

Immigration and Refugee Board of Canada

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Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website.

19 November 2009

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Pakistan: Intermarriage between a non-Ahmadi Muslim and an Ahmadi; whether the marriage would be legally recognized; the consequences for the couple and the officiant of the marriage

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

In a 28 October 2009 telephone interview with the Research Directorate, the Eastern Canada Regional Amir of Ahmadiyya Muslim Jama'at Canada stated that marriages between non-Ahmadi Muslims and Ahmadis are rare (28 Oct. 2009). Further information on the prevalence of intermarriage between non-Ahmadi Muslims and Ahmadis could not be found among the sources consulted by the Research Directorate.

According to the General Secretary of Ahmadiyya Anjuman Lahore, since Ahmadis have been declared non-Muslims in Pakistan, intermarriage between a non-Ahmadi Muslim and an Ahmadi "would not be recognized as legal marriage" (2 Nov. 2009). The General Secretary also noted that Pakistani society does not consider such marriages valid (Ahmadiyya Anjuman Lahore 2 Nov. 2009). In contrast, the National General Secretary and the Eastern Canada Regional Amir of Ahmadiyya Muslim Jama'at Canada both stated that intermarriage between a non-Ahmadi Muslim and an Ahmadi is legal in Pakistan (Ahmadiyya Muslim Jama'at Canada 3 Nov. 2009; *ibid.* 28 Oct. 2009). However, the Eastern Canada Regional Amir stated that while such a marriage is legal in Pakistani courts, religious leaders are "not concerned with the courts" (28 Oct. 2009). Similarly, the National General Secretary stated that such marriages are "condemned by religious clerics and ... [that] a biased judge can declare the marriage null and void..." (*ibid.* 3 Nov. 2009). The General Secretary of Ahmadiyya Anjuman Lahore noted that Ahmadis have their own system to register their marriages and that couples may legally register their marriage with the Ahmadiyya authorities (2 Nov. 2009).

With respect to the consequences of intermarriage, the Eastern Canada Regional Amir stated that families may try to influence the couple not to marry and may contact a religious leader to exert additional pressure (Ahmadiyya Muslim Jama'at Canada 28 Oct. 2009). The National General Secretary noted that religious clerics may pressure families to disown children who marry outside of their faith (*ibid.* 3 Nov. 2009). According to the General Secretary of Ahmadiyya Anjuman Lahore, if the authorities become aware of an intermarriage, the couple may face prosecution and the marriage may be "declared invalid which may result [in] three years' imprisonment" (Ahmadiyya Anjuman Lahore 2 Nov. 2009). The National General Secretary stated that section 298C of the blasphemy laws can be applied to the marriage because Islamic terminology is used in the marriage ceremony (Ahmadiyya Muslim Jama'at Canada 3 Nov. 2009). Section 298C of the Pakistan Penal Code states the following:

Any person of the Qadiani group or the Lahori group (who call themselves 'Ahmadis'...), who directly or indirectly, poses himself as a Muslim, or calls, or refers to, his faith as Islam, or preaches or propagates his faith, or invites others to accept his faith, by words, either spoken or written, or by visible representations, or in any manner whatsoever outrages the religious feelings of 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. (Pakistan 1860)

According to the General Secretary and the National General Secretary, couples who intermarry may face rejection by their families and society (Ahmadiyya Anjuman Lahore 2 Nov. 2009; Ahmadiyya Muslim Jama'at Canada 3 Nov. 2009). The National General Secretary also stated that intermarriage may result in death threats and murder (Ahmadiyya Muslim Jama'at Canada 3 Nov. 2009). The General Secretary stated that the severity of the consequences depend on the social class of the individuals concerned (Ahmadiyya Anjuman Lahore 2 Nov. 2009). The National General Secretary further noted that religious clerics support the ill-treatment of Ahmadis (Ahmadiyya Muslim Jama'at Canada 3 Nov. 2009). The Eastern Canada Regional Amir stated that many intermarried couples face challenges when determining what faith their children will adopt (*ibid.* 28 Oct. 2009).

Information on the consequences faced by officiants of intermarriage between non-Ahmadi Muslims and Ahmadis could not be found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References

Ahmadiyya Anjuman Lahore. 2 November 2009. Correspondence with the General Secretary.

Ahmadiyya Muslim Jama'at Canada. 3 November 2009. Correspondence with the National General Secretary.

_____. 28 October 2009. Telephone interview with the Regional Amir for Eastern Canada.

Pakistan. 1860 (amended 2006). Pakistan Penal Code (Act XLV of 1860). (UNHCR Refworld)
<<http://www.unhcr.org/refworld/docid/485231942.html>> [Accessed 9 Nov. 2009]

Additional Sources Consulted

Oral sources: A London-based representative of the Ahmadiyya Muslim Association was unable to provide information.

Internet sites, including: Amnesty International (AI), Asian Human Rights Commission (AHRC), British Broadcasting Corporation (BBC), *Dawn* [Karachi], European Country of Origin Information Network (ecoi.net), Freedom House, Human Rights Commission of Pakistan (HRCP), Human Rights Watch (HRW), Minority Rights Group International (MRGI), PakTribune [Rawalpindi], Refworld, *The Nation* [Karachi], ThePersecution.org, United Nations (UN) Integrated Regional Information Networks (IRIN), United States (US) Department of State.

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