



Pakistan – Researched and compiled by the Refugee Documentation Centre of Ireland on 13 January 2014.

Information required on a Shia organisation called Tehreak Jafferiya.

A list of banned extremist groups published online by the Pakistani newspaper Dawn, in a paragraph headed “Tehrik Nifaz-i-Fiqah Jafaria”, refers to this group as follows:

“Also known as Tehrik-e-Islami, Tehrik-Nifaz-i-Fiqah Jafaria is a Shia political party formed in 1979 following the Islamic revolution in Shia Iran. It aims to introduce Fiqah-i-Jaffriah (the Shia legal system) for Pakistani Shias to prevent imposition of the Sunni school of thought. TNFJ later split into two groups with the second group (Tehrik-e-Jafaria Pakistan) headed by Allama Arif Hussaini, who was assassinated in 1988 during Gen Zia ul-Haq's regime. TJP was banned two times by President Pervez Musharraf's government and its leaders were arrested. However, they continue to operate under new names.” (Dawn (6 August 2009) *Pakistan bans 25 militant organisations*)

An Australian Government Refugee Review Tribunal country advice document, in response to the question “When were the TNFJ and the ISO banned, and what are the names of their successors?”, states:

“It is important to note, as does Country Advice PAK33887 (November 2008), that the various Shi'a sectarian groups currently operating in Pakistan have a complex history, with factional splits in organisations, and the formation of militant factions creating a range of different actors. The names under which different Shi'a groups have operated have varied over time, in response to factional splits and government bans. It is in this context that there is a degree of variance and inconsistency in the titles by which the Tehrik-e-Nifaz-e-Fiqh-e-Jafaria (TNFJ) and the Tehrik-e-Jafaria Pakistan (TJP) are referred to in news media, and political discourse; names tend to be used interchangeably.” (Australian Government Refugee Review Tribunal (28 February 2011) *Pakistan – PAK38118 – Imamia Student Organisation (ISO) – Tehrik-e-Nifaz-e-Fiqh-e-Jafaria (TNFJ) – Tehrik-e-Jafaria Pakistan (TJP) – Rawalpindi*, p.1)

In a section headed “Tehrik-e-Nifaz-e-Fiqh-e-Jafaria (TNFJ)² this document states:

“The Tehrik-e-Nifaz-e-Fiqh-e-Jafaria (TNFJ) was formed in 1979 and was initially under the leadership of Allama Jaffer Hussein. When Allama Jaffer Hussein died in 1983, the TNFJ split into two factions; a more religiously inclined faction led by Agha Syed Hamid Ali Shah Moosavi, and a more politically inclined faction led by Arif Al Hussein. The politically inclined faction of Hussein eventually received the backing of Ayatollah Khomeini in Iran, and took precedence, changing its name to Tehrik-e-Jafaria Pakistan (TJP) in the late 1980s. When Al Hussein was assassinated in 1988, Allama Sajid Naqvi became the leader of this group, and is reported to continue in this role, as at January 2011.” (ibid, p.2)

See also section headed “Tehrik-e-Jafaria Pakistan (TJP)” which states:

“The Tehrik-e-Jafaria Pakistan (TJP) of Allama Sajid Naqvi was banned, along with the Sunni-based Sipah-e-Sahaba Pakistan (SSP) and other sectarian groups, on 12 January 2002.⁵ Since the ban, the Tehrik-e-Jafaria Pakistan (TJP) has changed its name several times in order to avoid proscription, including to:

- Islami-e-Tehreek-e-Pakistan (variously abbreviated in different sources to ITP or TIP, and translated as the ‘Pakistan Islamic Movement’), banned in November 2003;
- Millat-e-Jaferia, and the Jaferia Students Organisation.
- A 2005 Immigration and Refugee Board of Canada report was also located which indicated that TJP members have reverted to the use of the TNFJ name to avoid the ban.” (ibid, p.2)

An International Crisis Group report, in a section headed “Islami Tehreek-e-Pakistan (ITP), formerly TNFJ-Husseini”, states:

“While the Iranian revolution also became a source of pride and political awakening for Pakistani Shias, who referred to it as a blueprint for a successful Islamic uprising, the proxy war of Iran and Saudi Arabia in Pakistan was further fuelled by the U.S.-supported anti-Soviet Afghan jihad. Saudi Arabia provided billions of dollars to the Pakistani military, most of which went to strengthening and arming Sunni groups on either side of the Afghanistan-Pakistan border. As a result, Sunni madrasas increased significantly. In response, Shia groups and preachers went from discreet to aggressive. A major Shia party, the Tehreek-e-Nafaz-e-Fiqh-e-Jafaria (TNFJ), was founded by Allama Mufti Jaffer Hussein in April 1979. Allama Hussein had been a member of the Council of Islamic Ideology but resigned in protest against Zia’s imposition of Hanafi jurisprudence as obligatory for members of all sects. Following Hussein’s death in 1983, the party’s leadership split. A meeting of Shia scholars in Rawalpindi elected Maulana Hamid Ali Moosavi as Hussein’s successor, while another group, in Bhakkar, Punjab, elected Allama Syed Arif Al Hussein. Despite attempts at reconciliation, the schism proved permanent. Al Hussein’s group soon became the stronger of the two factions, ushering in an era of more radical Shia politics.” (International Crisis Group (12 December 2011) *Islamic Parties in Pakistan*, pp.17-18)

This section of the report also states:

“Following Hussein’s death, Allama Syed Sajid Ali Naqvi took over the party and entered into a temporary alliance with the PPP. Naqvi’s party, now called the Tehreek-e-Jafaria Pakistan (TJP), became part of the MMA in 2002. While it remains functional, it has largely fallen out of favour among Shias, primarily as a result of the community’s condemnation of Naqvi’s personal life. The party’s mandate is to protect the political and religious rights of Shias, but also to provide them with a voice in politics. In particular, it has called for the ban on *azadari* (formalised mourning for religious martyrs) to be lifted and for financial compensation to be paid to victims of sectarian attacks. Publicly, it condemns sectarian politics. Its Punjab president, Jaleel Naqvi, lamented the proliferation of thousands of small ‘1.5 inch mosques that are decorating Pakistan’s landscape’. TJP leader Sajid Naqvi explained his party’s program as follows:

Let us establish some laws as general laws that are applicable to all Muslims, because 95 per cent of all laws would be common to all schools of jurisprudence. Let us create separate personal laws for the remaining 5 per cent of the issues: members of each *fiqh* would be governed by laws according to their own *fiqh* in these matters.

While the party is frequently alleged to be financed by Iran, members insist that it is funded through membership fees and donations from the Pakistani Shia community. The organisational structure includes a *quaid* (president), senior vice president, additional vice presidents, a general secretary and additional secretaries. The Marakzi Jafaria Council, the main policy-making body, appoints these officials. The *quaid* is appointed for life, explaining Naqvi's continuation in the position despite the fallout from a personal scandal." (ibid, p.18)

In a section headed "Tehreek-e-Nifaz-e-Fiqh-e-Jafaria –Moosavi Group2 this report states:

"The leader of what is still called the TNFJ, Agha Syed Hamid Ali Shah Moosavi, was elected in 1983. The TNFJ is headquartered in Rawalpindi and has avoided electoral politics. In a 1996 interview, Moosavi explained: 'Ours is a purely religious party. We consider taking part in elections on [a] sectarian basis as an invitation to death'. The TNFJ also eschews direct confrontation with the majority Sunni sect – most likely a survival tactic. According to Moosavi, 'Islam is not a name of any one school of thought. There are two recognised schools of thought in Islam, Sunnis and Shias. These are the two arms, and absence of any one of them would mean that Islam is incomplete'. He added: 'Our aim was not to enforce *Fiqh-i- Jafariya* [the Shia legal and religious system] on others, we only wanted to safeguard our beliefs and rights". The party's main purpose is to lobby the government for increased protection of Shia rights. In 2005, it presented a fourteen-point charter of demands dealing primarily with Muharram, the first month of the Islamic calendar, during which Shias commemorate, through public displays of mourning, the battle of Karbala (680, in Iraq), in which the Prophet's grandson, Hussain, and his family were killed. The demands included honouring a 1985 agreement in which the government promised the Shia community to permit processions and other rites during Muharram, and preventing sectarian violence. The party has been victim to sectarian attacks: for example, TNFJ leaders were assassinated in Dera Ismail Khan in February 2007¹⁷¹ and in Peshawar in August 2008." (ibid, p.19)

In a report on the assassination of a prominent TNFJ cleric the English-language Pakistani newspaper Dawn states:

"Prominent Shia scholar Allama Nasir Abbas was gunned down near the FC College here on Sunday night. He belonged to the Tehreek-i-Nifaz-i-Fiqh Jafaria (TNFJ). He was attacked when he was returning home after addressing a Majlis at Qaumi Markaz, Shah Jamal, in Shadman at around 11pm. He was taken to the Shaikh Zayed Hospital where he was pronounced dead. Model Town SP (Operations) Tariq Aziz quoted witnesses as saying that Allama Nasir Abbas and his student Hafiz Anjum were going to his Eden Value Homes residence near Thokar when assailants on motorcycles intercepted their car and opened fire." (Dawn (16 December 2013) *TNFJ leader shot dead in Lahore*)

See also Iranian Government News report which states:

“Shia Muslims in Pakistan have held demonstrations in condemnation of the assassination of a prominent Shia cleric in Lahore. According to Media, Allama Nasir Abbas, the leader of Tehreek Nifaz Fiqah-e-Jafaria, which is a banned organization in Pakistan, was gunned down by unidentified armed men on Sunday night, on his way home after addressing a religious gathering in the capital of Punjab Province. Lahore police chief Chaudhry Shafeeq said ‘It is a targeted attack. The gunmen shot him from close range when he was driving home along with his driver and a friend,’ adding ‘Abbas attained martyrdom on the way to hospital. His driver and friend were unhurt.’” (Iranian Government News (20 December 2013) *Pakistanis slam assassination of Shia cleric*)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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