

The All-Party Parliamentary Group for the Ahmadiyya Muslim Community—written evidence (FEO0041)

House of Lords Communications and Digital Committee Inquiry into Freedom of Expression Online

This submission focuses on the following inquiry questions:

Q1. Is freedom of expression under threat online? If so, how does this impact individuals differently, and why? Are there differences between exercising the freedom of expression online versus offline?

Q4. Should online platforms be under a legal duty to protect freedom of expression?

1. Freedom of speech is under threat for religious communities such as the Ahmadiyya Muslim Community (the “Community”) that is being targeted to deny it the right to self-identify as a Muslim community and its members (“Ahmadis”) to self-identify as Muslims.
2. This has a devastating effect on the Community in that it denies its members access to online information about its own beliefs and teachings, and it prevents it from sharing and discussing its views and beliefs with others. This results in a prevalence of misinformation online that remains unchallenged and uncorrected, as a result of which members of the Community are branded as disbelievers and traitors ‘liable to be killed’ as defined by extremist clerics, especially in Pakistan.
3. In particular the Pakistani State is engaging in a concerted hate campaign against the Community, a key strand of which is targeting the Community’s online presence. This campaign is aimed at delegitimising the existence of the Community, perpetuating its social isolation and normalizing hatred against its members both within and outside of Pakistan. These recent actions, in 2020, include attempts to pressure social media and other technology companies outside Pakistan to (i) prevent the Community from self-identifying as a Muslim community and its members as Muslims; and (ii) censor the Community’s legitimate online content.

Background to current campaign

4. On 30 November 2020, the Pakistan Government enacted a new regulation, the Removal and Blocking of Unlawful Online Content Rules 2020 (“**Unlawful Online Content Rules**”), which amends the Prevention of Electronic Crimes Act 2016 (“**PECA**”) (together, the “**Cyber Laws**”) to broaden the Pakistan Government’s authority to initiate new legal actions against organisations and individuals both inside and outside of Pakistan.
5. The newly formulated Cyber Laws:

- a. give the Pakistan Telecommunications Authority ("**PTA**") unbridled powers to block or remove online content (Section 37 of PECA). They target service providers and social media companies like Facebook, Google, Twitter, YouTube, and give the PTA the authority to remove or block information "*it considers [] necessary in the interest of the glory of Islam or the integrity, security or defence of Pakistan . . . public order, decency or morality[.]*"; and
 - b. have extraterritorial reach by applying to "*any act committed outside Pakistan by any person if the act constitutes an offence under [these laws] and affects a person, property, information system or data located in Pakistan.*" Section 1(4).
6. The Pakistani State has commenced use of the draconian powers under the Cyber Laws to undertake the following action:
- a. on 25 December 2020, Pakistan's PTA issued takedown notices to Google and Wikipedia to remove content associated with the Community. The Pakistan Government is (1) requiring Wikipedia to remove articles portraying the worldwide head of the Ahmadiyya Muslim Community, His Holiness Hazrat Mirza Masroor Ahmad, as a Muslim; and (2) requiring Google to remove a Google play app published by the Ahmadiyya Muslim Community, which provides Arabic and English translations of the Qur'an, and (3) requiring Google to change their algorithm for the search queries "Khalifa of Islam" and "Caliph of Islam". The PTA has threatened penalties and prosecution for non-compliance;
 - b. on 30 December 2020, the Chief Justice of the Lahore High Court heard a petition "*Seeking Removal of Qadiyani [Ahmadi] Caliph name as Muslims Caliph from Google Search.*" This hearing was attended by the Deputy Attorney General of Pakistan, the Director General of the Federal Investigative Agency, the Federal Secretary of the Ministry of Interior, as well as the Chairman of the PTA. The Chief Justice of the Lahore High Court instructed these senior federal officials to issue warrants for arrest against any individuals outside Pakistan who are publishing online content deemed blasphemous by Pakistani authorities. The PTA Chairman assured the Chief Justice that his agency was working tirelessly toward this goal. The PTA and the FIA both pointed to their actions shutting down websites, to which the Chief Justice responded that was not sufficient and that warrants for arrest must be issued to ensure that the offending activity ceases. The Chief Justice has set a 20 January 2021 hearing to follow up on this matter; and
 - c. on 24 December 2020, the Community's chapter in the USA received a notice from the PTA requiring the removal of all content related to the Community from the www.trueislam.com website (managed and operated by the Community in the USA) on the basis that it contains blasphemous content in violation of Pakistan's blasphemy laws.

7. In September 2020, the Stanford Internet Observatory Cyber Policy Center reported on a coordinated network in Pakistan (with clear alignment with the Pakistani state) that has been involved in the mass reporting of Facebook, Instagram and Twitter accounts run by, amongst others, the Community and individual Ahmadis¹.
8. Furthermore, in 2020 complaints have been registered with Twitter by the Pakistan authorities about twitter accounts run and operated in the UK.
9. In addition to the above demands, a number of social media personalities and extremist religious groups in Pakistan have used the recent campaign to repeat hate speech against the Community, its leadership and its members which is intended to incite violence against the Community and its members. Similar hate campaigns perpetuated in the mass media against the Community have resulted in violence against, and (in several cases) the murder of, Ahmadis. Given the large Pakistani diaspora in the UK, some of these hate-filled messages have also been broadcast by a number of Pakistani TV channels in the UK and have subsequently been found by the UK's communications regulator, OFCOM, to represent derogatory and abusive treatment of Ahmadis and in breach of the UK's broadcasting code². A strong online regulator should take a similarly robust approach to allow freedom of speech to debate and discuss ideas but to prevent on online harm. Furthermore, censorship must not be allowed to deny the right to freedom of religion.
10. The Community considers this recent hate campaign and, in particular, the extra-territorial application of Pakistan's Cyber Laws to be a gross violation of international human rights norms and law. The Community expresses its grave concern at this attempt by the Pakistani State to use its Cyber Laws (and the threat of persecution pursuant to them) to (i) coerce social media and other technology companies to participate in the persecution of Ahmadis by acquiescing to the censoring of the Community's online content; and (ii) seek to deny the Community and its members the fundamental rights of freedom of expression and religious belief.
11. The above evidences the threat faced to freedom of speech online and the need for regulation to ensure platform providers do not become complicit in the persecution of groups or individuals by denying them the right to self-identify and the right to manifest their views and beliefs online.

¹ <https://cyber.fsi.stanford.edu/io/news/reporting-duty>

² https://www.ofcom.org.uk/_data/assets/pdf_file/0031/209686/Finality-of-Prophethood,-Iqra-TV,-7-September-2019,-1120-to-2254.pdf

Annex - History of Persecution of the Ahmadiyya Muslim Community

1. The Community has faced persecution since its inception in 1889 but has remained firm in its non-violent principles and never sought to retaliate. The persecution against the Community has been most intense in the Indian Sub-Continent and in particular in Pakistan where radical religio-political movements have been successful in introducing their extremist version of a Shari'ah based system of law. This culminated in an amendment to Pakistan's constitution in 1974 which specifically targeted Ahmadis declaring them to be non-Muslims. This constitutionally enshrined discrimination (a first of its kind in the modern era) stimulated decades of state-sponsored persecution in Pakistan and was further aided by the introduction, in 1984, of Anti-Ahmadi laws and amendments to Pakistan's blasphemy laws making it a criminal offence for Ahmadis to call themselves Muslim or practice Islam in any manner or to any extent conceivable³.
2. Up until 1974, there were many millions of Ahmadis living in Pakistan and contributing to its economic, social and cultural welfare this included Pakistan's first foreign minister, and its first Nobel Laureate. Since 1974, the legitimisation of persecution against Ahmadis has forced Ahmadis to migrate from Pakistan for fear of serious violence or death. Today, just a few hundred thousand Ahmadis remain in Pakistan. The Community has faced severe persecution for many years resulting in the murder of hundreds of Ahmadis by religious extremists, very few of whom have been convicted of their crimes by the Pakistani courts. The persecution of Ahmadis is well documented and has been globally condemned by international governments and human rights organisations including the United States Commission on International Religious Freedom⁴, the United Kingdom's All-Party Parliamentary Group for the Ahmadiyya Muslim Community⁵, the Office of the High Commissioner of Human Rights for the United Nations⁶, Amnesty International⁷ and Human Rights Watch⁸.

Background to the Community and His Holiness Hazrat Mirza Masroor Ahmad

3. The Community's founder, Hazrat Mirza Ghulam Ahmad, was unique in the Muslim World by virtue of his claim to be the Messiah and 'Imam Mahdi' who is prophesied in Islam and who held the status of a subordinate prophet to the Holy Prophet of Islam. Hazrat Mirza Ghulam Ahmad stated that his mission was to revive the peaceful teachings of Islam rather than bring any new law or scripture. As a result he and the Community have suffered hostility and violence since its inception. However the Community has never

³ <https://stopthepersécution.org/>

⁴ <https://www.uscirf.gov/news-room/releases-statements/uscirf-condemns-arrest-ahmadi-muslim-blasphemy-charges-pakistan>

⁵ <https://appg-ahmadiyyamuslim.org.uk/report/>

⁶ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23401&LangID=E>

⁷ <https://www.amnesty.org/en/latest/news/2020/11/pakistan-surge-in-targeted-killings-of-ahmadis/>

⁸ <https://www.hrw.org/news/2020/11/26/pakistan-surge-targeted-killings-ahmadis>

retaliated and it has always stood firmly to its philosophy of non-violence and its principle of “Love for All, Hatred for None”.

4. Following the passing of Hazrat Mirza Ghulam Ahmad, the Community has been led by successive caliphs who have provided spiritual leadership to millions of Ahmadis the world over. Since the promulgation of Pakistan’s anti-Ahmadi laws in 1984, the Community’s caliphate has been based in the United Kingdom and the Community is currently led by His Holiness Hazrat Mirza Masroor Ahmad, the Fifth Caliph of the Community.

5. As caliph, His Holiness Hazrat Mirza Masroor Ahmad, guides and unites the members of the Community in all spiritual and organisational matters. His Holiness spearheads the Community’s international humanitarian work – which has seen the construction and running of hundreds of hospitals and schools including in some of the most deprived parts of the world. His Holiness has been a vocal and prolific proponent of world peace and freedom of religion, speaking out against global injustice and extremism whilst seeking to convey the peaceful teachings of Islam. He is regularly called upon to speak at national and supra-national parliaments and to world leaders, educational institutions and international organisations on a host of issues and the role that Islam can play in finding solutions to current global problems. His Holiness has also written extensively on these issues⁹.

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⁹ <https://www.alislam.org/book/world-crisis-pathway-peace/>