Policy Brief to Canada's Office of Religious Freedom (ORF) at the Department of Foreign Affairs, Trade and Development Canada (DFATD) on Ahmadis in Pakistan

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1) Kev Characteristics

For many years now, Pakistan has arguably been in a state of political turmoil, with deteriorating democratic state institutions and multiple power factions within the country that threaten the government's authority. Pakistan is home to a variety of ethnic and religious groups, and instability has prevented social harmony. Ethnic conflict and the persecution of certain community members is prevalent.² The Ahmadi Muslim community in Pakistan has been consistently targeted and persecuted by both the authorities and extremist groups. "Peoples under Threat 2013," an initiative funded by the European Union ranks Pakistan as 5th among countries with the highest level of threat to minority

groups, as well as having risen the most in ranking since 2012, an indication of a rapidly deteriorating social environment. Ahmadis are at the top of the list of vulnerable minorities.³

While exact and recent figures are difficult to obtain, Ahmadis in Pakistan were estimated at around 3-5 million in 2006, at that time around 1%-3% of the Pakistani population and representing around 1% of all the world's Muslims. 4 5 6 The community also goes by the names of Ahmadiyya, Oadianis, and Lahori group. The largest concentration of this group lies in the town of Rabwah, south of Islamabad.⁸ As members of this community are also located elsewhere in the country, the language spoken by Ahmadis depends upon the region and can include Punjabi, Sindhi, or Urdu.⁹

In Pakistan, many minorities are faced with discrimination in various aspects of their lives and religious freedom is not upheld. International attention has often been focused on the discrimination of Christians and women in Pakistan. However, Ahmadis are said to face even more severe discrimination because of their claim as a sect of Islam—a claim that is not recognized by mainstream Muslims. In fact, a Pew Research study conducted in

Pakistan found that only 7% of the population viewed Ahmadis as Muslim. 10 As such, differences in some fundamental beliefs between Ahmadis and mainstream Islam have become cause for the

persecution of Ahmadis justified as intolerance of blasphemers. 11 In line with the beliefs of the mainstream Muslim majority, in 1974 the Pakistani government officially declared Ahmadis to be non-Muslims, and outlawed the ability of Ahmadis to claim that they are Muslim. 12 This has lent legitimacy to their persecution within the country. The build-up of events of violence in recent years has placed the treatment of Ahmadis in Pakistan in the spotlight. The "growing strength of Sunni fundamentalist groups, influence of Islamic clerics and [the military's influence in governance]" have created a challenging environment and little incentive for the Pakistani government and law enforcement to take solid action and change its view on Ahmadis. 13 As such, the Ahmadi

Ahmadi Population

Source:

- In the world: 10 million
- Endnotes
- In South Asia: 8 million
- 4, 6 and 7.
- In Pakistan: est. 3 5 million (2006)
- In Canada: approx. 25,000



Key Event Headlines

- "A Canadian Ahmadi humanitarian activist is shot dead in Pakistan and the police show no interest in investigating the case"33
- "An Ahmadi has been shot dead in police lockup and the lives of others are under threat".35

These events are important because they highlight the plight of Ahmadis in Pakistan and help bring international attention to the injustice that Ahmadis face.

community in Pakistan lives in constant fear for their safety and their lives. This fear was realized for instance in 2010 when the community faced its worst violent act; two Ahmadi mosques were attacked in Lahore by armed assailants killing 93 Ahmadis and injuring 100 in total.¹⁴

In terms of leadership, the Ahmadis have a worldwide organization called the Ahmadiyya Muslim Community. This forum is based in the United Kingdom along with its current spiritual head Mirza Masroor Ahmad. The organization advocates for universal human rights and protections for religious minorities, as well as education and social well-being, especially for women. ¹⁵ Its website, Al Islam, provides information about the community and resources for its followers. Similarly, the Canadian Ahmadi community has an organization called Ahmaddiya Muslim Jama'at Canada which serves a similar purpose, providing community resources and contacts for Ahmadis and raising awareness of the cause within Canada. ¹⁶ Canadian Ahmadi leaders have met and maintain a close stakeholder relationship with the Harper government, including in having the Prime Minister and cabinet ministers attend past events at Ahmadi mosques. ¹⁷ ¹⁸

2) Cause, Consequences and Impact of the Conflict

The U.S. Commission on International Religious Freedom, a Congress-mandated monitoring body, published a paper this year highlighting the arbitrary power that is given to state officials through blasphemy laws. The paper states that these laws inappropriately position governments as arbiters of religious rightness and truth and in practice have proven to be ripe for abuse and manipulation by individuals. They have therefore become a deadly weapon for those with personal or political grudges to target opponents. The report singles out Pakistan as the worst offender, targeting those belonging to mainstream Islam, but used disproportionately against minorities such as Christians and Ahmadis.¹⁹ Often charges are based upon unfounded accusations, rumours, personal rivalries, and are intensified by pressure upon authorities from Islamic clerics and the general populace.²⁰ The blasphemy laws allow for the fining, jailing and/or execution of anyone accused, often falsely, of insulting Islam, Islamic personages or the Koran.²¹ Pakistan's blasphemy laws have also been the cause of vigilante justice by extremist groups and communities carrying out lynchings, floggings and assassinations of not only "blasphemers" but of critics of the blasphemy laws. Since 1990, there have been at least 60 cases, recently including the murders of a prominent and outspoken federal minister and a governor. 22 23 According to one Amnesty International spokesperson, Pakistan's blasphemy laws, while purporting to protect Islam and religious sensitivities, have instead fostered a climate of religiously-motivated violence-both discriminate violence against minorities and indiscriminate violence against mainstream Muslims-violating the most basic human rights of freedom of religion and belief.²⁴ Pakistan's weak judicial system offers no protection for victims and is largely corrupt, politically influenced and unable to uphold the rule of law. Police and judges in lower courts are often influenced by pressure from prominent groups or individuals to circumvent due process and to arrest, charge and convict falsely accused victims under the blasphemy laws. 25 The laws have targeted civil rights activists, religious minorities, and even the lawyers of many of the accused and tried individuals.²⁶ In many cases, the convictions of lower courts have been overturned at higher courts through appeal, based on lack of evidence, obvious biased motives and rivalries between parties, and faults in due process. However, the susceptibility of higher court judges to organized pressure groups is increasing. 27 As of 2014, 14 individuals are known to be on death row and 19 others serving life sentences for blasphemy. 28 As mentioned earlier, Pakistan's anti-Ahmadi laws make it illegal for Ahmadis to call themselves Muslims, associate their faith with Islam, practice or preach their faith or use Islamic terms in their places of worship or rituals. These laws give legitimacy within Pakistan to the institutional persecution that Ahmadis face and force them into the margins of society, leaving them vulnerable to extremist

violence.^{29 30} It is important to note that proselytism of Muslims and non-Muslims is a facet of the Ahmadi faith. This contributes significantly to hostility that Ahmadis face in countries like Pakistan and elsewhere in which bans against proselytizing are targeted at Ahmadis as a policy forbidding their influence upon the state-sanctioned Sunni orthodoxy.^{31 32}

The Asian Human Rights Commission, a non-profit organization that monitors and publicizes cases of human rights abuses in Asian countries has been actively highlighting and condemning incidents of violence in Pakistan against Ahmadis and advocating against the restriction of religious rights for minorities. These cases have included the persecution of Ahmadis under Pakistan's blasphemy law. ³³ ³⁴ ³⁵The Human Rights Commission of Pakistan, another organization that documents blasphemy cases, says that Ahmadis constitute the second most targeted group under the blasphemy law, following mainstream Muslims. ³⁶

Growing religious conservatism in Pakistan, the ability of extremist religious parties and groups to organize extremist and often violent street mobs and internal pressure from religious clerics and fundamentals makes it difficult for the government and secular parties to enact any changes to the laws and to the administration of them. As a result, human rights groups and analysts fear continued extremist violence and deaths of Ahmadis and other groups in Pakistan.³⁷ This continues to have far-reaching consequences on the stability of Pakistan and its global security risk, outside of Canada's abilities to address the situation unilaterally.

3) Theoretical Models/Frameworks

A variety of factors can contribute to insurgencies, rebellions, and secessions by minority groups including: opposition to the government; capability to militarize; belief in violence; lack of control; poverty; and lack of political presence.³⁸

Salient Factors for Ahmadis³⁹

- The inability to practice the religion of their choice
- The inability to congregate within their community (i.e. social gatherings, religious events)
- The inability to vote/have political participation and representation
- The denial of guaranteed education and cultural rights

The Ahmadi community in Pakistan is a unique minority group in that their main goals are to be treated without discrimination and as equals in the Muslim community. This group of people do not rebel against the Pakistani government, nor harbour any separatist or irredentist sentiment despite being persecuted for many years.

Although they have been denied the ability to create a political presence within Pakistan, and to practice their faith, the Ahmadi community want to live in peace in Pakistan and to practice their religion without discrimination, as part of their faith-based rejection of acts of terrorism of any form. As a result, this community is unlikely to turn to violence (i.e. insurgency, rebellion, or succession) to ameliorate their situation in Pakistan. The following is a list of factors that have contributed to the disconnect between Ahmadis and the Pakistani government and the desired outcomes.

| Current Situation ⁴⁰ | | <u>Desired Outcome</u> |
|---------------------------------|------------------------|-------------------------------------|
| 1) As discussed above, | discrimination against | The Ahmadi community merely want to |
| Ahmadis is enshrined in | Pakistan's laws. This | be recognized as part of the Muslim |

community is not able to self-identify freely, participate in the annual pilgrimage to the Mecca, or be buried in designated Muslim graveyards.

- 2) Ahmadis face discrimination in all facets of their lives in Pakistan. This means that they seek out employment opportunities in the public sector with great difficulty or often are turned away. Even youth in the community have started to feel discrimination in the admissions process to good universities.
- 3) Although the Ahmadi community is relatively wellorganized at the international level, it is lacking at the national level due to politics within Pakistan. As noted above, they often live in communities and have a strong collective identity. However, this has not stopped the repression, violence, and lack of criminal justice for their persecutors.

community. They wish to participate in the religion as equals and not be persecuted for their belief system.

The Ahmadi community in Pakistan wish to remain part of the country and its society. They are willing to contribute through work and education and would like to participate as equals.

The Ahmadis in Pakistan want to be able to congregate without fear of being violently attacked. It is obvious that they feel helpless seeing as the authorities do not protect them or prevent incidents from occurring.

4) Policy Recommendations

On July 5, 2008, Prime Minister Harper attended the opening of the Baitun Nur Ahmadiyya Mosque in Calgary, Canada's largest mosque complex, along with attendees representing various branches of the Government. In his remarks, the Prime Minister congratulated the Ahmadiyya community for its devotion to peace, serving the greater good through health and education initiatives, and called His Holiness the spiritual leader of the Ahmadiyya community "a champion of religious freedom and peace." In 2013, Prime Minister Harper chose the Ahmadiyya Mosque in Maple, Ontario to announce the establishment of the Office of Religious Freedom (ORF) and the appointment of Ambassador Bennett. Harper acknowledged the persecution, violence and violation of religious freedom that Ahmadis face in Pakistan and thanked the community for contributing to Canadian pluralism and "strengthening and enriching the fabric of our country." The Prime Minister also affirmed that "Canada will not be silent" in the face of atrocities to Ahmadi Muslims and that Canada defends human rights around the world. ⁴³

Recently this year, Ministers Baird and Yelich, and Ambassador Bennett each issued public statements condemning violence in Pakistan against the Ahmadi community, and reaffirming the Government of Canada's call for Pakistani authorities to uphold the universal right to religious freedom and to stop the outright persecution of Ahmadis in Pakistan. ⁴⁴ This is in line with Prime Minister Harper's earlier affirmation that promoting religious freedom is an essential building block for peace in Canada and around the world. ⁴⁵ These events and statements from the Prime Minister and other highlevel officials represent the strong view and support of the Government of Canada against the persecution of Ahmadis and violations of their religious freedom. As such, the following options are recommended for consideration by the ORF for dissemination to DFATD senior management, as Canada's potential responses to recent deadly violence perpetrated against Ahmadis in Pakistan:

- 1) Deliver Canada's diplomatic protest to Pakistani Foreign Ministry officials at violence against Ahmadis, and of Canada's intention to monitor the investigations and judicial outcome of cases against the perpetrators;
- 2) That the ORF work with the Ahmadiyya Muslim Jama'at Canada to lobby the DFATD to issue a public statement at the United Nations urging Pakistan to take action in fulfilling its human rights commitments by protecting the well-being and security of Ahmadis;

- 3) Explore avenues of protest, complaint and dialogue within the Commonwealth, regarding Pakistan's actions against Ahmadis, and that Pakistan's actions violate the Commonwealth Charter's values of human rights and rule of law, and the commitment of all its member states to promote peace and improve the lives of all its peoples. ⁴⁶ This response will also strengthen Canada's previous call for the Commonwealth to seriously respond to the poor human rights commitment and progress of other Commonwealth members like Sri Lanka. (Consideration: Given the Government of Canada's suspension of its \$10 million contribution to the Commonwealth in 2014 and its subsequent reduced participation, Canada's legitimacy within the organization is weakened and advocacy through the Commonwealth may be less effective at this time.)⁴⁷
- 4) That the ORF provide funding in support of independent, recognized grassroots advocacy and rights organizations on the ground such as the Human Rights Commission of Pakistan in their campaign to advocate on behalf of victims of persecution by lobbying government on the adoption and implementation of the Universal Declaration of Human Rights, providing intervention in court cases, delivering human rights training programs and supporting public awareness campaigns to mobilize public opinion on human rights norms. This is a long-term strategy but is nonetheless needed to achieve a societal shift in values.

It is recommended that Canada's actions regarding this conflict remain at the level of political and diplomatic responses given consideration of the following analysis:

- That Pakistan has failed to show progress on this issue despite the urging of the UN special rapporteur on freedom of religion or belief to protect Ahmadis and guarantee rights to security ⁴⁹;
- That Canada's political and diplomatic responses can be a first step for Canada in drawing attention to the situation faced by Ahmadis and to Canada's principled defence of Ahmadis, thereby increasing their legitimacy by giving them a "state-sponsored" voice, in an attempt at pressuring and "shaming" Pakistan into taking more serious responsive action on the issue. In this way, Canada can "step up to the plate" and take the lead in gathering support for a concerted effort at improving the human rights situation for Ahmadis. This step gives other like-minded countries a chance to become more familiar with the situation, to step up their pressure on Pakistan and to build the foundation for more multilateral future involvement in this issue;
- The intentions of the Ahmadi community in Canada remain to advocate their cause in a peaceful and legalistic manner, emphasizing dialogue and public awareness⁵⁰;
- Economic actions such as reviewing Canada's financial aid to Pakistan, or considering the implementation of sanctions can remain as options for further escalation should Pakistan fail to demonstrate progress in improving the situation for Ahmadis;
- Options for referring cases of Ahmadi violence and killings to international legal bodies such as the International Criminal Court remain difficult to pursue at this time because violent acts are not attributed to a single group, leader, party, or faction, and Pakistan's cooperation at this level would be necessary and highly unlikely;
- Note: It is not recommended that Canada consider any stronger response such as the use of force or coercive intervention against Pakistan given consideration of domestic and international stakeholders involved. Issues of sovereignty and the need for phased and proportional responses to other countries' actions within their borders preclude the use of force at this time. It would also be recommended at this escalated stage that Canada collaborate with international partners on considering a stronger international response, especially if incidents of persecution and targeted violence escalate into more systematic killings, such as genocide.

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