

**United States House of Representatives
Tom Lantos Human Rights Commission
House Committee on Foreign Affairs
Washington, D.C.
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Testimony of Amjad Mahmood Khan, Esq.

Mr. Chairman and Members of the Commission:

Thank you for inviting me to testify today on the religious persecution facing the Ahmadiyya Muslim Community.

I am honored to provide testimony before this body. The fact that you have commissioned a special hearing on the issue of religious freedom in the Near East and Central and South Asia demonstrates your deep commitment to international human rights and religious freedom, and for that you are to be commended.

I am an attorney residing in Los Angeles. In my private practice, I litigate complex business and commercial matters for a private law firm. In my *pro bono* practice, I represent refugees and disaster victims. I have studied international and human rights law at Harvard Law School and have written about the persecution of the Ahmadiyya Muslim Community in Pakistan and surrounding issues for the *Harvard Human Rights Law Journal* and various other periodicals. I also serve as the National Director of Public Affairs for the Ahmadiyya Muslim Community USA.

The Ahmadiyya Muslim Community is arguably the most persecuted Muslim community in the world. The U.S. State Department, the U.S. Commission on International Religious Freedom and dozens of international human rights organizations have documented the systematic persecution endured by the Ahmadiyya Muslim Community at the hands of religious extremists. Over the past several decades, hundreds of Ahmadi Muslims have been murdered in Pakistan, and dozens more in Bangladesh and Indonesia. In 2010 alone, 99 Ahmadi Muslims were murdered in Pakistan – the deadliest year ever for the Community.

Before offering specific details about the persecution endured by the Ahmadiyya Muslim Community, let me first provide you with a brief introduction of the Community that may help explain why the Community continues to be a prime target for extremists who purport to represent Islam.

The Ahmadiyya Muslim Community is a dynamic, fast growing international revival movement within Islam. Founded in 1889, it spans over 195 countries with membership exceeding tens of millions. Its current headquarters are in the United Kingdom.

The Ahmadiyya Muslim Community is the only Islamic organization to believe that the long-awaited messiah has come in the person of Mirza Ghulam Ahmad (1835-1908) of Qadian. Ahmad claimed to be the metaphorical second coming of Jesus of Nazareth and the divine guide,

whose advent was foretold by the Prophet of Islam, Muhammad. The Ahmadiyya Muslim Community believes that God sent Ahmad, like Jesus, to end religious wars, condemn bloodshed and reinstitute morality, justice and peace. Ahmad divested Islam of fanatical beliefs and practices by vigorously championing Islam's true and essential teachings.

The Ahmadiyya Muslim Community is the leading Islamic organization to categorically reject terrorism in any form. Over a century ago, Ahmad emphatically declared that an aggressive "jihad by the sword" has no place in Islam. In its place, he taught his followers to wage a bloodless, intellectual "jihad of the pen" to defend Islam. To this end, Ahmad penned over 80 books and tens of thousands of letters, delivered hundreds of lectures and engaged in scores of public debates. His rigorous and rational defenses of Islam unsettled conventional Muslim thinking. As part of its efforts to revive Islam, the Ahmadiyya Muslim Community continues to spread Ahmad's teachings of moderation and restraint in the face of bitter opposition from parts of the Muslim world.

The Ahmadiyya Muslim Community is the only Islamic organization to endorse a separation of mosque and state. Over a century ago, Ahmad taught his followers to protect the sanctity of both religion and government by becoming righteous souls as well as loyal citizens. He cautioned against irrational interpretations of Quranic pronouncements and misapplications of Islamic law. He continually voiced his concerns over protecting the rights of God's creatures. Today, the Ahmadiyya Muslim Community continues to be an advocate for universal human rights and protections for religious and other minorities. It champions the empowerment and education of women. Its members are among the most law-abiding, educated, and engaged Muslims in the world.

Finally, the Ahmadiyya Muslim Community is the foremost Islamic organization with a central spiritual leader. Over a century ago, Ahmad reminded his followers of God's promise to safeguard the message of Islam through *khilafat* (the spiritual institution of successorship to prophethood). The Ahmadiyya Muslim Community believes that only spiritual successorship can uphold the true values of Islam and unite humanity. Five spiritual leaders have succeeded Ahmad since his demise in 1908. Its fifth and current spiritual head, Mirza Masroor Ahmad, resides in the United Kingdom. Under the leadership of its spiritual successors, Ahmadiyya Muslim Community has now built over 15,000 mosques, over 500 schools, and over 30 hospitals. It has translated the Holy Qur'an into over 60 languages. It propagates the true teachings of Islam and the message of peace and tolerance through a twenty-four hour satellite television channel (MTA), the Internet (alislam.org) and print (Islam International Publications). It has been at the forefront of worldwide disaster relief through an independent charitable organization, Humanity First.

Let me now briefly discuss the rapidly deteriorating human rights conditions for the Ahmadiyya Muslim Community around the world.

Indonesia

On February 6, 2011, more than a thousand extremists – many brandishing machetes, spears and sticks – attacked the house of an Ahmadi Muslim leader in the town of Cikeusik in West Java.¹ Approximately twenty Ahmadi Muslims were present inside the home. The extremists brutally beat to death three Ahmadi Muslims. The first, Mr. Tubaqus Chandra Mubarak (34 years of age), was beaten and mutilated with a knife. He is survived by his pregnant wife. The second, Ahmad Warsono (38 years of age), was beaten with knives, machetes and sticks. He is survived by his wife and four children. The third, Roni Persarani (35 years of age), was beaten with knives, machetes and sticks. He is survived by his wife and two daughters.² The attacks were captured on a video obtained by Human Rights Watch, in which local police can be seen sitting idly by and letting the attacks happen.³ Scores of newspapers and magazines have brought attention to the brutal and shocking incident, including *Newsweek*, *Wall Street Journal* and *New York Times*.⁴ The February 6 attacks were denounced by the U.S. State Department, the U.S. Ambassador to Indonesia and the United States Commission on International Religious Freedom.⁵

¹ CNN, “Indonesian Police Probe Attack on Minority Muslim Sect,” February 7, 2011, *available at* <http://edition.cnn.com/2011/WORLD/asiapcf/02/07/indonesia.attack/> (last visited on March 1, 2011).

² Ahmadiyya Muslim Community, Press Release, “World Muslim Leader Praises Role of Media After Sectarian Attacks,” February 15, 2011.

³ Human Rights Watch, “Indonesia: For Ahmadiyah, the Official Line Kills,” February 24, 2011, *available at* <http://www.hrw.org/en/news/2011/02/24/indonesia-ahmadiyah-official-line-kills> (last visited on March 1, 2011).

⁴ Philip Shishkin, “Intolerant Indonesia,” *Newsweek*, February 13, 2011, *available at*: www.newsweek.com/2011/02/13/intolerant-indonesia.html (last visited on March 1, 2011); “Religion Run Amok,” *Wall Street Journal*, February 11, 2011, *available at*: <http://online.wsj.com/article/SB10001424052748704132204576135701826873760.html> (last visited on March 1, 2011); Aubrey Belford, “Indonesia Vows Inquiry After Grizzly Attack on Muslim Sect,” *New York Times*, February 7, 2011, *available at* <http://www.nytimes.com/2011/02/08/world/asia/08iht-indo08.html>.

⁵ Philip J. Crowley, U.S. Department of State, February 9, 2011 [“The United States is deeply concerned about the mob violence in Indonesia directed at members of the Ahmadiyah community that resulted in the deaths of three people and the wounding of several others this past weekend...”]; Scot Marciel, U.S. Ambassador to Indonesia, February 7, 2011 [“We join the vast majority of Indonesians in deploring the violence against a group of Ahmadiyah in the Pandeglang district over the weekend...”]; Leonard Leo, Chairman of the U.S. Commission on International Religious Freedom, February 8, 2011 [“This is just more deadly evidence that blasphemy laws are the cause of sectarian violence, not the solution. Indonesia is a tolerant country that should be more intolerant of extremist groups. It’s time the Indonesian government brings them to account for the violence and hatred they spread.”].

The Ahmadiyya Muslim Community in Indonesia was established in 1925 and was formally recognized by the Government of Indonesia in 1953.⁶ There are an estimated 250,000-300,000 Ahmadi Muslims in Indonesia.⁷ On June 9, 2008, Indonesia's Minister of Religious Affairs, Attorney General and Minister of the Interior issued a Joint Decree banning all Ahmadi Muslim activities that "are deemed deviant from the principal teachings of Islam."⁸ Since the 2008 Joint Decree, there have over 101 attacks reported against members of the Ahmadiyya Muslim Community in Indonesia, not to mention countless attacks on Ahmadi Muslim mosques and properties.⁹ By all accounts, the Joint Decree has done little to curb violence against religious minorities; indeed, it has had the exact opposite effect.¹⁰

As I testify here today, the plight of Ahmadi Muslims in Indonesia has reached a very dangerous tipping point. Just a few hours ago, thousands of religious extremists in Indonesia – led by the Islamic Defenders Front (FPI) – held a rally at the Hotel Indonesia near the State Palace calling for the Government to officially ban the Ahmadiyya Muslim Community or else face more deadly attacks on Ahmadi Muslims every month in every Ahmadi village in the country.¹¹ Even as the rally was underway, Indonesia's Justice and Human Rights Minister, Petrialis Akbar, announced his support of a proposed ban of the Ahmadiyya Muslim Community in East Java.¹² Moreover, Indonesia's Religious Affairs Minister has repeatedly expressed his public support for the official ban of the Ahmadiyya Muslim Community.¹³ It is becoming increasingly clear that the Government of Indonesia is seeking to appease and acquiesce to the demands of religious extremists even if such actions result in further deadly attacks against the Ahmadiyya Muslim Community.

⁶ *Supra*, note 4.

⁷ Eric Unmacht, "A Muslim Schism," *Newsweek*, August 7, 2005, available at <http://www.newsweek.com/2005/08/14/a-muslim-schism.html> (last visited on March 1, 2011).

⁸ *Supra*, note 4.

⁹ *Supra*, note 3.

¹⁰ *Id.*

¹¹ Ulma Haryanto, "FPI Plans Protest Against Ahmadiyah," *Jakarta Globe*, March 1, 2011, available at <http://www.thejakartaglobe.com/home/fpi-plans-protest-against-ahmadiyah/425822> (last visited on March 1, 2011).

¹² Camelia Pasandaran, "Government Supports Ahmadiyah Ban in East Java," March 1, 2011, available at <http://www.thejakartaglobe.com/home/government-supports-ahmadiyah-ban-in-east-java/425918> (last visited on March 1, 2011).

¹³ "Best to Disband Ahmadiyah, Religious Minister Says," *Jakarta Globe*, February 28, 2011, available at <http://www.thejakartaglobe.com/indonesia/best-to-disband-ahmadiyah-religious-minister-says/425536> (last visited on March 1, 2011).

Pakistan

For nearly six decades, the Ahmadiyya Muslim Community has also endured wide-ranging abuses in Pakistan. On May 28, 2010, the Community watched in horror as armed gunmen from the Tehrik-e-Taliban Pakistan (TTP) attacked hundreds of Ahmadi Muslim worshippers gathered for Friday prayers at two mosques in Lahore. When the dust had cleared, the gunmen had killed 86 Ahmadi Muslims in those attacks – the largest single attack against the Community ever.¹⁴

Several million Ahmadi Muslims currently live in an “apartheid-like” regime in Pakistan. While Ahmadis profess to be Muslims, their belief is irrelevant under the law.¹⁵ Pakistan’s Second Amendment to its Constitution, passed in 1974, explicitly declares Ahmadis to be “non-Muslim.”¹⁶ Since 1974, over 250 Ahmadi Muslims have been killed in Pakistan. Moreover, Pakistan’s notorious anti-blasphemy laws have essentially criminalized the very existence of Ahmadi Muslims in Pakistan. Two of the five anti-blasphemy laws, known as Ordinance XX, explicitly target by name the activities of the Ahmadiyya Muslim Community.¹⁷ Ahmadi

¹⁴ Zahid Hussain and Rehmat Mehsud, “Militants Attack Tiny Muslim Sect,” May 29, 2011, *available at* <http://online.wsj.com/article/SB10001424052748704254004575274533917141238.html> (last visited on March 1, 2011).

¹⁵ See Pak. Const. pt. XII, ch. 5, arts. 260(3)(a), 260(3)(b). “Muslim means a person who believes in the unity and oneness of Almighty Allah, in the absolute and unqualified Prophethood of Muhammad (peace be upon him), the last of the prophets, and does not believe, or recognize as a prophet or religious reformer, any person who claimed or claims to be a prophet, in any sense of the word or any description whatsoever, after Muhammad (peace be upon him).” Subsection (b) reads: “‘Non Muslim’ means a person who is not a Muslim and includes a person belonging to the Christians, Hindus, Sikh, Buddhist or Parsi community, a person of the Qadiani Group or Lahori Group (who call themselves ‘Ahmadis’ or by any other name) or a Bahai, and a person belonging to any of the Scheduled Castes.”

¹⁶ See Pak. Const. Second Amendment.

¹⁷ See Pak. Penal Code §§ 298B, 298C (collectively referred to as Ordinance XX). According to § 298B:

- (1) Any person of the Qadiani group or the Lahori group (who call themselves ‘Ahmadis’ or any other name) who by words, either spoken or written, or by visible representation
- a. refers to, or addresses, any person, other than a Caliph or companion of the Holy Prophet Muhammad (*peace be upon him*), as ‘Ameer-ul-Mumineen,’ ‘Khalifat-ul-Mumineen,’ ‘Kilafat-ul-Muslimeen’ ‘Sahaabi’ or ‘Razi Allah Anaho’;
 - b. refers to, or addresses, any person, other than a wife of the Holy Prophet Muhammad (*Peace be upon him*), as ‘Ummul-Mumineen’;
 - c. refers to, or addresses, any person, other than a member of the family (Ahle-bait) of the Holy Prophet Muhammad (*peace be upon him*), as Ahle-bait; or
 - d. refers to, or names, or calls, his place of worship as Masjid;
- shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

Muslims are unable to profess their faith, either verbally or in writing.¹⁸ As a result of these laws, 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* (the principal creed of a Muslim) on Ahmadi gravestones.¹⁹ In addition, Ordinance XX prohibits Ahmadi Muslims from declaring their faith publicly, propagating their faith, building mosques, or making the call for Muslim prayers.²⁰ In short, virtually any public act of worship or devotion by an Ahmadi Muslim can be treated as a criminal offense punishable by death. Indeed, Ahmadi Muslims account for almost 40% of all arrests under the anti-blasphemy laws.²¹ In prior years, elderly Ahmadi Muslim women, Ahmadi Muslim mothers and even Ahmadi Muslim infants have fallen victim to these laws.²²

The persecution of the Ahmadiyya Muslim Community goes beyond sectarian violence and individual arrests. Pakistani authorities have demolished, set on fire, forcibly occupied, sealed or barred the construction of over 90 Ahmadi Mosques.²³ They have also denied the cemetery burial of 41 Ahmadi Muslims and have exhumed after burial the bodies of 29 Ahmadi Muslims.²⁴ Finally and perhaps most tragically, through a series of political maneuvers, they have also denied Ahmadi Muslims the right to vote in Pakistan.²⁵

(2) Any person of the Qadiani group or Lahori group (who call themselves as 'Ahmadis' or by any other name) who by words, either spoken or written, or by visible representation, refers to the mode or form of call to prayers followed by his faith as 'Azan' or recites Azan as used by Muslims, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

¹⁸ See M. Nadeem Ahmad Siddiq, "Enforced Apostasy: *Zaheerudin v. State* and the Official Persecution of the Ahmadiyya Community in Pakistan," *Journal of Law and Inequality*, Vol. 14, 1995, at pp. 288-89.

¹⁹ *Id.*

²⁰ *Id.*

²¹ National Commission for Justice and Peace in Pakistan (NCJP) data, quoted in "NJCP Signature's Drive Against Blasphemy Laws," *Dawn*, August 28, 2009, available at <http://www.thepersecution.org/news/09/dawn0828.html> (last visited on October 4, 2009).

²² Amnesty International, *Report on Pakistan*, September 1996, available at <http://www.thepersecution.org/ai/amnst196.html> (last visited on March 1, 2011).

²³ See Ahmadiyya Muslim Community, Facts and Figures on Pakistan, available at <http://thepersecution.org/facts/events.html> (last visited on March 1, 2011).

²⁴ *Id.*

²⁵ Mahmood Ahmad and Amjad Mahmood Khan, "Apartheid in Pakistan," *Washington Post*, January 19, 2011, available at http://onfaith.washingtonpost.com/onfaith/guestvoices/2011/01/apartheid_in_pakistan.html (last visited on March 1, 2011).

The Middle East

The Ahmadiyya Muslim Community has also endured increasing persecution in the Middle East.

In Egypt, Ahmadi Muslims are the subject of a *fatwa* (religious edict) issued by Dar-ul-Ifta'a) declaring Ahmadis to be “non-Muslims apostates.”²⁶ In 2008, the Egyptian Government banned Ahmadi Muslim television programming. In 2010, Egyptian secret police conducted simultaneous raids in seven protectorates and arrested 9 Ahmadi Muslims, including the President of the Community.²⁷ They were charged under Article 98(f) – Egypt’s notorious blasphemy law – and remained in prison for many months before finally being released.²⁸

In the areas controlled by the Palestinian authorities, Ahmadi Muslims are facing new restrictions. For example, drawing upon similar *fatwas* (religious edicts) from countries such as Pakistan, Indonesia and Egypt, the central religious council (Dar-ul-Ifta'a) of the Palestinian Authority Government issued its own *fatwa* declaring Ahmadi Muslims to be non-Muslim apostates.²⁹ Moreover, Ahmadi Muslims are being denied the right to marry, and their marriages are being dissolved by local Islamic courts.³⁰

Conclusion

I have provided only a thumbnail sketch of the current persecution of the Ahmadiyya Muslim Community. Our Community endures unconscionable persecution throughout much of the Muslim world. The source of this persecution is a militant perversion of Islam, which must be cut at its root. Islam at its core is consistent with religious freedom; it is tragic that some extremists would forcibly undermine this universal human right.

Our Community welcomes and lauds any and all efforts to raise greater awareness about restrictions to religious freedom in the Near East and Central and South Asia, and indeed all over the world.

Thank you.

²⁶ Fatwa, Dar-ul-Ifta'a, Egypt, March 2009.

²⁷ “Egypt Ahmadis Detained Under Emergency Law: Rights Group,” Associated Foreign Press, May 14, 2010, *available at* <http://www.google.com/hostednews/afp/article/ALeqM5gz0txMsTCCfV4e0BI1Slg2yYOxFg> (last visited on March 1, 2011)

²⁸ *Id.*

²⁹ Fatwa, Dar-ul-Ifta'a, Palestine, 2005.

³⁰ Mohammed Daraghmeh and Diaa Hadid, “Palestinian Court Forcibly Divorces ‘Apostates,’” *Associated Press*, January 20, 2011, *available at* http://news.yahoo.com/s/ap/20110120/ap_on_re_mi_ea/ml_palestinians_shunned_sect (last visited on March 1, 2011).