

Tom Lantos Human Rights Commission  
Hearing on Religious Freedom Around the Globe  
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**Statement of Amjad Mahmood Khan, Esq.**  
National Director of Public Affairs  
Ahmadiyya Muslim Community USA

Mr. Chairman and Members of the Commission:

Thank you for inviting me to testify today on the subject of “The State of Religious Freedom Around the World.”

On a number of prior occasions before this body, I have [testified](#) about the religious repression endured by members of the Ahmadiyya Muslim Community, who remain among the most persecuted Muslim communities in the world. The U.S. State Department, the U.S. Commission on International Religious Freedom and numerous human rights non-governmental organizations have documented the systematic persecution endured by our Community at the hands of religious extremists and state and quasi-state institutions in many countries around the world, including Pakistan, Algeria, Indonesia, Bangladesh, Kazakhstan, Kyrgyzstan, Saudi Arabia, Egypt, Libya and Syria.

This afternoon, I limit my discussion to Pakistan, a country of particular concern for our Community and for the U.S. Government. In particular, several recent developments in that country signal a deeply disturbing escalation in the ongoing persecution of Ahmadi Muslims.

In prior testimony over the years, I have outlined the important historical and legal markers that inform why Ahmadi Muslims are the subject of abuse by state institutions and groups that the Government of Pakistan is unwilling or incapable of controlling. I have discussed how Pakistan’s Constitution strips the ability of Ahmadi Muslims to self-identify and profess to be Muslims and how Pakistan’s criminal anti-blasphemy provisions include anti-Ahmadi laws that criminalize any activities by an Ahmadi Muslim that may be perceived as “posing as a Muslim.” For over 40 years, Ahmadi Muslims have been subjected to state-sponsored religious repression that has led to the deaths of approximately 350 Ahmadi Muslims and the imprisonment of hundreds more.

Yet in spite of the very well-documented persecution of Ahmadi Muslims, the persecution of the Community – which was already grim and disturbing – has taken an even uglier turn for the worse over the past year. Pakistan has entered into a brave new world in which it has digitized religious repression of Ahmadi Muslims through cyber laws, and as I will briefly explain in a moment, Pakistan seeks to enforce these laws even outside its borders against U.S. citizens.

**I. INTRODUCTION TO AHMADIYYA MUSLIM COMMUNITY AND THE LEGAL STRUCTURES OF DISCRIMINATION AGAINST THEM IN PAKISTAN**

Founded in 1889, the Ahmadiyya Muslim Community is a revivalist movement within Islam. Ahmadi Muslims believe in the *Kalima* (the principal creed of a Muslim) and espouse the motto of “Love for all, hatred for none.” As a central tenet of its faith, the Community rejects terrorism

for any and all reasons. When violent extremists label their acts of terrorism as ‘jihad,’ they do so wrongly, and it is the Ahmadiyya Muslim Community that is often first and most forceful in its denunciation, focusing on both conveying true Islamic teachings to Muslims around the world as well as removing misconceptions of ‘jihad’ and Islam generally in the West. Today, our Community is established in more than 200 countries and territories, and its millions of adherents all follow the only spiritual caliph in the Muslim world, His Holiness Hadhrat Mirza Masroor Ahmad, who resides in the United Kingdom.

While precise counts are difficult to establish, some researchers estimate that over 1 million Ahmadi Muslims currently live in Pakistan. Ahmadi Muslims profess to be Muslims, but their belief is irrelevant under the law. This is because Pakistan is the only Islamic state in the world to define who is or is not a Muslim in its Constitution (Article 260). The Second Amendment to Pakistan’s Constitution, passed in 1974, amends Article 260 to explicitly deprive members of the Ahmadiyya Muslim Community of their right to self-identify as Muslims.

As has been well-chronicled by the International Community, since 1984, Pakistan has used its Criminal Code to prohibit and punish blasphemy. Blasphemy in Pakistan broadly refers to any spoken or written representation that “directly or indirectly” outrages the religious sentiments of Muslims. Five of Pakistan’s current penal code provisions punish blasphemy.

The most notorious of Pakistan’s anti-blasphemy laws is a 50-word Penal Code Ordinance (called Section 295-C):

*“Whoever by words, either spoken or written, or by visible representation, or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Muhammad (peace be upon him) shall be punished with death, or imprisonment for life, and shall also be liable to fine.”*

Based on this remarkably broad language, virtually anyone can register a blasphemy case against anyone else in Pakistan, and the thousands to date who have been accused, which have included Muslims (Shia, Sunni and Ahmadi), Christians and Hindus, can face capital punishment. For Ahmadi Muslim, in particular, Pakistan’s anti-blasphemy laws have essentially criminalized their very existence.

Two of the five anti-blasphemy laws explicitly target by name the activities of Ahmadis. These two laws are part of what is known as Zia’s Martial Law “Ordinance XX,” which amended Pakistan’s Penal Code and Press Publication Ordinance Sections 298-B and 298-C, to charge Ahmadis for “indirectly or directly posing as a Muslim.” Here, the explicit impetus for Ordinance XX is the religious content of the speech or act.

Under Ordinance XX, Pakistani police have destroyed Ahmadi translations of the Qur’an and banned Ahmadi publications, the use of any Islamic terminology on Ahmadi wedding invitations, the offering of Ahmadi funeral prayers, and the displaying of the Kalima on Ahmadi gravestones. In addition, Ordinance XX prohibits Ahmadis from declaring their faith publicly, propagating their faith, building mosques, or making the call for Muslim prayers. In short, virtually any public act

of worship, devotion or propagation by an Ahmadi can be treated as a criminal offense for “indirectly or indirectly posing as a Muslim,” punishable by fine, imprisonment or death.

## **II. CUMULATIVE DATA ON PERSECUTION OF AHMADIYYA MUSLIM COMMUNITY IN PAKISTAN<sup>1</sup>**

- Over 400 Ahmadi Muslims have been murdered in Pakistan since it was founded. The past five years have been especially brutal with targeted killings of multiple family members at a time and Ahmadi Muslim professionals, including doctors, lawyers, religious leaders, businessmen and teachers. In 2010 alone, 99 Ahmadi Muslims were murdered in Pakistan – the deadliest year ever for the Community. This includes the murder of 86 Ahmadi Muslims (and hundreds more injured) on May 28, 2010 in a single attack in Lahore – one of Pakistan’s worst terrorist attacks ever. Since this attack, over 80 Ahmadi Muslims have been murdered (*i.e.*, on average, an Ahmadi Muslim is killed every six weeks over the past decade). Within the past 12 months, 6 Ahmadi Muslims were murdered.
- Since 1974, in contravention of their own beliefs, every single Ahmadi Muslim man, woman and child in Pakistan is declared to be “non-Muslim” by constitutional amendment. Now the state has also criminalized private acts of worship by Ahmadi Muslims in Pakistan. Authorities have not only criminalized blasphemy but have made the mere religious thoughts of Ahmadi Muslims to be a crime.
- Since 1985, millions of Ahmadi Muslims cannot, by operation of law, fully and freely vote in national and provincial elections, and as of 2002 by an executive order, Ahmadi Muslims are the only religious group excluded from the nation’s joint electorate. Ahmadi Muslims can only vote in Pakistan if they (1) declare themselves to be a non-Muslim; (2) declare the founder of the Ahmadiyya Muslim Community to be an imposter; and (3) add their names to a separate supplementary list. Of course, no Ahmadi Muslim in good conscience would ever vote under these legally and morally reprehensible restrictions.
- To date, 4,458 cases have been registered against Ahmadi Muslims under Pakistan’s anti-blasphemy and anti-Ahmadi laws. Ahmadi Muslims now account for almost 40% of all arrests under Pakistan’s anti-blasphemy laws. In 2021 alone, 19 new cases against Ahmadi Muslims have been registered under Pakistan’s anti-blasphemy and anti-Ahmadi laws.
- To date, Pakistani authorities have demolished, set on fire, forcibly occupied, sealed or barred the construction of over 175 Ahmadi Muslim mosques. They have also denied the cemetery burial of at least 75 Ahmadi Muslims and have exhumed after burial the bodies of at least 39 Ahmadi Muslims. In 2021 alone, 8 Ahmadi Muslim mosques have been desecrated by official local police authorities at the behest of anti-Ahmadi extremists.

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<sup>1</sup> See generally, Human Rights Section, Ahmadiyya Muslim Foreign Missions, “Persecution of Ahmadis in Pakistan,” Monthly Reports, 2021. Available upon request at [humanrights@tabshir.org](mailto:humanrights@tabshir.org). See also International Human Rights Committee, Incident Reports, *available at*: <http://hrcommittee.org/>.

### **III. RECURRING TRENDS AND PATTERNS**

Mr. Chairman, the data that I have just recited illuminate a few concerning patterns of persecution against Ahmadi Muslims in Pakistan:

- Police at the provincial and local levels routinely fail to provide adequate protection and safeguards for vulnerable Ahmadi Muslims, despite receiving adequate notifications and warning of imminent threats. In many cases, police are complicit in the persecution, torture and ultimate murder of Ahmadi Muslims.
- Ahmadi Muslim professionals, including physicians, lawyers and teachers, are particularly targeted by extreme terrorist groups.
- The perpetrators of deadly attacks on Ahmadi Muslims are rarely arrested and charged for their criminal acts, and in some cases, are permitted to act with impunity and even given legal sanctuary and safe havens.
- Frivolous blasphemy cases are routinely registered against Ahmadi Muslims as a means to settle personal scores and business rivalries.
- Pakistan’s judicial bodies, including the Lahore High Court in a recent judgment in May 2021, have permitted criminal prosecutions of Ahmadi Muslims for blasphemy on the basis of “apparent belief” and not simply public acts of worship. This has widened the door for Pakistan to criminalize the private thoughts of Ahmadi Muslims and not merely their public acts.

### **IV. SELECT RECENT INCIDENTS OF PERSECUTION AND THE RISE OF CYBER LAWS**

To give you a holistic picture of the dire situation for Ahmadi Muslims in Pakistan, I will share a few more incidents of persecution in the past year.

State-sponsored persecution of Ahmadi Muslims in Pakistan has been intensifying since 2019. New cyberlaws are weaponized against Ahmadi digital content and individuals by the Pakistan Telecommunication Authority (“PTA”). Through this period, vigilante violence has led to the killing of several Ahmadi Muslims. Other Ahmadis have been arrested for violating Pakistan’s blasphemy and anti-Ahmadi laws.

Eleven Ahmadi Muslims, including missionaries and community officials, are currently imprisoned in various Pakistani jails. One Ahmadi Muslim has died in jail while awaiting trial. Other Ahmadi Muslims await blasphemy prosecutions while out on bail, including the first Ahmadi Muslim woman, Ramzan Bibi, who faces criminal blasphemy charges under Section 295-

C, a provision that carries capital punishment.<sup>2</sup> Her alleged crime is that she donated money to a local mosque, and this was perceived as insulting because she was an Ahmadi Muslim.

In 2020, there was a series of additional violent incidents targeting Ahmadi Muslims – all in Peshawar. On July 29, 2020, Tahir Naseem, a U.S. citizen who identified himself as an Ahmadi Muslim was killed in a Peshawar courtroom while awaiting trial. On August 12, 2020, Mairaj Ahmad, an Ahmadi Muslim trader in Peshawar, was shot dead near his business. On October 5, 2020, also in Peshawar, Ahmadi Muslim professor Naeem Uddin Khattak was shot and killed while driving home from work. On November 9, 2020, also in Peshawar, unknown gunmen killed Mehboob Ahmad, an 82-year-old retired government worker while he was waiting for a bus.

Anti-Ahmadi clerics with close ties to influential Pakistani officials are working in tandem with the Federal Investigation Agency (“FIA”), a government agency tasked with enforcing Pakistan’s newly enacted cyber laws, to target high-ranking Community officials by embroiling them in a web of frivolous cases. These cases are part of a calculated and well-organized plan to disrupt the functioning of our Community in Pakistan by arresting our senior leaders.

As I mentioned, Pakistan’s persecution of Ahmadi Muslims has recently taken a high-tech turn. In mid-December 2020, trolls in Pakistan launched a coordinated hate and disinformation campaign against the Ahmadiyya Muslims Community on Youtube, Twitter and Facebook, which has resulted in an uptick of hate crimes and murders of members of the already vulnerable minority group. Unfortunately, this coordinated hate campaign had its desired effect.

On November 30, 2020, the Pakistan Government enacted a new regulation, “Removal and Blocking of Unlawful Online Content Rules 2020” (“Unlawful Online Content Rules”), which amends the Prevention of Electronic Crimes Act 2016 (“PECA”) (collectively, “Pakistan’s Cyber Laws”) to broaden the Pakistan Government’s authority to initiate new legal actions against website operators inside and outside of Pakistan.

Under the new form of Pakistan’s Cyber Laws, Section 37 of PECA gives the PTA unbridled powers to block or remove online content. They target service providers and social media companies like Facebook, Google, Twitter, YouTube, and give PTA the authority to remove or block information “it considers [] necessary in the interest of the glory of Islam or the integrity, security or defense of Pakistan . . . public order, decency or morality[.]” Disturbingly, the new form of Pakistan’s Cyber Laws applies to “any act committed outside Pakistan by any person if the act constitutes an offence under [these laws] and affects a person, property, information system or data located in Pakistan.” Section 1(4). In February 2020, the U.S. State Department spoke out against the then-proposed Cyber Laws calling them a “setback to freedom of expression & development of digital econ[omy].”

This new form of cyber persecution has reached the United States.<sup>3</sup> On December 24, 2020, the PTA sent a legal notice to my colleague, Harris Zafar, another U.S. citizen, and myself. The Notice

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<sup>2</sup> See U.S. Commission on International Religious Freedom, “Prisoner of Conscience: Ramzan Bibi,” available at <https://www.uscirf.gov/religious-prisoners-conscience/current-rpocs/ramzan-bibi>

<sup>3</sup> Associated Press, “Pakistan seeks to block US-based website of minority Ahmadis,” available at <https://apnews.com/article/religion-pakistan-freedom-of-religion-3fbeeffb2b0a1152f8524d6af325a3c2>

required both of us to remove all content from the official website of the U.S. Ahmadi Muslim Community ([www.trueislam.com](http://www.trueislam.com)) within 24 hours of receipt of the Notice pursuant to Pakistan’s blasphemy laws.<sup>4</sup> Our official U.S. website has no Pakistan-specific content whatsoever. The PTA also threatened penalties under PECA and Unlawful Online Content Rules, which include harsh criminal sanctions and fines of up to 500 million rupees (\$3.1M USD) if [www.trueislam.com](http://www.trueislam.com) does not comply. Currently, the two Ahmadi U.S. citizens continue to face the possibility of criminal prosecution and have retained U.S. legal counsel to challenge the PTA’s actions.

This unprecedented official government action came as PTA issued takedown notices to Google and Wikipedia to remove content associated with the Ahmadiyya Muslim Community. More specifically, the PTA, citing the controversial Unlawful Online Content Rules, required Wikipedia to remove articles portraying the head of the Ahmadiyya Muslim Community, His Holiness Hadhrat Mirza Masroor Ahmad, as a Muslim. The PTA also required Google to remove several Google Play apps published by the Ahmadiyya Muslim Community, which provides Arabic and English translations of the Qur’an. Unfortunately, Google has succumbed to this pressure and has either removed or issued pending notices to remove all apps of the Ahmadiyya Muslim Community from its Google Play store. The PTA has now banned over 20 websites of the Community outside Pakistan, including the United States, United Kingdom, Canada and Australia—a clear overreach and yet another means to censor the Community. These brazen acts have further strained the already tenuous connection Ahmadi Muslims have with the outside world.

Pakistani authorities have also issued takedown notices to several social media and tech companies (e.g., Google, Apple, and Wikipedia) to remove content associated with the Ahmadiyya Muslim Community. They have forced Google to remove a Google Play app published by the Ahmadiyya Muslim Community, which provides the original Arabic and English translation of the Qur’an. They have also forced Google to change their algorithm for the search queries “Khalifa of Islam” and “Caliph of Islam.”

Finally, in an astonishing legal ruling issued in May 2021 in connection with a blasphemy case against two Ahmadi Muslims, the Lahore High Court affirmed a lower court’s decision criminalizing the accused’s “apparent belief.” This means that now Ahmadi Muslims in Pakistan can be criminally prosecuted without any public act or expression on the mere basis of an Ahmadi Muslim’s privately held apparent “blasphemous” beliefs – a signal that the ongoing grave human rights abuses of Ahmadi Muslims in Pakistan have extended to serious deprivation of freedom of thought and conscience and not simply religion or belief. The alleged crime is not merely “posing as a Muslim” in public. It is also “posing as a Muslim” in private. The takeaway is clear: any citizen of Pakistan can file a criminal complaint against an Ahmadi Muslim on the basis of “apparent belief” and hide behind Pakistan’s blasphemy laws to justify the witch hunt – all with the imprimatur of the Lahore High Court. We have also received recent reports that Ahmadi Muslim lawyers are being intimidated in open court for defending innocent Ahmadi Muslims who have been accused in active legal proceedings. Indeed, Pakistan now stands on the precipice of making the very existence of an Ahmadi Muslim itself a crime.

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<sup>4</sup> See 2020 U.S. State Department International Religious Freedom Report, *available at*: <https://www.state.gov/reports/2020-report-on-international-religious-freedom/pakistan/>

## V. RECOMMENDATIONS

Mr. Chairman, I request this important body to urge the Pakistan Government to take the following immediate measures to stop the tide of religious repression of Ahmadi Muslims in Pakistan:

1. Repeal Chief Executive's Order No. 15 and permit Ahmadi Muslims to vote alongside all other citizens of Pakistan as part of a joint electorate without any religious test.
2. Stop the extra-territorial prosecution of foreign citizens for alleged cyber and blasphemy crimes, including U.S. citizens who are members of the Ahmadiyya Muslim Community.
3. Cease and desist from directing technology companies to remove or alter Ahmadi Muslim digital content.
4. Repeal regulations that prohibit the creation, possession and distribution of peaceful Ahmadi Muslim print publications.
5. Protect the rights of accused Ahmadi Muslims in criminal proceedings and allow independent trial monitors, including foreign diplomats.
6. Stop local and provincial police from desecrating Ahmadi Muslim mosques and gravestones.
7. Remove Passport and National Identity Declarations pertaining to Ahmadi Muslims.
8. Restore religious freedom for Ahmadi Muslims through repeal of the Second Amendment to Pakistan's Constitution and Ordinance XX.
9. Cease prosecuting Ahmadi Muslims as "terrorists" under Pakistan's anti-terrorism laws.
10. Combat impunity for attacks on Ahmadi Muslims by effectively investigating allegations and by prosecuting those responsible.

Thank you.