

**Mandates of the Working Group on Arbitrary Detention; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on freedom of religion or belief**

Ref.: AL PAK 2/2024  
(Please use this reference in your reply)

22 July 2024

Excellency,

We have the honour to address you in our capacities as Working Group on Arbitrary Detention; Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association and Special Rapporteur on freedom of religion or belief, pursuant to Human Rights Council resolutions 51/8, 53/4, 52/9, 50/17 and 49/5.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning allegations of **extrajudicial killings, physical assaults, arbitrary detention, and harassment against members of the Ahmadiyya religious minority in Pakistan, and attacks on their places of worship and cemeteries**, which appear to be related to the legitimate exercise of their rights to freedom of religion or belief.

Concerns about the escalation in discrimination and incitement to violence against the Ahmadiyya religious minority in Pakistan have been the subject of previous communications from Special Procedures mandate holders, including PAK 4/2023, PAK 2/2023, PAK 10/2020, PAK 6/2020, and PAK 5/2018. While taking note of your Excellency's Government's response in relation to PAK 5/2018, we regret that no further responses have been received to communications on this issue, and we remain deeply concerned especially in light of these ongoing incidents.

According to the information received:

Against a background of attacks on places of worship and members of the Ahmadiyya community having been subjected to assassinations, physical assault, arbitrary detention, discrimination and harassment. Ahmadi places of worship have been attacked, and their minarets destroyed, and their burial places vandalised by both State and non-State actors. We believe the cases outlined below to be representative of a broader pattern of discrimination against Ahmadis, also detailed in the communications referenced, PAK 4/2023 and PAK 2/2023.

*Killings of Messrs. Gulham Sarwar and Rahat Ahmad Bajwa*

On 8 June 2024, two Ahmadis, Mr. Gulham Sarwar and Mr. Rahat Ahmad Bajwa, were fatally shot in two separate attacks in Saad Ullah Pur, Mandi Bahauddin. At around midday on the date in question, Mr. Sarwar was reportedly shot by an armed youth while he returned from prayer at an Ahmadi

Mosque. Approximately 20 minutes later, the same assailant shot Mr. Bajwa as he returned to his house from the catering centre, 'Pakwan Centre', which he owned. Reports allege that the men were shot by a student of a local Madrasa who later admitted to the police that the killings were motivated by the religion or belief of the men in question.

#### *Killing of Mr. Tahir Iqbal*

On 4 March 2024, Mr. Tahir Iqbal, the local President of the Ahmadiyya Muslim Community in Bahawalpur, was shot twice by armed assailants as he took his morning walk in Chak-84 village. The assailants fled the scene unchallenged. The Ahmadiyya community relate the murder of Mr. Iqbal to the broader context of hostility and threats against the religious minority. A suspect has reportedly been detained. However, it has been reported that the District Police Officer prematurely dismissed religious discrimination as a potential motive for the killing.

#### *Arrests of Ahmadis, including Messrs. Malik Naveed Ahmad, Malik Riaz Ahmad, and Malik Tahir Ahmad.*

Between 10 and 19 June 2024, 23 Ahmadis in Sialkot, Gujranwala, and Narowal were reportedly subjected to detention orders and held in detention for three to seven days, preventing or limiting their participation in Qurbani and Eid-ul-Adha celebrations. A further 12 criminal cases were lodged against 23 individuals, including 18 Ahmadis, and five associates, under section 298-C of the Punjab Penal Code. 21 arrests were made on this basis, with five individuals discharged according to the most recent information available.

On 10 June 2024, the Deputy Police Commissioner of Chakwal ordered the arrest of three Ahmadi leaders: Mr. Malik Naveed Ahmad, President of the Chakwal District Ahmadiyya Community; Mr. Malik Riaz Ahmad, formerly in this role; and Mr. Malik Tahir Ahmad, Secretary of General Affairs. The three men were reportedly to be held preventively in Jhelum Prison for one month under section 3 of the Maintenance of Public Order 1960, though they were released three days later. The order for their detention reportedly followed their attendance at a meeting with law enforcement officials at which they were placed under pressure to abstain from sacrificing animals as part of the Qurbani ritual. The three men had reportedly refused to refrain from manifesting their religious beliefs, noting that this was protected in both Pakistani domestic law and international human rights law.

#### *Attacks on Ahmadiyya community Mosques and cemeteries*

Direct personal attacks against Ahmadis have reportedly been accompanied by attacks on their places of worship and cemeteries against a backdrop of impunity, or even the alleged involvement of law enforcement officials.

On 12 June 2024, a group of approximately 10 uniformed police, along with others believed to be police in civilian clothing, reportedly destroyed the minarets of the Ahmadiyya Mosque in Jahman, Lahore. On 28 February 2024, the Al Nusrat Ahmadiyya Mosque in Karachi was attacked by a group of over 15 individuals, who took the two-armed policemen on duty hostage and

proceeded to damage the Mosque's minarets and walls. Earlier that month, on 12 February, the Ahmadiyya Mosque in Bhabra, Kotli District, Azad Jammu and Kashmir, was attacked by over 50 individuals. Eight Ahmadi worshippers who were present in the Mosque at the time, including five women, sustained serious injuries in the attack; reports hold that those who attempted to rescue them were also attacked by the mob. The Mosque's minaret and mihrab were destroyed, and the interior was vandalized. Prior to the events, the attackers had reportedly demanded the destruction of the Mosque and set a deadline for its destruction. Despite this, it appears that the authorities did not take sufficient measures to protect the Mosque or its community of worshippers.

A further alarming trend relates to the desecration of Ahmadiyya graves. In 2024 alone, Special Procedures mandate holders have been informed of the desecration and vandalism of two Ahmadi graves in Kirsan, Attock on 12-13 April; attacks on 10 tombstones in Barmoj Goi, in the Kotli District of Azad Jammu and Kashmir, in two separate incidents in March; and a mob desecrating graves and violently preventing the burial of a deceased Ahmadi from taking place, in the presence of police, in Sahwala Village, Sheikhpura, Punjab, on 29 January. Furthermore, on 24 January 2024 in Daska, Punjab, police officers reportedly acting on the orders of the Assistant Commissioner, desecrated the 65 of 75 tombstones at an Ahmadi cemetery, while a similar incident was reported in Bharoke.

#### *Risks arising from publication of distinct voter lists of Ahmadis*

The Pakistan Election Commission's publication of distinct voter lists of Ahmadis, detailing the personal information including addresses of members of the religious minority, has exposed Ahmadis to potential risks on the basis of their actual or perceived religious convictions. One recent example cited is that of Mr. Imtiaz Ahmed Butt of Kot Lakhpat, Lahore, whose name was exposed on a 2023 Ahmadi voter list. On the basis of this information, in April 2024, a social media campaign was launched against Mr. Butt, urging parents to remove their children from the Imtiaz Public School, which he owns, in order to "protect the faith" of their children.

#### *Overall context*

The aforementioned arrests and attacks take place in a context of reports of overt calls for discrimination and violence against Ahmadis and their places of worship from diverse public actors including religious clerics and professional organisations. On 6 June 2024, the Lahore Bar Association called on the police to take action to prevent Ahmadis from gathering, observing, and praying during Eid-ul-Adha celebrations. Previously, in March 2024, banners attributed to the Pakistan Medical Association (PMA) were placed outside the Allied Hospital in Faisalabad which referred to "Qadianism" as a "cancer" which "Muslims will not permit [...] to spread". It was reported in this connection that the PMA intended to boycott the treatment of Ahmadi patients. Furthermore, in February 2024, a viral video spread on social media, in which a religious cleric called for the killing of Ahmadis. It is understood that the cleric's call was in response to a decision of the Supreme Court of Pakistan, in which an Ahmadi who had been charged under blasphemy laws was released on bail.

Recent violence and discrimination against religious minorities has attracted criticism within the country. On 23 June 2024, the National Assembly adopted a Resolution in which it stated that “[T]he House believes that the Right to life is the most cherished right as enshrined in the Constitution of Pakistan” and strongly urged Federal and Provincial governments to ensure the safety and security of all citizens of Pakistan, including religious minorities and other vulnerable segments of society. The Resolution also called on the governments of Khyber Pakhtunkhwa and Punjab to immediately take all necessary measures to ensure that persons involved in recent mob violence, resulting in the deaths of individuals accused of blasphemy in Swat and Sargodha, are identified, investigated and prosecuted.

Without prejudging the accuracy of these allegations, we would like to express our grave concern about the continuation of a pattern of violent attacks, arbitrary arrests and detention, and overt calls for violence against the Ahmadi religious minority and their religious sites by state and non-state actors, as previously alerted to in Special Procedures communications, including PAK 4/2023. These attacks have taken the form of extrajudicial killings, physical assaults, and smear campaigns on social media, as particularly exemplified by the cases of Messrs. Gulham Sarwar, Rahat Ahmad Bajwa, and Tahir Iqbal, and the attack on the Ahmadiyya Mosque in Bhabra. We are also alarmed by the failure to properly investigate these potentially unlawful killings, which in itself would constitute a violation to the non-derogable right to life.

Moreover, we are deeply concerned about the alleged arrests and deprivation of liberty of Messrs. Malik Naveed Ahmad, Malik Riaz Ahmad, and Malik Tahir Ahmad, though they were subsequently released. Their arrest and detention appear discriminatory on the basis of their religious belief and practice.

We further express concern over vandalization of Ahmadi religious buildings and desecration of Ahmadi cemeteries which bear a material and cultural significance for the Ahmadiyya religious community. We wish to express our particular concern about the lack of accountability related to these attacks against this religious minority. As stated in our most recent communication on this subject, we are concerned that the prevailing environment of impunity may promote further attacks.

Should they be confirmed, these allegations would contravene articles 2 (non-discrimination), 6 (right to life), 9 (liberty and security of person), 18 (freedom of religion or belief), 19 (freedom of opinion and expression), 20 (prohibition of any national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence) and 27 (rights of minorities) of the International Covenant on Civil and Political Rights, ratified by Pakistan on 23 June 2010.

We welcome the recent National Assembly Resolution calling for the safety and security of religious minorities in Pakistan to be ensured at all levels. We urge your Excellency’s government to guarantee that legislative and policy initiatives in this regard are conceived of, designed and implemented in collaboration with all affected religious and belief minorities, including the Ahmadiyya community.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which

cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide information on the status of any investigations into the killings of Mr. Gulham Sarwar, Mr. Rahat Ahmad Bajwa, and Mr. Tahir Iqbal, in particular, as to the potential role played by religious discrimination as a motivation for their killing, and in accordance with the Revised United Nations Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions (Minnesota Protocol).
3. Please provide information concerning the legal basis for the arrests and detentions of Mr. Malik Naveed Ahmad, Mr. Malik Riaz Ahmad, and Mr. Malik Tahir Ahmad. Please clarify the extent to which their detention was compatible with Pakistan's international human rights obligations, in particular, in accordance with articles 2, 9, 18, 19 and 27 of the International Covenant on Civil and Political Rights (ICCPR). Whilst welcoming their subsequent release, we are concerned about the pattern which these cases resemble.
4. Please provide information on the status of any investigation into the attacks on the Al Nusrat Ahmadiyya Mosque in Karachi, the Ahmadiyya Mosque in Bhabra, and the desecrations of Ahmadiyya graves and prevention of funerals alleged above.
5. Please provide information on the publication of separate voter lists of Ahmadi citizens of Pakistan, and the extent to which this is compatible with Pakistan's obligations under international human rights law, in particular with the rights to equality and non-discrimination, freedom of religion or belief, the prohibition of any national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, and the rights of religious minorities in accordance with articles 2, 18, 20, 26 and 27 of the ICCPR.
6. Please provide information on measures taken by your Excellency's Government to counteract public calls for violence and discrimination against the Ahmadiyya community in Pakistan in accordance with international standards, including article 20 of the ICCPR.
7. Please provide information on constitutional, legislative, or policy measures taken by your Excellency's Government to protect the Ahmadiyya community against any form of discrimination.

We would appreciate receiving a response within 60 days. Past this delay, this communication and any response received from your Excellency's Government will

be made public via the communications reporting [website](#). They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We may continue to publicly express our concerns in the near future on this case which in our view merits prompt and undivided attention. We also believe that this is a matter of public concern, and that the public should be informed about its human rights implications. Any public expression of concern from our part would indicate that we have been in contact with your Excellency's Government to clarify the issue/s in question.

We would also like to inform your Excellency's Government that after having transmitted the information contained in the present communication to the Government, the Working Group on Arbitrary Detention may also transmit the case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. The present communication in no way prejudices any opinion the Working Group may render.

Please accept, Excellency, the assurances of our highest consideration.

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Vice-Chair of the Working Group on Arbitrary Detention

Morris Tidball-Binz  
Special Rapporteur on extrajudicial, summary or arbitrary executions

Irene Khan  
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Gina Romero  
Special Rapporteur on the rights to freedom of peaceful assembly and of association

Nazila Ghanea  
Special Rapporteur on freedom of religion or belief

## Annex

### Reference to international human rights law

In connection with above alleged facts and concerns, we would like to refer your Excellency's Government to the International Covenant on Civil and Political Rights (ICCPR), ratified by Pakistan on 23 June 2010. Article 18 of the ICCPR states that that "Everyone shall have the right to freedom of thought, conscience and religion. These rights shall include freedom [...] either individual or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching." The Human Rights Committee has noted in General Comment No. 22, paragraph 3, that article 18 of the ICCPR "Does not permit any limitations whatsoever on the freedom of thought and conscience [...]". Thus, peaceful expression of one's thought and conscience cannot be restricted unless such restrictions have fulfilled stringent tests of legality, proportionality and necessity.

We also draw your Excellency's Government's attention to 6 (1) of the ICCPR, which respectively guarantee the right of every individual to life and security and provide that these rights shall be protected by law and that no one shall be arbitrarily deprived of his life. The Human Rights Committee in its general comment 36, para. 13, referred to States parties' obligations under article 6 to include taking measures to prevent and punish deprivation of life by criminal acts, and to prevent arbitrary killing by their own security forces. A failure to investigate and bring perpetrators of such violations to justice could in and of itself give rise to a separate breach of the ICCPR. Investigations and prosecutions of potentially unlawful deprivations of life should be undertaken in accordance with relevant international standards, including the Minnesota Protocol on the Investigation of Potentially Unlawful Death.

Article 9 (1) of the ICCPR states that: "Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedures as are established by law." In its General Comment No. 35, paragraph 17, the Human Rights Committee has asserted that "[a]rrest or detention as punishment for the legitimate exercise of the rights as guaranteed by the Covenant is arbitrary, including [...] freedom of religion." The Human Rights Committee further clarified that security detention not in contemplation of prosecution on a criminal charge presents severe risks of arbitrary detention. If in this regard a "present, direct, and imperative threat is invoked to justify the detention of persons considered to present such a threat, the burden of proof lies on States parties to show that the individual poses such a threat and that it cannot be addressed by alternative measures" (paragraph 15).

Article 2 (1) of the 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (A/RES/36/55) which states that "[n]o one shall be subject to discrimination by any State, institution, group of persons, or person on grounds of religion or other belief." In article 4 (1), the Declaration states that: "All States shall take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms [...]". Its article 4 (2) upholds that: "All States shall make all efforts to enact or rescind legislation where necessary to prohibit any such discrimination, and to take all

appropriate measures to combat intolerance on the grounds of religion or other beliefs in this matter.” In accordance with article 9, paragraph 5 of the ICCPR: “Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.”

Article 19 of the ICCPR guarantees the right to freedom of opinion and the right to freedom of expression, which includes the right “to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media”. In its [General Comment No. 34](#), the Human Rights Committee, interpreting article 19, stated that States parties to the ICCPR are required to guarantee the right to freedom of expression, including “political discourse, commentary on one’s own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse” (paragraph 11). The Committee further asserts that there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression (paragraph 23).

Article 20 (2) of the ICCPR prescribes that any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law. The prohibition requires the fulfilment of three components: a) advocacy of hatred; b) advocacy which constitutes incitement and c) incitement likely to result in discrimination, hostility or violence (A/67/357, paragraph 43).

Article 22 of the ICCPR protects the right to freedom of association, including the rights of everyone to associate with others and to pursue common interests. Freedom of association is closely linked to the rights to freedom of expression and to peaceful assembly and is of fundamental importance to the functioning of democratic societies. These rights can only be restricted in very specific circumstances, where the restrictions serve a legitimate public purpose as recognized by international standards and are necessary and proportionate for achieving that purpose.

Article 26 of the ICCPR stresses that “all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as [...] religion or other status [...].”

Article 27 of the ICCPR guarantees minorities, inter alia, the right to profess and practice their own religion. Moreover, article 1 of the 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities establishes the obligation of States to protect the existence and identity of religious minorities within their territories and to adopt the appropriate measures to achieve this end, while article 2 recognizes that persons belonging to religious minorities have the right to profess and practice their own religion without discrimination and article 4 requires States to ensure that persons belonging to minorities, including religious minorities, may exercise their human rights without discrimination and in full equality before the law.