



DIGITAL PERSECUTION

PAKISTAN'S ONLINE TARGETING OF AHMADI MUSLIMS

Briefing



Cyberlaws – A Backdoor to Blasphemy Laws

Recent laws and regulatory measures have been implemented in Pakistan, including the Prevention of Electronic Crimes Act 2016 (PECA) and the Removal and Blocking of Unlawful Online Content Rules 2020¹, that undermine fundamental human rights.

These laws are being used to target content that the regulator – the Pakistan Telecommunications Authority (PTA) – deems blasphemous, so in effect are a backdoor to the blasphemy laws.

These wide-ranging powers empower the PTA to curtail rights that are legitimate under international laws with regards to freedom of religion or belief.

This has resulted in a wave of action by the PTA to censor peaceful content and information, including blocking entire online platforms, issuing notifications of targeted fines for service providers and/or social media companies of up to 500 million rupees and issuing of emergency 24-hour takedown notices for content deemed blasphemous.

As a result the PTA and the Pakistani authorities:

- have targeted the online and social media activities of Ahmadi Muslims both inside and outside of Pakistan – including the issuing of takedown notices to more than 20 websites of the Ahmadiyya Muslim Community hosted outside Pakistan including in the USA and UK.

The first notice was issued on 24 December 2020 – just one month after the 2020 amendment to PECA. One of latest notices received was in April 2022 in respect of the website of a London based radio station (Voice of Islam radio);

- sought to close down official Ahmadi Muslim twitter accounts in the UK;
- successfully pressed Google to remove the Ahmadi Muslim Holy Quran app from Google's Play store; and
- Issued notices block all Ahmadi Muslim content in Pakistan on YouTube and to block the TV channel Muslim Television Ahmadiyya International (MTA), and block other Ahmadi Muslim internal educational periodicals online.

Six Ahmadi Muslims have been arrested under these laws and more than 17 named in police reports thereby also putting them at risk of arrest.

The laws are not just a threat to Ahmadi Muslims but to all religious communities as they can readily be accused of and charged with blasphemy.

This is a grave new threat to religious freedom and the international community must ensure that this does not go unchallenged.

¹ the Removal and Blocking of Unlawful Online Content (Procedure, Oversight and Safeguards) Rules 2020

Background

In November 2020 a new regulation was enacted, amending the Prevention of Electronic Crimes Act 2016 ("PECA"), empowering the Pakistan Telecommunications Authority (PTA) to use blasphemy laws as part of its regulatory powers.

These new Laws:

- empower PTA to block or remove online content (Section 34 of PECA) *"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
- 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).

What this means is that PTA – rather than a court – can decide if online material (both inside and outside Pakistan) is blasphemous and order its removal.

Impact

Noted below are just some of the actions taken that demonstrate how the laws are being used:

- One of the first uses of these laws was against Ahmadi Muslims who are being arrested and charged with blasphemy via these cyberlaws, through targeting of social media, WhatsApp and websites – including for sharing the Holy Quran.
- PTA has also issued notices to website operators with criminal prosecution for violating Pakistan's blasphemy and anti-Ahmadiyya laws (particularly section 298 of Pakistan's Penal Code). According to PTA any website that portrays Ahmadis as Muslims will be blocked.
- Pakistan Electronic Media Regulatory Authority (PEMRA) has ordered that the Ahmadi Muslim television channel (MTA) should not be carried by any distribution service licensee.
- On 27 December 2020, the PTA issued a notice under PECA to ISPs in Pakistan instructing them to block content and naming Ahmadiyya Muslim content on YouTube, Google and other platforms, the entire Ahmadiyya Muslim TV station MTA and the Al Fazl online newspapers.
- In 2020, PTA ordered the closure of the official Twitter accounts of the Ahmadiyya Muslim Community UK and its auxiliary organisations on the basis that they are accessible in Pakistan and thereby violate Pakistani law.

These wide-ranging powers empower the Pakistan telecommunications regulator to curtail rights that are legitimate under international laws with regards to freedom of religion or belief.



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