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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by International Communities Organisation Limited, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[27 January 2023]

* Issued as received, in the language of submission only.



The Overlooked Persecution of the Ahmadiyya Muslim Community from a Global Perspective

Whilst the Human Rights Council has previously noted the persecution of the Ahmadiyya in their country of origin, Pakistan, they have not sufficiently appreciated the extent to which this has become a transnational problem, both inside and outside of the Muslim world.

Previous reports to HRC have made some mention of Ahmadiyya persecution:

In 2012, a Universal Periodic Review (UPR) submission provided extensive detail on how Pakistan's treatment of Ahmadi Muslims is a violation of the International Covenant on Civil and Political Rights (ICCPR).(1)

Further, a 2022 report highlighted issues faced by the Ahmadiyya in Pakistan, from obtaining the right to vote to problems in securing housing.(2)

Another report to HRC highlighted that, in July 2021, several UN human rights experts expressed concern over human rights violations against the Ahmadiyya in Muslim-majority countries beyond Pakistan.(3)

This call by UN Special Rapporteurs Ahmed Shaheed, Irene Khan, and Fernand de Varennes reported that:

'We have received, for more than 15 years, reports of religious intolerance, discrimination, and violence perpetrated against this community by state officials as well as non-state actors in a number of countries, including Algeria, Bangladesh, Egypt, Indonesia, Iran (Islamic Republic of), Malaysia, Pakistan, and Sri Lanka'.(4)

But despite these mentions of Ahmadiyya persecution within Muslim majority countries, including Pakistan, these issues have become global, necessitating further research and action.

Ahmadiyya Persecution in Muslim-Majority Countries

Pakistan

The most fundamental location of Ahmadiyya persecution is Pakistan. This persecution has been covered by other HRC reports, and so will not be explored in depth here.

But, for context in 1974, the Pakistani state introduced a constitutional amendment that declared the Ahmadiyya non-Muslims. In 1984, it adopted a legal ordinance that criminalised the Ahmadiyya's practice as Muslims.

These legal provisions have laid the foundations for Pakistan's persecution of the Ahmadiyya mentioned in previous HRC reports, from discriminatory blasphemy laws to limited civil and political rights.

Muslim-Majority Countries Beyond Pakistan

Whilst the persecution of the Ahmadiyya in Muslim-majority countries outside of Pakistan is mentioned in the special notice by UN Special Rapporteurs highlighted above, it has not been highlighted in HRC reports.

Some prominent examples amongst many are:

Algeria

Despite the Algerian constitution's supposed commitment to religious freedom, in 2016 the government began a systematic campaign of Ahmadiyya suppression.

Notwithstanding international condemnation, over 300 Ahmadis have been prosecuted since 2016 for crimes pertaining to their faith, including blasphemy.

Malaysia

State authorities in Malaysia have systematically discriminated against the Ahmadiyya since 1975, when the Conference of Rulers upheld a report from the Selangor Fatwa Council, which yielded a fatwa stating that Ahmadis are not Muslims.

The Malaysian state thus fails to prevent, and often engages in, inciting violence and harassment against Ahmadiyya Muslims.

Further Examples

Similar issues have arisen in Muslim-majority countries such as Bangladesh, Egypt, Indonesia, and Afghanistan.

The other aspect of the Ahmadiyya issue is the Ahmadi refugee crisis. According to an United Kingdom of Great Britain and Northern Ireland All-Party Parliamentary Group report, more than 6000 Ahmadi Muslims are residing in countries such as Malaysia, Thailand, and Sri Lanka as asylum seekers.

Due to financial constraints, the UNHCR is unable to provide basic material aid to refugees. And thus, for protracted periods these Ahmadi asylum seekers are forced to survive with no subsistence or aid.⁽⁵⁾

Ahmadiyya Persecution beyond Muslim-Majority Countries

The fast-developing persecution of the Ahmadiyya in non-Muslim majority countries is yet to be brought to the attention of HRC.

The United Kingdom of Great Britain and Northern Ireland and United States of America provide two important examples:

United Kingdom of Great Britain and Northern Ireland

The hatred preached against Ahmadi Muslims in Pakistan has spread into the United Kingdom of Great Britain and Northern Ireland, where there is a significant Pakistani diaspora. This occurs both through the physical travel of extremist clerics, and the communication of their message online.

The United Kingdom of Great Britain and Northern Ireland's broadcast regulator OFCOM has issued multiple fines for non-compliance with broadcasting regulations in relation to hate speech against the Ahmadiyya:

In December 2018, Radio Ikhlas was fined £10,000 for broadcasting inflammatory remarks against the Ahmadiyya.

In 2019, OFCOM fined Channel 4 £75,000 for broadcasting anti-Ahmadi hatred.

There have also been examples of boycotts, employment dismissals, or rejections of membership applications to the Ahmadiyya on the grounds of faith:

Birmingham City Council's Standing Advisory Council on Religious Education (SACRE) refused membership for Ahmadis until they removed the word Muslim from their title in 2016.

Also in 2016, Councillor Sue White of Cardiff Council was forced to resign over defending the Ahmadiyya in council meetings.

These developments have also culminated in physical violence and murder. In 2016, Ahmadi shopkeeper Asad Shah was stabbed to death by fanatic Tanveer Ahmed in Glasgow.

United States of America

The influence of anti-Ahmadiyya discrimination beyond the Muslim world can be traced in a different way to the United States of America. In 2016, Pakistan enacted digital regulations that allow authorities to block online content if it is deemed to offend Islam.

This use of cybercrime laws to repress content emanating from outside Pakistan's borders represents the increased vulnerability of freedom of expression, and also the fact that human rights violations against the Ahmadiyya are no longer confined to Pakistani territory:

On 24th December 2020, the Pakistan Telecommunication Authority (PTA) issued a warning to prominent American Ahmadis Amjad Mahmood Khan and Harris Zafar regarding the website TrueIslam.com, which documents United States of America-based Ahmadi activities.

The Pakistani authorities warned that failure to remove the website would result in fines of up to \$3.14 million or criminal sanctions, including 10-year prison sentences.

On the 25th of December 2020, the PTA also sent notices to Google and Wikipedia, threatening prosecution if the platforms failed to remove content associated with Ahmadiyya beliefs.

Recommendations

The ICO would like to make two types of recommendations to HRC.

Recommended Actions

The first type concerns the better-known but still under-appreciated examples of Ahmadiyya persecution in Muslim-majority countries.

The ICO suggests the UN recommends the following actions to states to ensure the right to freedom of religion, thought, and conscience of everyone under their jurisdiction, and in particular to religious minorities:

To ensure the freedom of religion or belief in States, both in law and in practice, and repeal all laws that discriminate against Ahmadi Muslims, and amend the law in accordance with international human rights standards.

To encourage the amendment of the blasphemy laws in compliance with the strict requirements of the ICCPR and its articles 2, 19, and 26.

To co-ordinate dialogue with states to safely re-open the Ahmadi Mosques that remain sealed and make efforts to safeguard Ahmadi places of worship in Muslim-majority countries and in particular Pakistan.

To ensure equal and effective participation of Ahmadis in public life and in decision-making processes, such as political representation and their free exercise of the right to vote, as well as access to employment and public services.

Recommended Research

The second type of recommendation is concerned with more research into the persecution of the Ahmadiyya beyond Muslim-majority countries, about which there is currently little knowledge:

Firstly, the ICO suggests that special reports must be arranged on the persecution of the diaspora of minority religious communities outside of their country of origin.

Reports of the Human Rights Council make much more comprehensive mention of the Baha'i, a similarly persecuted religious community in different global contexts.(6)

The Special Rapporteur's report, for example, highlights a two-day symposium and ensuing report which explored conditions of increasing insecurity experienced by the Bahai's across four states – Iran (Islamic Republic of), Yemen, Qatar, and Tunisia.(7)

Such research and attention needs to be replicated for the Ahmadiyya, who face similar problems in various countries that has not yet been recognised.

In a similar vein, the ICO suggests that the UN and international actors continue to work together by following the Rabat plan of action and workshops to assess the persecution of the Ahmadiyya.

In particular, they could look at the implementation of legislation, jurisprudence, and policies regarding advocacy of religious hatred that triggers hostility or violence at the national and regional levels, while encouraging full respect for freedom of religion and belief as protected by international human rights law.⁽⁸⁾

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1. Ahmadiyya Muslim Lawyers Association USA, 'Submission to United Nations Human Rights Council Universal Periodic Review', 20th April 2012.
 2. Report of the Special Rapporteur on Freedom of Religion or Belief, A/HRC/49/44, 3 June 2022, at pp. 10, 12, 16-17.
 3. Report on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities', A/HRC/49/36, 30 December 2021, p. 14.
 4. <https://www.ohchr.org/en/press-releases/2021/07/international-community-must-pay-attention-persecution-ahmadi-muslims>
 5. All Party Parliamentary Group, 'Suffocation of the Faithful: The Persecution of Ahmadi Muslims in Pakistan and the Rise of International Extremism', July 2020, p. 98.
 6. 'Rights of Persons Belonging to Religious or Belief Minorities in Situations of Conflict or Insecurity', A/HRC/49/44, 3 June 2022, pp. 3, 5, 6, 12.
 7. For the report, see <https://www.ohchr.org/sites/default/files/2022-03/Annex-Bahai-minorities.docx>
 8. See the addendum, 'Report of the United Nations High Commissioner for Human Rights on the Expert Workshops on the Prohibition of Incitement to National, Racial, or Religious Hatred', A/HRC/22/17/Add.4, 11 January 2013.