while there. He was at pains to explain that he had never met an Ahmadi in his life. To prove his point, he said that once, while he was sitting in a restaurant in Islamabad, two boys came up to get a selfie with him. "I asked them, 'I hope you are not Qadianis.'" The foreign minister and the show host shared a hearty laugh.»*

Source: New York Times, Pakistan, Land of the Intolerant, 19 octobre 2017: [www.ny-times.com/2017/10/19/opinion/pakistan-muslims-ahmadis.html](http://www.ny-times.com/2017/10/19/opinion/pakistan-muslims-ahmadis.html)

Rabwah Times, 20 mars 2018:

**«Islamic clerics in Pakistan have lodged a protest against what they call 'Fraudulent misrepresentation' of faith by a student in Gojrah, a city 160 kilometers (100 miles) south-west of Lahore.**

*Speaking at the local press club the clerics demanded action against the 'fraudulent misrepresentation' of faith by Bilal Ahmed, a high school student from Chak-297GB. Clerics, Qari Noor Ahmad, Khalid Rizvi, Rana Tariq and others claimed that the teenager had falsely obtained permission to privately sit in high school level exams by misrepresenting his faith as Islam, even though he was Qadiani (Ahmadi).*

*The clerics added that they had formally lodged a complaint against the student with DSP & Assistant Commissioner Police Gojrah but they refused to take action and referred them to the anti-corruption department. The clerics requested DPO Police Usman Akram Gondal to take up their request and formally charge the student.»* Source: Rabwah Times, Pakistani clerics protest against 'fraudulent misrepresentation' by Ahmadi Student, 20 mars 2018: [www.rabwah.net/pakistani-clerics-protest-against-fraudulent-misrepresentation-by-ahmadi-student/](http://www.rabwah.net/pakistani-clerics-protest-against-fraudulent-misrepresentation-by-ahmadi-student/)

Rabwah Times, 11 octobre 2017:

**«A lawyer, his wife, and 2-year-old son were shot dead by unidentified gunmen who on early Monday stormed their home located in Rehman Garden in Sheikhpura and opened fire. The five-year-old son of Advocate Rauf Ahmad Thakur miraculously survived the attack by hiding under the bed.**

***Thakur who was of Ahmadiyya sect of Islam married Abida Bibi against the wishes of her family around 8 years ago, Ahmadis are considered heretic under Pakistani law and are not considered Muslims. Police suspect the incident is another case of an 'honour killing'.***

***According to police sources, the primary suspect is believed to be Rafique, the lawyer's brother-in-law. Police said that Rafique, who is from Ferozwala had a long-running dispute with her sister over her marriage to Thakur. Bibi's parents and brother did not approve of her marriage to an Ahmadi.***

*According to reports Rafique along with his accomplices barged into his sister's house and started spraying bullets at the family. As a result of the firing, Advocate Rauf Thakur, his wife Abida Bibi, their two-year-old son Sarim were killed while his five-year son Wali bed survived the attack by hiding himself under the bed.» Source: Rabwah Times, Ahmadi Lawyer, wife and son shot dead in Pakistan, 11 octobre 2017: [www.rabwah.net/ahmadi-lawyer-wife-son-shot-dead-pakistan/](http://www.rabwah.net/ahmadi-lawyer-wife-son-shot-dead-pakistan/).*

Reuters, 9 mars 2018:

***«A Pakistani court ruled on Friday that all citizens must declare their religion when applying for identity documents, a move human rights advocates say is another blow for the country's persecuted minority communities.***

***The ruling will pile further pressure on the Ahmadi community, who are not allowed to call themselves Muslim or use Islamic symbols in their religious practices, a crime punishable under Pakistan's blasphemy laws.***

*The Islamabad High Court ruled that citizens who disguised their religious affiliation were guilty of betraying the state and ordered that anyone applying for government jobs should declare their faith.*

*"The Government of Pakistan shall take special measure ensuring availability of correct particulars of all the citizens," Justice Shaukat Aziz Siddiqui said in the judgment.*

*"It should not be possible for any citizen to hide his/her real identity and recognition."*

*If no appeal is launched, the court's directives will have to be followed.*

*The vast majority of Pakistan's 208 million people are Muslims, with minorities accounting for about 3 percent of the population, according to a 1998 census.*

*The Ahmadi community has been a target of mob violence and attacks since legislation categorized the sect as non-Muslim in 1974 and have been vilified as blasphemers by leaders of new ultra-religious political party Tehreek-e-Labaik Pakistan.*

*The judge "is not only attacking everybody's religious freedom in Pakistan but he is also focusing on one particular sect, which is the Ahmadis," said Human Rights Watch representative Saroop Ijaz.*

*"A judgment like this would enable and incite violence."*

*The order was issued as a result of a petition brought forward by Tehreek-e-Labaik in connection with a change in wording to an electoral law. The amendment sought to replace a religious oath with a simple declaration, which Tehreek-e-Labaik said was blasphemy.*

*The government blamed the change on a clerical error and swiftly restored the original format.*

*Last year, Tehreek-e-Labaik shut down the nation's capital for nearly three weeks with protests against the change.*

*Seven people were killed and nearly 200 wounded in a failed police bid to disperse protesters, leading the government to give way to their demand that a minister accused of blasphemy resign.*

*Insulting the Prophet Mohammad is punishable by death in Pakistan and even a rumor of blasphemy can spark mob violence.*

*"All his (the judge's) specific instructions are about ensuring and finding out who is an Ahmadi," human rights lawyer Jibran Nasir told Reuters, adding that the order would automatically provide the government with specific lists about who belongs to which minority group.*

*"Every day they are being institutionally reminded that they are a minority," he added. "It is a bigoted order."*

*Pakistan's minority Shi'ite Muslims regularly come under attack by Islamist groups. Members of its small Hindu and Christian communities have also sometimes been accused of blasphemy.» Source: Reuters, In blow to minorities, Pakistani court orders citizens to declare religion, 9 mars 2018: [www.reuters.com/article/us-pakistan-religion-law/in-blow-to-minorities-pakistani-court-orders-citizens-to-declare-religion-idUSKCN1GL28T](http://www.reuters.com/article/us-pakistan-religion-law/in-blow-to-minorities-pakistani-court-orders-citizens-to-declare-religion-idUSKCN1GL28T).*

UNHCR, janvier 2017:

*«C. Penal Code: Anti-Ahmadi Laws*

***As noted above (see Section III.A), since 1974 Ahmadis have been categorized as non-Muslim by the Constitution, even though they consider themselves to be Muslim.<sup>106</sup> In 1984, then President Zia ul-Haq further institutionalized anti-Ahmadi sentiment in Pakistan through amendments to the Penal Code which introduced Sections 298B and 298C into the Penal Code through Ordinance No. XX.***

***Commonly referred to as the "anti-Ahmadi laws", these amendments render certain Ahmadi religious practices illegal and have been widely criticized for violating the Ahmadis' fundamental right to freedom of religion and other rights.***

*(For a detailed analysis of the anti-Ahmadi laws, see Section V.1.a, Risk Profiles: Ahmadis, Legislative Framework Concerning Ahmadi Individuals.) (...)*

*F. Counter-Terrorism Laws*

***The legal framework for the government's approach to combating terrorism through law enforcement, include the Anti-Terrorism Act 1997 (ATA). Members of religious minorities***

**have reportedly been arrested and charged under the ATA, in some cases in addition to charges under the blasphemy or Anti-Ahmadi laws. (...)**

*In June 2016 police in Pakistan's southern district, Badin, reportedly registered a FIR against five Ahmadiis under Sections 6 and 7 of the ATA and under the Explosives Act. According to an article from a local media source, a 12-year old Ahmadi and four members of his family were arrested after a pipe bomb was thrown at their house; the boy was reportedly injured in the attack. (...) In December 2015 the owner and manager of an Ahmadi bookstore in Rabwah were reportedly arrested and charged under Section 298C of the Penal Code, as well as under Section 8 of the ATA. (...) In April 2013, a FIR was reportedly lodged against the manager, publisher, printer and three others under Sections 295B, 295C of the Penal Code and Section 11(W) of the ATA for printing and circulating the Al-Fazl, an Ahmadi publication. (...)*

#### *Potential Risk Profiles*

##### *1. Ahmadiis*

**The Ahmadiyya Jama'at (or Ahmadi movement) was established in 1889 in India as a reformist movement within Islam. Estimates for the size of the Ahmadi population in Pakistan vary from 126,000 to several million. The headquarters of the Ahmadi community in Pakistan are in Rabwah, Punjab province, where Ahmadiis are reported to constitute over 97 per cent of the population.**

**Ahmadiis self-identify as Muslims. However, they hold beliefs that differ from mainstream Sunni interpretations of fundamental Islamic concepts, which are viewed by some Muslims as un-Islamic and blasphemous. Opposition to Ahmadiis from the mainstream Muslim community in Pakistan reportedly mainly stems from differences in belief with respect to the Prophet Muhammad, in particular the belief that Prophet Muhammad is the final Prophet. According to research conducted by the Pew Research Center in 2011, 66 per cent of Muslims in Pakistan responded that Ahmadiis are not Muslims, while only seven per cent accepted Ahmadiis as Muslims. In December 2015, at a meeting of Pakistan's Council of Islamic Ideology, the chairman reportedly called on the gathering to consider whether Ahmadiis should be considered *murtads* that have rejected Islam.**

##### *a) Legislative Framework Concerning Ahmadi Individuals*

**Pursuant to a constitutional amendment in 1974, Ahmadiis were declared a 'non-Muslim' minority, and consequently are prohibited from belonging to the Muslim religious community in Pakistan. In 1984, former President Zia ul-Haq introduced Sections 298B and 298C into the Penal Code through Ordinance No. XX.190 (See also Section III.C.) Pursuant to Section 298B, Ahmadiis' use of epithets, descriptions and titles reserved for certain holy personages and places constitutes an offence punishable with imprisonment for up to three years and a fine. Section 298C prohibits an Ahmadi from "directly or indirectly" "pos[ing]" as a Muslim, from "call[ing], or refer[ing] to, his faith as Islam", and from "preach[ing] or propoagat[ing] his faith". These sections impose discriminatory measures: Ahmadiis are prohibited from practising their religion, from worshipping in private or in public, from any form of religious instruction and from publishing or disseminating their religious materials. These criminal provisions also make it illegal for Ahmadiis to refer to their founder as a Prophet or to refer to their holy personages by**

*their religious salutations; to refer to their places of worship as mosques; to use the traditional Islamic form of greeting; to use the Islamic call to prayer, known as the Azan (or Adhan), or to refer to their own call to prayer as Azan.*

*Moreover, the language used in Sections 298B and 298C allows for a broad range of interpretations, reportedly creating scope for abuse. For instance, Section 298C stipulates that any person of the Ahmadi group who “by words, either spoken or written, or by visible representation, or in any manner whatsoever outrages the feelings of Muslims shall be punished”.<sup>195</sup> Ahmadis who are convicted under Section 298C may be sentenced to up to three years imprisonment and/or a fine.*

*Through these anti-Ahmadi laws, the State has imposed severe restrictions on the non-derogable right to freedom of religion of Ahmadi individuals in Pakistan. The anti-Ahmadi and blasphemy laws are reportedly often used by State authorities as well as by members of society to target and harass followers of, and converts to, the Ahmadi faith. The vague wording of Section 295C has reportedly particularly affected Ahmadi individuals, as in some cases, judges have reportedly interpreted the expression of Ahmadi religious beliefs by Ahmadis as a form of blasphemy. In 2015, according to Ahmadi groups, authorities charged 11 Ahmadis with offences in religion-related cases during the year, of whom six were taken into custody. According to reports, members of the Ahmadi community are often accused of religious offences on false grounds or to settle personal or business disputes.*

#### *b) Situation of Ahmadi Individuals in Pakistan*

*Ahmadi individuals face discrimination as a result of State-sanctioned measures which impose limitations on the civil and political rights of Ahmadi individuals. Pakistani passports reportedly include information about the bearer’s religious affiliation. Muslims who apply for a passport are required to make a declaration to the effect that they denounce the Ahmadiyya movement’s founder as a false prophet and his followers as non-Muslims, and must declare that they believe the Prophet Muhammad is the final prophet. This declaration effectively means that Ahmadis must either deny their faith or forego the possibility of obtaining a passport. It also means that Ahmadis cannot rely on government programmes to fund and facilitate hajj travel. While national identity cards do not display information about the bearer’s religion, the National Database and Registration Authority (NADRA) collects information about the applicant’s religion, and Muslim applicants must make a similar declaration as for passport applications. Ahmadis who register as Muslims and who sign the declaration may be at risk of being prosecuted for “posing” as Muslims under Section 298C of the Penal Code.*

*Between 1985 and 2002, the electoral system required non-Muslims to register on a separate voting list from Muslims. In 2002, the Electoral Commission of Pakistan implemented reforms and abolished this discriminatory requirement and segregation between Muslims and non-Muslims. However, despite these changes, Ahmadis are reportedly still forbidden to register on the general voters’ list, and must still register on a separate list maintained solely for Ahmadis. In October 2015, Ahmadis in Lahore and other districts of Punjab province reportedly boycotted the local polls and elections in protest of being registered on a separate voting list.*

*There are also reports that some Cantonment Boards refuse to register the marriages of Ahmadi individuals.*

*Despite the Constitution prohibiting discrimination on religious grounds with regard to admission to any State-funded educational institutions, prospective students must reportedly declare their religious affiliation on their application forms for both State-funded and private educational institutions. Those who identify themselves as Muslim must declare in writing that they believe in the finality of the Prophethood, a requirement that excludes Ahmadis. Those who identify as Ahmadis are reported to face discrimination in access to higher education.*

*Although pursuant to section 298B(1) of the Penal Code Ahmadis are forbidden from calling their places of worship mosques, there are reportedly no formal restrictions on establishing places of worship. In practice, however, local authorities reportedly often refuse Ahmadis permission to build places of worship, and existing ones are at times closed, destroyed, desecrated or illegally expropriated, with the authorities reportedly often supporting such acts or being complicit in them. Non-Muslim missionary activity is reported to be permitted provided that there is no preaching against Islam and that the missionaries acknowledge that they are not Muslim, which excludes Ahmadis.<sup>215</sup>*

*Ahmadis have also reportedly been prohibited by State authorities from holding conferences or gatherings since 1983.<sup>216</sup> The sale of Ahmadi religious publications is reportedly banned.<sup>217</sup> In January 2016, a store owner in Rabwah was reportedly sentenced to five years in prison on blasphemy charges and three years on terrorism charges, for propagating the Ahmadi faith by selling copies of the Quran and Ahmadi publications.<sup>218</sup> There are reports that in the wake of the adoption of the NAP, measures that were announced with the objective of furthering the protection of religious minorities, such as steps against hate speech, have in practice been used to prohibit Ahmadi publications.<sup>219</sup> On 5 December 2016, the headquarters of Pakistan's Ahmadi community in Rabwah were reportedly raided by Punjab's Counter Terrorism Department (CTD): four Ahmadi individuals were reportedly arrested and First Information Reports against nine individuals in total were registered under Sections 298B and 298C of the Penal Code for allegedly publishing banned literature.<sup>220</sup>*

*State authorities are reported to frequently fail to provide adequate protection to Ahmadi individuals (see also Section IV, Situation of Religious Minorities in Pakistan).<sup>221</sup> Crimes and acts of violence against Ahmadis are reportedly not consistently investigated and perpetrators of such crimes are reportedly rarely brought to justice.<sup>222</sup> Intimidation tactics and pressure on authorities from Islamic fundamentalist groups reportedly contribute to the unwillingness of the State to intervene in, investigate, or to prosecute religious violence or crimes. For example, State authorities have reportedly failed to bring to justice those responsible for the attacks against members of the Ahmadi community which resulted in the deaths of a grandmother and her two grandchildren in July 2014.<sup>223</sup>*

*On 28 August 2015, the Punjab Provincial Assembly was reported to have passed a resolution criticizing the former Pakistani High Commissioner to the United Kingdom, for publically questioning the anti-Ahmadi law.<sup>224</sup>*

*Furthermore, there are reports of the police perpetrating violence against Ahmadi individuals, or failing to act to prevent violence against Ahmadi individuals in their care.<sup>225</sup>*

*Anti-Ahmadi sentiments are reportedly tolerated and condoned by the authorities. The government has been criticized for “looking the other way” and for failing to stop extremists who engage in hate speech and incite violence against Ahmadi communities.<sup>226</sup> Anti-Ahmadi hate speech and incitement of violence against Ahmadis, including by Islamic scholars, reportedly remains largely unchecked and/or unpunished by the authorities.<sup>227</sup>*

*State authorities reportedly also themselves discriminate against the Ahmadi community. For example, in March 2016 an advertisement for the auction of residential and commercial land in Chiniot district by the Punjab and Town Planning Agency (PHTPA) reportedly stated that “anyone related to the Qadiani/Ahmadi/Lahori/Mirzai sects cannot participate in the Area Development Scheme Muslim Colony, Chenab Nagar”, which is where the Ahmadi headquarters are situated.<sup>228</sup>*

### *c) Treatment of Ahmadi Individuals by Non-State Actors*

*Repressive and discriminatory legislation coupled with State-sanctioned discriminatory practices have reportedly fostered a culture of religious intolerance and impunity.<sup>229</sup> Consequently, members of the Ahmadi community are reportedly left vulnerable to abuse, violence including killings, harassment and intimidation at the hands of members of the community. Since the attack in 2010 on two Ahmadi mosques in Lahore where an estimated 94 people were killed,<sup>230</sup> religiously motivated violence and targeted killings of Ahmadis have reportedly continued.<sup>231</sup> For example, in June 2016, an Ahmadi man was reportedly shot and killed by armed men outside his house in Attock; <sup>232</sup> in May 2016, an Ahmadi man was killed in Karachi by armed men;<sup>233</sup> in March 2016 an Ahmadi man was reportedly stabbed and killed as he came out of his house in Sheikhpura district in Punjab;<sup>234</sup> and in January 2016, an Ahmadi man was shot in Rabwah by armed men and died later in hospital.<sup>235</sup> According to the Jinnah Institute, collecting data on crimes against Ahmadis remains a challenge, with one of the largest hurdles being self-censorship by local and national media in reporting instances of hate crime and violence against Ahmadis.<sup>236</sup> According to available data, in 2014-2015, 39 Ahmadis were killed in religiously inspired attacks. <sup>237</sup> The majority of incidents against Ahmadis reportedly occur in Punjab and Sindh, with some incidents reported in Balochistan.<sup>238</sup> There are also continued reports of the destruction and desecration of Ahmadi mosques.<sup>239</sup> In December 2016 hundreds of people were reported to have attacked an Ahmadi place of worship in the Chakwal district of Punjab.<sup>240</sup> Members of Ahmadi communities report living in constant fear of harm.<sup>241</sup> The traditional style of clothing worn by Ahmadi women reportedly increases their visibility and thus their vulnerability. According to Ahmadi groups, Ahmadi women no longer feel safe to attend Ahmadi mosques for prayers or other ceremonies, even their own marriage ceremonies.<sup>242</sup>*

*Allegations of blasphemy against Ahmadi individuals are reported to have led to mob violence and killings. For example, on 20 November 2015 a mob reportedly torched a factory in Jhelum owned by an Ahmadi man, after it was reported to a local cleric that pages of the Quran had been thrown in a furnace in the factory.<sup>243</sup> The following day a mob reportedly broke through a police cordon and set fire to an Ahmadi place of worship*

*in Jhelum.<sup>244</sup> In July 2014, in response to allegations of an Ahmadi man posting blasphemous content on his Facebook page, a large mob reportedly attacked the man's house, and set fire to other houses in the area, resulting in the death of a grandmother and her two grandchildren.<sup>245</sup>*

*Rallies and hate campaigns promoting intolerance and discrimination against Ahmadis, whether through traditional media, or the distribution of pamphlets, use of stickers and wall graffiti, are reported across the country. <sup>246</sup> In September 2016, the Council of Complaints of the Pakistan Electronic Media Regularity Authority reportedly dismissed complaints from members of the Ahmadi community against "provocative" remarks about Ahmadis by two hosts of Neo TV station; the meeting held by the Council was reportedly interrupted by a group of lawyers led by the Lahore High Court Bar Association who demanded the Ahmadis' complaint be quashed.<sup>247</sup> In April 2016 during a speech at a political rally, former Prime Minister (2012 – 2013) and PPP leader Raja Parvez Ashraf reportedly referred to "the Problem of [Ahmadis]" and claimed that his party "shut them up, broke their neck and buried the [Ahmadi] problem".<sup>248</sup> In December 2015, a shopkeeper at a large shopping centre in Lahore reportedly put up a poster containing derogatory remarks and barring Ahmadis from entering the shop. After social media spread the news that police had arrested the shopkeeper, hundreds of people reportedly gathered outside the shopping centre to protest.<sup>249</sup> Anti-Ahmadi groups, including the Khatm-e-nabuwat (meaning the Finality of Prophethood) reportedly organize regular rallies and conferences against the Ahmadi community; according to media reports, some anti-Ahmadi groups, including the Khatm-e-nabuwat "call upon followers to consider killing Ahmadis a religious obligation".<sup>250</sup>*

*Hate speech against Ahmadis has been reported within educational institutions; <sup>251</sup> allegations of blasphemy have in some cases reportedly led to Ahmadi teachers being fired.<sup>252</sup> Ahmadi groups report that Ahmadi employees in other sectors have also been harassed and in some cases forced to leave their job by co-workers once their identity as an Ahmadi was revealed.<sup>253</sup> Ahmadi professionals and small business owners have reportedly been subjected to what they described as "economic exclusion campaigns" or "economic boycotts" primarily by "local religious groups from all sects of majoritarian Islam"; as a result many Ahmadi business owners have reportedly had to relocate to other areas.<sup>254</sup>» Source: UN High Commissioner for Refugees (UNHCR), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Members of Religious Minorities from Pakistan, janvier 2017, p. 18, 20, 21, 28-38, note 129:*

[www.refworld.org/docid/5857ed0e4.html](http://www.refworld.org/docid/5857ed0e4.html).

USDOS, 20 avril 2018:

*«Prisoners who were members of religious minorities generally received poorer treatment than Muslims and often suffered violence at the hands of fellow inmates. Representatives of Christian and Ahmadiyya Muslim communities claimed their members were often subjected to abuse in prison. (...)*

**Role of the Police and Security Apparatus**



**(...) Police often failed to protect members of religious minorities--including Ahmadiyya Muslims, Christians, Shia Muslims, and Hindus--from attacks. Mob violence often accompanied blasphemy allegations, and individuals accused of blasphemy from both majority and minority communities were killed during the year. (...)**

#### **Trial Procedures**

**(...) Courts routinely failed to protect the rights of religious minorities. Courts discriminatorily used laws prohibiting blasphemy against Shia, Christians, Ahmadis, and members of other religious minority groups. Lower courts often did not require adequate evidence in blasphemy cases, and some convicted persons spent years in jail before higher courts eventually overturned their convictions or ordered them freed. (...)**

#### **g. Abuses in Internal Conflict**

**(...) Multiple Ahmadiyya community members died in what appeared to be targeted killings. Unknown gunmen killed three Ahmadis in three separate attacks on March 30, April 7, and May 3. (...)**

#### **Censorship or Content Restrictions:**

**(...) Blasphemy and anti-Ahmadi laws restricted publication on certain topics. (...)**

#### **Freedom of Peaceful Assembly**

**(...)**

**Authorities generally prohibited Ahmadis, a religious minority, from holding conferences or gatherings. Ahmadis cited a December 2016 Punjab provincial police raid on the Ahmadiyya Muslim Community headquarters in Rabwah as evidence of worsening conditions for the community. In May an antiterrorism court sentenced two Ahmadis who were arrested during the raid to three years in prison. (...)**

#### **Foreign travel:**

**(...) Passport applicants must list their religious affiliation and, if Muslims, affirm a declaration that the founder of the Ahmadiyya movement was a false prophet. Ahmadi representatives reported the word "Ahmadi" was written on their passports if they refused to sign the declaration. (...)**

#### **[Political] Participation of Women and Minorities:**

**(...) The government requires voters to indicate their religion when registering to vote and requires Ahmadis to declare themselves as non-Muslims. Ahmadis consider themselves Muslims, and many were unable to vote because they did not comply. (...)**

#### **Other Societal Violence or Discrimination**

**Societal violence due to religious intolerance remained a serious problem. There were occasionally reports of mob violence against religious minorities, including Christians,**

***Ahmadiyya Muslims, Hindus, and Shia Muslims.***» Source: US Department of State (USDOS), Country Report on Human Rights Practices 2017 - Pakistan, 20 avril 2018: [www.ecoi.net/en/document/1430102.html](http://www.ecoi.net/en/document/1430102.html).