

## ASYLUM AND IMMIGRATION TRIBUNAL

### THE IMMIGRATION ACTS

Heard at: Field House

Dates of Hearing: 15-17 August 2007  
Determination delivered orally at hearing  
Sent by post on:

Before:

Mr C M G Ockelton, Deputy President of the Asylum and Immigration Tribunal  
Senior Immigration Judge Storey  
Senior Immigration Judge Gleeson

Between

**IA and Others**

and

Appellants

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

#### Representation

For the First Appellant: Mr T U Cooray, instructed by Thompson & Co. Solicitors  
For the Second Appellant: Ms M Phelan, instructed by Thompson & Co. Solicitors  
For the Third Appellant: Mr A Khan, for Thompson & Co. Solicitors  
For the Respondent: Mr J P Waite, instructed by the Treasury Solicitor

*Contrary to what is said in KM (Pakistan) [2004] UKAIT 00302, MM (Pakistan) CG [2002] UKIAT 05714, KK (Pakistan) [2005] UKIAT 00033, MC (Pakistan) [2004] UKIAT 00139, and AZ (Pakistan) CG [2002] UKIAT 02642, Rabwah does not constitute a safe haven for any Ahmadi at risk of persecution elsewhere in Pakistan and should not, without more, be treated as an appropriate place of internal relocation.*

### DETERMINATION AND REASONS

1. The Ahmadi religion or faith differs in a number of important respects from Sunni Islam. The practitioners and followers of Ahmadiyya regard themselves as Muslim

but Sunnis regard them as heretics. For that reason there has been enmity between Sunnis and Ahmadis in Pakistan and in other countries for a considerable period of time. In Pakistan, Ahmadis are subject to restrictions on the public practice of a number of aspects of their faith, largely stemming from Ordinance XX of 1984. That proscribes a number of activities as blasphemous. As a result Ahmadis have sought refuge from the consequences of the practice of their religion, not only in the United Kingdom but, we understand, elsewhere. Ahmadi cases have featured in the Tribunal and its predecessors for many years and there are currently Ahmadi cases amounting to country guidance in the form of MM [2002] UKIAT 05714 and AZ [2002] UKIAT 02642. In addition, there is important guidance to be found in KK [2005] UKIAT 00033. The guidance given on Ahmadi cases has a number of features: one is that an Ahmadi is entitled to practise his religion, despite it being for some purposes a criminal offence in Pakistan, and that any punishment for so doing would accordingly amount to persecution. Another feature is that Ahmadis are said to be distinguished from Muslims by the need or duty, not merely to practise their religion but to proselytise; not merely to preach to other followers of their own religion but also to convert.

2. A further feature is that it is said that for some Ahmadis at any rate a safe haven is to be found in a town called Rabwah (or Chenab Nagar, to give it its new name) in Punjab province. We must say a little more about that last element. Rabwah is a town of 1,043 acres. The land was bought from the Pakistani government on partition in order to provide a location for the headquarters of one of the two branches of Ahmadiyya whose place of foundation and of loyalty before partition was Qadian in India, which became, of course, no longer available to them. Indeed the Ahmadis themselves are formed of two principal divisions. The Lahori division differs in a number of respects from the other. It is the other division with which we are principally concerned, the division which is called, more often by its enemies than its followers, Qadiani. They are formally based in Rabwah, which is, as we have already indicated, limited in size. Its population is difficult to state exactly but it is between 25,000 and 50,000 people, of whom probably rather over ninety-five per cent are Ahmadis.
3. The existence of what has been described as an Ahmadi stronghold, as indeed it is when seen from the point of view of the demographic structure, has seemed on a number of occasions to the Tribunal to give a reason for supposing that an Ahmadi who in Pakistan needed to seek refuge, that is to say, an Ahmadi who had a well-founded fear of persecution in his home area, could be expected to obtain refuge in Rabwah rather than seeking the surrogate protection of the international community. Thus, it has become the practice, and it is the guidance that an Ahmadi needing to seek refuge should be regarded generally as able to find such refuge in Rabwah. Rabwah is, according to the existing guidance, a proper place of internal relocation, sufficient to defeat an asylum claim.
4. Ahmadis in Pakistan are subject to more than occasional outbursts of persecution from Sunnis particularly acting under the auspices of the body called the Khatme

Nabuwwat (KN). That is a neo-fundamentalist organisation which has the aim of the extinction of Ahmadiyya: not, it must be emphasised, the extinction of Ahmadis, although its activities are sometimes violent. Its purpose is to bring an end to the religion by converting its followers to Sunni Islam. But it is the activities of that organisation, the KN, which form the basis of many claims of persecution by Ahmadis. The organisation has branches throughout Pakistan and in particular throughout Punjab province and, specifically, there is a strong branch in Rabwah because, although ninety-five per cent or more of the population are Ahmadis, there is a minority who are not Ahmadis and Rabwah is the place where Ahmadis can evidently be found if there should be anybody who seeks to take action against them.

5. The evidence is that, because of the proscription of Ahmadiyya, there is little opportunity for those who are prosecuted (under the auspices of the KN or otherwise) to make a proper defence or to invoke effectively the protection of the courts. There is evidence relating to cases almost indefinitely adjourned from month to month or from year to year. There is evidence also that those who might be available as witnesses are unwilling to come forward.
6. Thus the position has sometimes been, in Ahmadi cases, that a person has claimed to be a follower of the religion; has been therefore assumed for the reason that we have already indicated to be a person who will attempt to convert others; has been at risk from activities of the KN; even if his conduct was clearly not illegal he has been at risk of unmerited prosecution against which defence would be difficult; there has been the further risk of illegal or violent activity by the KN. He has been able in some cases to establish a well-founded fear therefore of persecution in his home area; but the guidance has been that he can safely and appropriately relocate to Rabwah.
7. Each of the three cases before us has a Rabwah element. The first two have the features we have just indicated. In the first case the appellant appeals against a decision of 25 February 2004 to give removal directions against him as an illegal entrant following the refusal of asylum. There have been two full hearings of his case before the Tribunal already, and the matter is before us on reconsideration as the result of a Consent Order of the Court of Appeal. The terms of the Consent Order and the fact that it was made by consent are of some importance. The order is in the following terms:

**“BY CONSENT IT IS ORDERED THAT:**

1. the appeal be allowed
2. the determination of the Immigration Judge, Miss Clough promulgated on 16 January 2006 be quashed
3. the matter be remitted back to the Asylum and Immigration Tribunal for re-determination, limited to the issue of whether the Appellant can be expected to relocate to Rabwah. Such issue is to include consideration of

the general safety of Ahmadis, as well as whether it would be unduly harsh to relocate there

4. ...”

8. The facts of the first appellant’s case, as summarised by Mr Waite in his helpful skeleton argument provided on behalf of the respondent, are as follows. The Immigration Judge found that the appellant is a married man with six children. He was a partner in a business in his home town. He converted three Muslims to the Ahmadi faith in February 2003. All of them were connected with him as employees or friends of employees. The conversions brought him to the attention of the KN, who attacked his home and threatened to kill him. He escaped to a place about 200 miles away where he worked in a relative’s shop. While he was there he learnt that the police in his home town were investigating a blasphemy case against him. He paid a bribe of 30,000 rupees to avoid being investigated. The police, however, refused to register a complaint that he made against the KN. In his new location he began preaching again and converted two men in 2003. A complaint was made to the local mullah and as a result there were threats to kill him. He learnt of the threats and fled to Lahore. In October 2003 his father warned him that the investigations into the original blasphemy case had been reopened. He therefore left Pakistan.
9. The Immigration Judge disbelieved part of the appellant’s evidence. He did find, however, that the appellant felt under an obligation to preach his faith, but that he had restricted his efforts to people known to him or known to friends of his, and that he did not proselytise in a way which would draw adverse attention to him. The Immigration Judge found that it would not be unduly harsh for the appellant to relocate to Rabwah, despite his well-founded fear of persecution in his home area. The Immigration Judge thus dismissed the appeal. On application there was an order for reconsideration on the ground that the Immigration Judge should not have found that the appellant could avoid difficulty by relocating to Rabwah.
10. The second appellant appeals against a decision on 9 July 2004 to refuse him leave to enter the United Kingdom after refusing him asylum. So far as he is concerned, Mr Waite’s summary is to the following effect. The Immigration Judge found that the appellant’s entire family are Ahmadi although not all are practising. On 10 June 2002 his uncle was murdered by the KN. In 2002 the appellant began preaching in his home village. Local members of the KN found out about his attempt to convert a man and threatened the appellant at his house. The police refused to investigate. On 5 January 2003 the appellant and his family decided that it was no longer safe to stay in the village and left for Lahore, where he lived with a friend. In June 2003 the appellant became the assistant secretary of his local preaching group and began to preach widely. He gave a book to a man and this was discovered by members of the KN who vandalised his home. As a result, he returned to his home town and on 25 April 2004, when he was returning from a mosque where he had been praying, he was shot at. He reported the incident to the police the next day but they refused to register the complaint. However, a few days later they arrested the appellant without charge. He was released on payment

of a bribe; his family decided that he should flee Pakistan and he came to the United Kingdom. The Immigration Judge found that the appellant was at risk of persecution in his home area but could relocate to Rabwah. The Immigration Judge found that the appellant was in the same position as every other unnamed Ahmadi who wished to preach. He would not, according to the Immigration Judge, come specifically to the notice of the KN in Rabwah and the level of protection would be markedly different from that available elsewhere. The matter before us in the second appeal is therefore the same as that in the first: that is to say, the general issue of whether Rabwah is to be regarded as a place of safety and of potential internal relocation for a person with a well-founded fear of persecution as an Ahmadi elsewhere in Pakistan.

11. The third appeal is somewhat different. The appellant appeals against a decision made as long ago as 15 October 2003 to give direction for her removal as an illegal entrant after refusal of asylum. The third appellant comes from Rabwah itself and so far as she is concerned the summary by Mr Waite is as follows. The Adjudicator accepted that the following was credible. In late 2000 she commenced active preaching of her faith to non-Ahmadis. In January 2001 she was attacked by a group of Mullahs who formed part of the KN and was struck and knocked to the ground. She reported the incident to the police which resulted in her arrest for preaching. Her brother secured her release by a bribe. On release she moved to Lahore and remained there until, a couple of weeks later, she went to Rawalpindi. Soon after that a mob of about 20 or 25 mullahs attacked the Ahmadi mosque there. The appellant recognised one of them as being one of the mullahs who had attacked her in Rabwah and he recognised her. The appellant returned to Lahore and from there she came to the United Kingdom.
12. The Adjudicator did not accept that the appellant had a genuine subjective fear of persecution at the time she left Pakistan, but did find that there was a reasonable likelihood that members of the KN would target her and that there was, as it is put in the determination, "an attendant risk of greater harm", that is to say greater than that she had already suffered. The Adjudicator dismissed the appeal solely on the ground that the appellant would have sufficient protection in Rabwah: that is to say, that although her fears would be well-founded and would be sufficient to establish her refugee status if it were not for the fact that her home area was Rabwah, the view taken by the Adjudicator was that Rabwah itself would provide protection for her. He took the view that it was not credible that a sufficiency of protection would be unavailable to her given that her home town was the very town which has a ninety-five per cent population of Ahmadis. The appellant sought and obtained an order for reconsideration on the ground that the Adjudicator's reasoning to that effect was defective. Thus the matter comes before us. And again, it is therefore concerned with the situation in Rabwah for Ahmadis, reconsideration having been ordered solely on the issue of the safety or otherwise of Ahmadis in Rabwah.

13. Mr Waite valiantly attempted to persuade us that larger issues ought to be determined by us in these appeals. We are not persuaded. We are bound by the order of the Court of Appeal, as of course is he, consent having been given to its terms on behalf of the Secretary of State. So far as concerns the other two cases: the issues identified by the applications for and grant of reconsideration are precise and in neither of them was there any suggestion earlier, whether by notice under Rule 30 or by any other procedure, that larger issues should be determined. Nevertheless, although we consider that it is not appropriate to determine any larger issues in these appeals; we note that other issues remain to be looked at in Ahmadi cases. There may be questions about whether the prosecution of Ahmadis in truth and in law amounts to persecution for the purposes of the Refugee Convention. There may also be questions about the distribution of Ahmadis in Pakistan, there being only a small minority of all Ahmadis in Rabwah. It may also be necessary to decide whether Ahmadis have a duty to preach and proselytise that is particular to them, and if so what is its effect in claims of this kind. All Muslims have the duty of dawah and it may not be right to assume that an Ahmadi is more likely to be a preacher.
14. We heard oral evidence from two witnesses put before the Tribunal as experts and we have had access to a substantial amount of documentary evidence. The principal and perhaps most important element of the documentary evidence is a report dated 26 January 2007 by the (United Kingdom) Parliamentary Human Rights Group entitled "Rabwah: A place for martyrs". There is no doubt about the purpose of that report. It was designed to meet the Tribunal's conclusion that Rabwah was a place of safety for Ahmadis because of its majority Ahmadi population.
15. Dr Ensor, who gave oral evidence before us, was one of the researchers. He did not purport to be an expert on Ahmadiyya or on Rabwah. He put himself forward as an expert in research techniques; and it was very noticeable and very creditable that he was clear about the purposes of the research and did not attempt to take the evidence which had been obtained further than it was intended to go. For example, he was asked about the process by which he had identified individuals to talk about their experiences in Rabwah, having come there from other parts of Pakistan. He indicated clearly and frankly that he had not attempted to survey such individuals and he agreed, that so far as that element of the report is concerned, the material is purely anecdotal. What he did say was that the report was designed to examine the governmental structure of Rabwah. Was it right to say that because there was a large majority of Ahmadis a person could obtain protection in Rabwah that was unavailable elsewhere? Was it right to assume, as the Tribunal had assumed in previous guidance, that a large majority in Rabwah necessarily meant a local government and local officials who were Ahmadis? The research embodied in the report is directed to informing conclusions on that issue. Other issues came to mind but the report was not designed to deal with them and Dr Ensor did not pretend that it did deal with them.

16. Dr Roger Ballard also gave oral evidence before us. He had produced three papers for the purposes of these appeals, one report dated in November 2006 and two supplementary notes. We are bound to say that we have, to say the least, some concerns about Dr Ballard's evidence. He is an experienced anthropologist with experience of work in the field in South Asia, as well as very long standing links with the South Asian communities in the United Kingdom, particularly in the north of England. He speaks and writes with real expertise and knowledge about the general developments of religion and religious sectarianism in South Asia. He has published widely, particularly on Sikhism. We were, however, not persuaded that he spoke with true knowledge about Rabwah or about the current difficulties faced by individuals in Rabwah. It appeared to us that as an expert he was drawing on opinions which he had formed, but that the opinions which he had formed were not sufficiently based on current information to enable us to be satisfied that we should take his opinion as the truth without more. Nevertheless, we were well informed by the information he gave us about Ahmadis generally and about the feeling Sunni Muslims have towards them.
17. We found difficulty, however, in accepting Dr Ballard's views about the intensity of the KN activities against Ahmadis in Rabwah and elsewhere. He asserted, for example, that a leading mullah, whom he had described in November 2006 as not being in Rabwah though as perhaps having moved to Rabwah, was now in Rabwah and has, as one of his three main targets, any Ahmadi who arrived in Rabwah from elsewhere in Pakistan and most especially so if he had received information that that person was fleeing from the attention of KN activists elsewhere. That information is from his November 2006 report. He expanded on it with some vigour in evidence before us. But the position is that no other evidence of that activity has been cited to us and in particular the Parliamentary Human Rights Commission did not detect KN activity or activity by that individual mullah as asserted.
18. From the evidence we derive the following facts about Rabwah, some of which we have already referred to. Rabwah is a relatively small town and has a defined area. It has a population of something under 50,000 of whom the vast majority are Ahmadis. There are between 2,000,000 and 5,000,000 Ahmadis in Pakistan in all probability. Thus, although Ahmadis are a majority in Rabwah, the Rabwah Ahmadis are a tiny minority of the Ahmadis in Pakistan. Ahmadis however have, for a reason which has not been explained to us but the fact is not disputed, a disinclination to engage in government. They are required to register in a separate electoral roll. That, we understand, is a feature which they do not share with other Pakistani religious minorities. Whether as a result of that or not, Ahmadis as a group do not register for elections: it is that which makes it so difficult to estimate their numbers, but it is also that which has the effect that although in Rabwah they are the vast majority of the inhabitants, they are not represented in government as one might expect. In fact the evidence shows that Ahmadis are not in government in Rabwah, as they are not in government anywhere else in Pakistan.

19. In Rabwah there is a strong branch of the KN; there are large KN rallies several times a year and other activities. Rabwah is known as an Ahmadi area and therefore may be the target of such activities. There is, however, as Mr Waite pointed out in his submissions, relatively little evidence of anti-Ahmadi trouble in Rabwah. That is the result, no doubt, of a number of factors. One may be, as Mr Waite suggested, that Rabwah is relatively safe and indeed “slightly safer or a little safer” was the evidence received by the Parliamentary Human Rights Commission. But of course the lack of activity against Ahmadis in Rabwah does not necessarily show that Rabwah is safe. It may only show that the amount of activity against Ahmadis is not very great anyway. The question for an individual is whether he is at risk, not whether everybody is at risk.
20. The Secretary of State now accepts and indeed has set out in the Operational Guidance note of 15 March 2007 as follows:

“3.7.4 Rabwah is the headquarters of the Ahmadi movement in Pakistan and is made up of ninety-five per cent Ahmadis. Although Rabwah does provide a degree of community support to individual Ahmadis, there are reports suggesting that Rabwah is targeted by fundamentalist Islamic groups for anti-Ahmadi protests and other actions. Enquiries through the British High Commission in Islamabad show that very few Ahmadis are represented in public and semi-public organisations in Rabwah. Approximately 54% of the voting population of Rabwah are Ahmadi, but it appears that Ahmadis do not normally vote in or contest elections.”

To that extent, therefore, the Secretary of State’s view is congruent with our view on the evidence before us.

21. Nevertheless, Rabwah’s status as an Ahmadi stronghold has given rise to the view expressed sometimes by the Secretary of State, particularly in letters of refusal, and sometimes by the Tribunal, whether in reliance on country guidance or otherwise, that a person at risk elsewhere and so in need of a place to which to relocate internally could reasonably be expected to go to Rabwah where he would obtain protection because of the Ahmadis there. We are satisfied that that is wrong. The situation for Ahmadis in Rabwah is capable of examination in a way that is perhaps not so easy elsewhere because of the numbers. To the extent also that there is a large Ahmadi population in Rabwah, there may be some safety in numbers and it may also be the case that a member of the KN, who is intent merely on pursuing the KN’s agenda in a generalised fashion, is less likely to target any identified individual in Rabwah simply because there are so many Ahmadis there. That is a difference from a person who seeks to do the same thing in a small village where there are few Ahmadis, each of whom would therefore be at proportionately greater risk.
22. But although there is that safety in numbers, and there is a possibility of informal community support amongst Ahmadis, the advantages of Rabwah stop there, even for an Ahmadi who lives in Rabwah. Such a person cannot expect in Rabwah any



more than anywhere else to obtain protection from the police (there are few or no Ahmadi policemen) or from other officials; because, despite being the majority population of Rabwah, Ahmadis are not represented in government. So there is no greater protection available for local Ahmadis in Rabwah than there is for Ahmadis anywhere else in Pakistan.

23. For those who move to Rabwah, from other parts of Pakistan, the prospects are, on the evidence we have seen, to be viewed with even less equanimity. Unless they have friends or relations in Rabwah they may not, according to the evidence, be able to obtain accommodation. There are regulations prohibiting the sale of land in one part of Rabwah to Ahmadis, although there is some evidence of Ahmadi building on vacant land in the other part of Rabwah and outside the town centre. Further, the very fact of having moved to Rabwah may attract attention to an individual's religious affiliation.
24. We should say that the evidence does not establish that Rabwah is particularly deprived. Dr Ensor, who gave evidence about the production of the Parliamentary Human Rights Committee report, said that he observed poverty in Rabwah but at about the same level that he had observed elsewhere in Pakistan. The third appellant's witness statement gives some indication of her home situation in Rabwah and again it does not appear to be deprived. Dr Ballard, in his November report, described Rabwah as "thriving", though he retreated very rapidly from that position in oral evidence and said that it was subject to corruption. Rabwah is not a ghetto on the evidence that we have heard. It is, however, a place like any other place in Pakistan. That is to say it is a place where the government is Sunni and it has the additional difficulty that, if it is seen as a centre to which Ahmadis are attracted, it is at the same time a small place in which they may have some difficulty in acquiring accommodation.
25. It therefore seems to us that despite Rabwah's special profile in the Ahmadi religion it has no special status in the refugee related discourse relating to Pakistani Ahmadis. It is simply wrong to say in general that a person who has established a history of persecution or a fear of persecution as an Ahmadi in some other part of Pakistan can reasonably be expected to relocate to Rabwah. It may be that he can go to Rabwah for a short time. It may be that for that short time he will be safe. But, save in exceptional circumstances, for example if he has family or relatives in Rabwah, despite the majority of inhabitants there, he may not in fact be reasonably practicably able to live there and, if he does, he will be no safer than anywhere else: because the governmental, official structure and seat of power is the same as elsewhere in Pakistan and the fundamentalist anti-Ahmadi religious group, the KN, is as active there as anywhere else, if not more so.
26. That is not to say that every Pakistani Ahmadi is at risk of persecution and is a refugee. As Mr Waite pointed out, the evidence of serious harm to Ahmadis in Rabwah is relatively sparse. The point is, however, that the evidence does not suggest to us that Rabwah is safer than anywhere else. Mr Waite pointed to the

fact that there is some evidence that, at any rate for short periods, Ahmadis from elsewhere seek some protection in Rabwah amongst the Ahmadi community there. That is a perfectly fair point, but it does not demonstrate that Rabwah is safe for long-term residence. The incidence of actual harm to Ahmadis is, on the evidence, not high in Rabwah, and, on the evidence, is not high elsewhere in Pakistan. But that is not the point. The point is not whether every Ahmadi is at risk of persecution but whether some Ahmadis who are at risk of persecution can be expected to relocate to Rabwah.

27. The Tribunal will look in due course at the other issues relating to Ahmadis. In the meantime, however, we draw attention to one comment in particular in the evidence given by the Human Rights Commission of Pakistan to the Parliamentary Human Rights Group and recorded at paragraph 4.1 of the latter document.

“... the HRCP stated that safety in Rabwah depends on the nature of the persecution and/or the influence of the persecutor. For example, if a neighbour wishes to take over an Ahmadi’s business by capitalising on anti-Ahmadi sentiment, then the job of the persecutor is complete once the Ahmadi has left the local community. However, should the persecutor be a person of influence or means, they may use this to follow their target to Rabwah as well. ... .”

There is therefore a difference between those who are targeted or pursued, in particular those in respect of whom there is some institutional pursuit on the one hand, and those who are merely the victims of local Sunnis who want to take advantage of restrictions on Ahmadis in order to secure some financial or other advantage for themselves.

28. It is wrong to assume that Rabwah, because of its majority Ahmadi population, is either accessible or safe for those who, on the evidence, need a place of safety. Each case will depend on its facts but in no wise can the existence of Rabwah be regarded generally as a reason for dismissing an appeal that would otherwise be allowed.
29. In the present cases the first and second appellants have, as we have indicated, a history of KN activity against them. Mr Waite has done his very best to minimise the findings of the Immigration Judges, but the position in both cases is that we are concerned today with Rabwah because the starting point is that both the first and the second appellants have established that they have a well-founded fear of persecution for a Convention reason in their home areas. The question in both cases it therefore whether they can reasonably be expected to relocate to Rabwah. Would they, as the Immigration Judges said in both cases, be safe in Rabwah in a way that they would not be elsewhere? In both cases the appeals were dismissed solely on the basis that the appellants would, despite their profile, be safe in Rabwah and could reasonably be expected to relocate to Rabwah and live there rather than seeking the surrogate protection of the international community. For the reasons we have given, those conclusions were wrong. They were based on existing country guidance and the Immigration Judges cannot be criticised for

following it. But we are persuaded that to that extent existing authority amounting to country guidance was wrong and should not be followed. Mr Waite suggested that neither individual was being pursued; but it seems to us that each of them had a history of difficulties in more than one locality and there is no reason to suppose therefore that they would be safer in Rabwah than anywhere else. Because no other issue falls for determination in these reconsiderations we shall substitute determinations allowing the appeals of the first and second appellants.

30. In the third case the Immigration Judge found, as we have said, that the KN would target the appellant again with even more serious consequences than she had previously suffered, but dismissed the appeal solely because he regarded it as not credible that sufficient protection would not be available to the appellant in the Ahmadi stronghold of Rabwah. For the reasons we have given, that view was erroneous. On the findings of fact that the Immigration Judge made he should have recognised that the risk from the KN was as real in Rabwah as it was elsewhere in Pakistan and he should therefore have allowed the appeal. We shall substitute a determination allowing the third appellant's appeal.

C M G OCKELTON  
DEPUTY PRESIDENT  
Date:

## Annex A: Background materials before the Tribunal

1	Immigration and Refugee Board of Canada Report, Pakistan: Update on the situation of Ahmadis	November 1996
2	Amnesty International Report, Pakistan: "Insufficient protection of religious minorities"	15 May 2001
3	Human Rights Committee Rabwah note: "To Whom It May Concern"	22 March 2005
4	Immigration and Refugee Board in Canada Report: "The situation of members of the Ahmadiyya Movement in Islam"	31 August 2005
5	Correspondence between Mr T McNulty Esq and Lord Avebury	August - October 2005
6	Letter from Dr Iftikhar Ayaz	15 September 2005
7	Freedom House: Freedom in the World 2006, Pakistan	6 June 2006
8	UK Home Office IND Operational Guidance Note, Pakistan	19 June 2006
9	U.S Department of State International Religious Freedom Report 2006, Pakistan	15 September 2006
10	Report by Dr R Ballard: "The Ahmadis of Pakistan, with particular reference to the prospect of finding safe haven in Rabwah/Chenab Nagar"	30 November 2006
11	Parliamentary Human Rights Group Report: "Rabwah: A place for Martyrs"	26 January 2007
12	UK Home Office Pakistan Country of Origin Report	30 April 2007
13	Human Rights Watch Report: "Pakistan: Pandering to Extremists Fuels Persecution of Ahmadis"	8 May 2007
14	Amnesty International Report: "Amnesty International Report 2007: Pakistan"	23 May 2007
15	US Commission on International Religious Freedom Report, Pakistan: "USCIRF Decries Abuse of Blasphemy Laws, Apostasy Bill"	11 June 2007
16	Report by Dr R Ballard: "The Ahmadiyyas of Pakistan"	8 August 2007
17	Report by Dr R Ballard: "Pakistan's 'Crisis of Legitimacy'"	Undated

## Annex B: Specific Documents

- **Supplementary bundle**

- 1 Immigration and Refugee Board of Canada Report, Pakistan: Update on the situation of Ahmadis extract November 1996
- 2 State of Human Rights Report extract: "Freedom of thought, conscience and religion" 2003
- 3 Human Rights Committee Rabwah note: "To Whom It May Concern"
- 4 Correspondence between Mr T McNulty Esq and Lord Avebury 22 March 2005
- 4 August - October 2005
- 5 **Appendices to Parliamentary Human Rights Report (2007)**
  - B1: Notifications from the Government of the Punjab banning Ahmadi materials 19 July, 1 September and 9 September 2006
  - B2: Photographs supplied by the Ahmadi Community Undated
  - B3: Police Report (FIR) against the entire population of Rabwah 15 December 1989
  - B4: Circulars from the Ministry of Interior, Government of Pakistan, 8 May 2006 and 8 June 2006
  - B5: The Nation newspaper article: "College building declared dangerous" Undated
  - B6: Public Auction Notice, taken from The Daily Nawa-i-Waqt, Lahore 5 December 2005
  - B7: Material relating to Rabwah water supply 7 October 2004
  - F: Photographs of Mullah Arshad's Khatme Nabuwat mosque and damage to adjacent Ahmadi headstones Undated