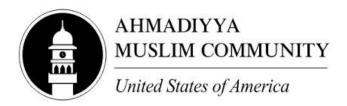
United States House of Representatives Tom Lantos Human Rights Commission

Hearing on "Pakistan: Ongoing Political Repression"

July 24, 2025

STATEMENT SUBMITTED FOR THE RECORD



Submitted by 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 provide written testimony on the subject of "Pakistan: Ongoing Political Repression."

On a number of prior occasions before this body, most recently here, 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 the Ahmadiyya Muslim Community at the hands of religious extremists and state and quasi-state institutions in numerous countries around the world, including Pakistan, Algeria, Indonesia, Bangladesh, Kazakhstan, Kyrgyzstan, Saudi Arabia, Egypt, Libya and Syria.

I focus my testimony on Pakistan, a country of particular concern for the Ahmadiyya Muslim Community and for the U.S. Government. Several recent developments in that country signal a deeply disturbing escalation in the ongoing persecution of Ahmadi Muslims. Last year, a group of independent United Nation experts "expressed grave concern regarding a reported upsurge in discrimination and violence against Ahmadi Muslims in Pakistan, including extrajudicial killings, arbitrary arrests and detentions,

attacks on places of worship and curtailment of free expression, peaceful assembly and association." ¹

In prior testimony before this Commission 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 fifty years, Ahmadi Muslims have been subjected to state-sponsored religious repression that has led to the deaths of over 400 Ahmadi Muslims and the imprisonment of hundreds more.

For this statement, I limit my focus on the ongoing political repression of the Ahmadiyya Muslim Community in Pakistan. The Ahmadiyya Muslim Community in Pakistan faces severe and institutionalized political repression, culminating in their disenfranchisement as citizens. Importantly, the Ahmadiyya Muslim Community remains a victim to political repression under past, successive and current governments in Pakistan. No elected government in Pakistan has instituted any changes or reforms to alter the Ahmadiyya Muslim Community's persecuted condition. And even some former government officials who, at present, are most vocal against political repression in Pakistan have previously never expressed any opposition to the political repression of Ahmadi Muslims when they were in office. For its part, the Ahmadiyya Muslim Community holds no political allegiance or affiliation with any party in Pakistan and remains a purely spiritual and religious community.

From 1985 to 2002, Pakistan employed a separate electorate system that put non-Muslims and Ahmadi Muslims on a separate voting list where they could vote only for minority candidates for minority seats in Parliament.² On February 27, 2002, President Musharraf passed Chief Executive Order No. 7, which eliminated the separate electorate system and reinstated a joint electorate system whereby all Pakistani citizens, regardless of their religious persuasion, could vote as equal citizens. At that time, the International Community heralded this step as a victory for Pakistan's democracy.

But only four months later in 2002, owing to pressure from extreme religious groups,

¹ Pakistan: Experts Urge Immediate End to Discrimination and Violence Against Ahmadis, Office of the High Commissioner for Human Rights (OHCHR), (July 2024), available at: https://www.ohchr.org/en/press-releases/2024/07/pakistan-experts-urge-immediate-end-discrimination-and-violence-against

² Ahmadiyya Muslim Community, "Ahmadis and Elections in Pakistan," October 11 2024, available *at*: https://persecutionofahmadis.org/voting-rights/

President Musharraf passed Chief Executive Order No.15, which explicitly stated that the "status of Ahmadis [remains] unchanged." Under this measure, Ahmadi Muslims could only vote in Pakistan if they (1) declare themselves to be 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.

Pakistan concretized the 2002 executive orders through the Election Act of 2017, which, under Section 48A, mandates that Ahmadi Muslims continue to be segregated via a separate voter list, and that remains the present situation. However, for Ahmadi Muslims living in Pakistan, such a list—with contact information of registered Ahmadi voters—has very real and dangerous consequences since it has been used by extremists to target them. Furthermore, the voter registration forms are blatantly discriminatory toward Ahmadi Muslims. All new voters must complete Form A, which requires a faith declaration. "Muslim" and "Qadiani/Ahmadi" are distinct options, clearly implying that Ahmadi Muslims are non-Muslim. Moreover, even if Ahmadi Muslims were to check the box as "Muslim," they must affirm under oath that they denounce the founder of the Ahmadiyya Muslim Community. Due to this systematic discrimination, Ahmadi Muslims cannot and did not vote in good conscience during the last federal, provincial, or local elections, and unless serious reform is made, Ahmadi Muslims cannot and will not vote in good conscience in future general elections either.

Thus, the existing legal framework governing voting demands Ahmadi Muslims to either renounce their faith to vote as Muslims, which Ahmadi Muslims would never do in good conscience, or be categorized under a discriminatory separate list.³ Most notably, Ahmadi Muslims are Pakistan's only religious community who face this legalized form of political repression as it relates to the right to vote. Therefore, while all other Pakistanis vote under a joint electoral list, Ahmadis are the *only* section of the populace that are effectively deprived of the right to vote, in clear violation of Article 25 of the International Covenant on Civil and Political Rights, under which Pakistan has acceded without meaningful reservations. Tragically, the disenfranchisement of Ahmadi Muslims adversely impacts all Pakistanis since Ahmadi Muslims are among Pakistan's most literate and educated citizens.

Another crucial issue concerns Pakistan's citizenship forms and applications. The Government of Pakistan designates religious affiliation on passports. All Pakistani Muslims seeking passports or passport renewals must fill out a form in which they denounce Ahmadi Muslim beliefs and declare Ahmadi Muslims to be non-Muslim and the founder of the Ahmadiyya Muslim Community, Mirza Ghulam Ahmad, to be an imposter. In other words, the Government of Pakistan forces all Pakistani Muslims seeking passports

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³ Human Rights Watch, "Pakistan Denies Voting Rights to Religious Community," December 8, 2023, *available at* https://www.hrw.org/news/2023/12/08/pakistan-denies-voting-rights-religious-community

to swear under penalty of perjury their explicit opposition to Ahmadi Muslims.

Similarly, to obtain a national identification card, the National Database and Registration Authority (NADRA) of Pakistan has instituted a form with a mandatory category marked "religion." For an Ahmadi Muslim, if he or she selects or writes "Islam" or "Muslim" in the "religion" category, he or she must then sign a separate attestation declaring the founder of the Ahmadiyya Muslim Community, Mirza Ghulam Ahmad, to be an imposter—something no Ahmadi Muslim in good conscience would ever do. Alternatively, if an Ahmadi Muslims select or writes "Ahmadiyya" in the "religion" category, he or she must then sign a separate attestation declaring that he or she is not Muslim—again, something no Ahmadi Muslim in good conscience would ever do. Thus, an Ahmadi Muslim confronts an absurd and patently discriminatory government-run process and cannot ever obtain a national identification card in good conscience.

In 2025, perhaps the most disturbing element of political repression of Ahmadi Muslims in Pakistan concerns the rise of Tehreek-e-Labbaik Pakistan (TLP), a prominent political party that has made attacks on Ahmadi Muslims its prime reason for existence. A high-level summary of TLP's extreme campaign of terror against Ahmadi Muslims is presented below, and a more thorough chronology is attached herein as an Appendix A.⁴

- Mosque Demolitions and Worship Suppression
 - o Jan. 16, 2025 (Daska): 100-year-old mosque demolished.
 - Mar. 7, 2025 (Karachi): Mosque sealed; 40 arrested, including children; 6 charged.
- Mass Arrests and Legal Harassment
 - Feb. 28, 2025 (Sargodha & Daska): Dozens arrested including minors and the disabled.
 - o Mar. 14, 2025 (Pasrur): 29 Ahmadis arrested for congregational prayer.
- Desecration of Graves and Public Intimidation
 - o Mar. 21, 2025 (Azad Kashmir): 76 Ahmadi graves desecrated.
 - o Mar. 15, 2025 (Lahore): Violent anti-Ahmadi rhetoric at Lahore High Court Bar Association.
- Targeted Killings

 Dr. Sheikh Mahmood (May 16, 2025, Sargodha): Assassinated inside a hospital.

- o Tahir Mahmood (May 11, 2025, Karachi): Died in prison after torture.
- o Muhammad Asif (April 24, 2025, Kasur): Shot dead for being Ahmadi.

⁴ All data obtained by official sources of the Ahmadiyya Muslim Community in Pakistan and corroborated by official news accounts.

 Laiq Cheema (April 18, 2025, Karachi): Beaten to death on the way to Friday prayers.

These acts perpetrated by the TLP constitute a deliberate campaign to instill fear and disenfranchise a religious community from political participation.

In sum, the political repression of the Ahmadiyya Muslim Community is systematic, state-backed, and inseparable from broader electoral suppression. The denial of voting rights and the discrimination faced with passport and national identification application forms are a form of religio-political apartheid. These acts are not only unconstitutional within Pakistan's own legal framework but a clear violation of binding international human rights obligations.

Finally, I wish to make several broader observations on this subject. The constitutional model of Pakistan presents itself as an "Islamic Republic" with the enforcement of religious freedom as a principle. Nominally, Pakistan's Constitution, along with other constitutions of Muslim countries, purport to guarantee freedom of conscience and religion. But what many of these constitutions give with one hand, they take away with the other.

Muslim Community to be non-Muslim, depriving them of their essential professed identity as Muslims. This constitutionally enforced apostasy is amplified by legislation that criminalizes any manifestation of the Islamic faith by Ahmadi Muslims and denies fundamental rights of citizenship, including voting, to that community. Additionally, this constitutional-legal framework of religious exclusion has created a climate of impunity, leading to the murders of hundreds of Ahmadi Muslims, and has engendered extremism, as reflected by the recent spate of attacks by the TLP attacks against the community. By legislating a particular understanding of Islam as supreme, Pakistan has marginalized not only Ahmadis but also other non-mainstream religious groups, including Christians, Jews and Hindus. In particular, the blasphemy laws are routinely used to target these and other vulnerable religious communities.

The Ahmadiyya Muslim Community recommends an alternative model for Pakistan based on the Medina Charter established by the Prophet Muhammad (peace be upon him). If implemented, this model would enforce the freedom of religion as it was set forth by the founder of Islam, Muhammad. In this model, although the State will remain Muslim and will not relinquish their Muslim identity, it will have to recognize all the sects of Islam, without distinction or interpretation, and all faiths without discrimination as part of the Muslim identity. This model will lead to a revolutionary model for the separation of mosque and state that would be tailored for Muslim countries. This model will operate on a non-sectarian basis, soundly rejecting the notion that any government should have the

power to define the bounds of any faith. Accordingly, it will also allow anybody to vote, to have all the social rights enforced by the Constitution irrespective of religious creed or sect. In Muslim-majority countries, that means there can be no restriction under the law for who is deemed Muslim. This model will reflect the true definition of "equal citizenship" in Pakistan consistent with international human rights instruments.

Mr. Chairman, I conclude my written testimony with the following recommendations for this Commission:

- 1. Call on the Government of Pakistan to Repeal Section 48A of the Election Act of 2017 and allow Ahmadi Muslims to vote alongside all other Pakistanis as equal citizens without religious conditions.
- 2. Remove passport and national identity declarations and attestation pertaining to Ahmadi Muslims.
- 3. Demand accountability for TLP-orchestrated violence and state complicity in attacks against Ahmadi Muslims, especially ahead of the next elections.
- 4. Stop local and provincial police from desecrating Ahmadi Muslim mosques and burial sites.
- 5. Protect the rights of accused Ahmadi Muslims in criminal proceedings and allow independent trial monitors.
- 6. Remove restrictions on freedom of religion or belief and end anti-Ahmadi legislation and penal code provisions (e.g., Sections 298-B and C) that discriminate against Ahmadi Muslims.
- 7. Combat impunity for attacks on Ahmadi Muslims by effectively investigating allegations and by prosecuting those responsible.

See: Appendix A attached

Biography of Amjad Mahmood Khan

For over two decades, Amjad has handled some of the most complex and high stakes litigation cases in the country, including disputes related to commercial contracts, corporate control, civil fraud, business torts, intellectual property, energy, insurance, unfair competition and the False Claims Act. Amjad's diverse clients include Fortune 500 companies, A-List artists in music and motion pictures, fashion retailers, mortgage lenders, energy companies, technology firms, major airlines, municipalities and religious institutions. Amjad has extensive stand-up trial experience, having won multiple significant jury verdicts, including a \$12.5 million award. Amjad has also briefed and argued numerous appeals in state and federal courts.

In 2023, Amjad was named to the *Los Angeles Business Journal*'s list of "Leaders of Influence: Litigators & Trial Attorneys" as one of "the very best litigators and trial attorneys in the region," noting that Amjad "is frequently called on to take on difficult litigation cases of prominence because of his relentless advocacy, creative decision-making and cool demeanor under pressure." For eight consecutive years (2012-2019), Amjad was named a "Rising Star" by *Super Lawyers* magazine.

Prior to joining Brown, Neri, Smith & Khan LLP, Amjad was litigation counsel at Akin Gump Strauss Hauer & Feld LLP, associate at Latham & Watkins LLP and judicial clerk to the Honorable Warren J. Ferguson at the Ninth Circuit U.S. Court of Appeals. Amjad received his J.D. in 2004 from Harvard Law School. While in law school, Amjad served as editor-in-chief of the *Harvard Human Rights Law Journal* and as a teaching assistant to Professor Scott Brewer (Contracts, Jurisprudence). Amjad graduated *summa cum laude* from Claremont McKenna College in 2001, with a B.A. in Government and English (Literature).

In addition to his litigation practice, Amjad devotes a considerable portion of his time to pro bono matters. Amjad has special expertise in asylum and refugee law, deportation defense and providing legal aid to disaster victims. Amjad was co-chair of Latham & Watkins' global human rights and refugee practice group. Amjad has first chaired over two dozen successful immigration and asylum matters. Amjad has received numerous awards and accolades for his pro bono work, which includes sharing the 2012 Muslim Advocates Thurgood Marshall Award. Amjad has also served as an expert witness in asylum cases and has testified six times before the U.S. House of Representatives on the human rights abuses of religious minorities in the Near East and South Asia. Amjad also served as a member of the Council on Foreign Relations and Pacific Council on International Policy.

Since 2014, Amjad also serves as an Adjunct Professor at UCLA Law School, where he has taught hundreds of students "Fundamentals of U.S. Contract Law" and has earned the "Continuing Lecturer" status for his teaching excellence. Amjad's academic work focuses on transnational legal studies, comparative constitutional law and national security. He is a recognized expert on religious freedom in the Islamic world, and his scholarship has appeared in prestigious journals, including *Harvard International Law Journal*, *Harvard National Security Law Journal*, *Harvard Human Rights Journal* and *Richmond Journal of Global Law and Business*.

Tehreek-e-Labbaik Pakistan (TLP) Terrorism Campaign against Ahmadi Muslims in Pakistan, 2025

