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Religious freedom court case in Azerbaijan to begin in November

Six female refinery workers will defend their right to practice their Christian faith during a court case to begin in November at the Karadag District court in the Azerbaijani capital of Baku. The court case is only the latest in a series of developments related to the continuing persecution of Jehovah's Witnesses in Azerbaijan, which has included beatings, false arrest, raids, fines, and deportation.

On September 1, 1999, six workers were fired from the state controlled Azerbaijan Gas Refining Factory for allegedly belonging to an "illegal" religion. They are now charged with practicing their religion without government registration.

The six women have initiated a civil suit against the state-operated refinery that may be heard in court this month.

"Azerbaijan is a member of the O.S.C.E. and has agreed to legally protect the fundamental right of freedom of conscience, religion and belief," stated John Burns, an international human rights attorney who is assisting local counsel. "State action to deny these women employment only because they are Jehovah's Witnesses is an outrageous violation of this basic human right. The state should be encouraging people to work, not throw them into the street. We will see if the courts are independent enough to enforce the rule of law."

All attempts by Jehovah's Witnesses to become registered in Azerbaijan have been ignored by the Ministry of Justice. No reasons for refusal have been given. The Constitution of Azerbaijan provides for freedom of religion for all faiths.

Jehovah's Witnesses have been present in Azerbaijan at least 15 years. They have been frequent victims of media hate campaigns and state-sponsored persecution, as the following actions illustrate:

November 13, 1997—One of Jehovah's Witnesses, Aleksandr Usenko, is arrested on a charge of bribery. At first he is forced to sleep on the floor of his cell and is not fed. He is not released from prison until February 23, 1998, and only after intervention by the Belgium-based human rights organization, Human Rights Without Frontiers.

November 14-20, 1997—Six Jehovah's Witnesses are interrogated and beaten by an officer of the Prosecutor's Office of Baku.

May 21, 1998—Two Russian Jehovah's Witnesses are detained and deported for "illegal missionary activity." Ten local Witnesses are detained and fined.

August 11, 1998—The home of a Russian Jehovah's Witness married couple is raided, and all their religious literature confiscated. The husband is beaten and the couple is deported from the country.

April/July 1999—Two more Russian Witnesses are deported from Azerbaijan. Several services of Jehovah's Witnesses are raided, and 40 people are fined.

August 9, 1999—The only one of Jehovah's Witnesses in the Khachmaz region is arrested, interrogated, convicted without trial, and sentenced for "changing his religion." During his 16-day imprisonment, he is fed one meal a day, beaten, and used as captive labour. After his release, he is threatened by the chief of the regional office of the Ministry of National Security with deportation if he remains one of Jehovah's Witnesses. Security officials continue to harass him to this day, although he is a citizen of Azerbaijan and possesses no other citizenship.

September 25, 1999 –Newspaper Ganjlik carries four-page story about firing of six women workers from Azerbaijan Gas Refinery. The story describes Jehovah's Witnesses as "dogs," "slaves of enemy forces" with "poisoned minds" that should be "run out of Azerbaijan."

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Azerbaijani Protestants Decry Government Repression

Newsroom (18.10.1999) - Protestants in the Muslim-majority nation of Azerbaijan claim that a recent raid on a Baptist church is part of a wider pattern of repression against Christians, the Keston News Service reports. Authorities freed two leaders of the Baptist Church in Baku, Sary Mirzoyev and Yahya Mamedov, on September 22 after serving 15-day sentences.

Protestants say they are the targets of a media campaign that accuses them of working on behalf of Azerbaijan's enemy Armenia. The campaign, they say, particularly targets the majority ethnic Azeris who have converted from Islam to Christianity.

Ministry of Justice officials confirmed to Keston that the Baptist Church is officially registered with the government and a Religious Affairs official denied that the raid and arrest of the pastors had any connection to their religious activity. An early September report from Christians in Baku said, however, that "During the last months illegal operations against Christians have taken place in Azerbaijan."

The report names three church movements targeted by law enforcement officers, the Nehemiah Church, Pentecostal churches, and Baptist churches. "(T)hey came and raided meetings at cinemas where churches are renting halls for their services," the report said. "After that people began to gather at homes and the government raided these meetings also and took believers to the police. They frighten people and cull their passports. (Azeri) believers are kept at police stations for a few hours and are demanded to believe in Muhammed instead of Jesus, because they are Azeris."

Christians say that television reports have falsely reported the events surround the September 5 raid by National Security Ministry officer on a Sunday meeting at the Baptist Church in Baku in which some 60 members of the congregation were arrested. About a dozen foreign citizens in attendance also were taken to the police station for interrogation, including children. Compass Direct News Service reported that the detained Azeri Christians were asked to sign a paper stating they had been attending an "illegal meeting" and promising not to attend the church again. Mirzoyev and Mamedov were charged with resisting the police and tried and convicted in a half-hour court hearing on September 7.

On September 8 the court charged eight of the foreigners with "propagating religion." A 1997 presidential decree reinforces a ban on religious propaganda by people without Azerbaijani citizenship. The foreigners insisted, however, that attending a legally-registered church does not constitute "propagating religion."

The recent U.S. State Department Annual Report on International Religious Freedom cited numerous cases of raids by Azerbaijani authorities on church meetings over the past two years. The September 9 report included the breakup of a July 1998 meeting which resulted in a court fining nine Azerbaijanis and three foreigners for holding an "illegal religious gathering." One foreigner was expelled from the country. Authorities also broke up numerous meetings of Jehovah's Witnesses throughout 1998 and 1999. At least five foreigners have been deported since the beginning of 1998 for reasons related to religious activities.

The State Department report also noted "some evidence of widespread prejudice against ethnic Azerbaijanis who have converted to Christianity." Pro-government press reports have depicted Christian missionary groups as a threat to the identity of the nation, often associating them with Christian-majority countries Russia and Armenia, which many Azerbaijanis believe historically have sought to undermine or control Muslim Azerbaijan.

<http://www.newsroom.org/>

Protestants decry government repression

Newsroom and Keston (18.10.1999)/HRWF International Secretariat (21.10.1999) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Protestants in the Muslim-majority nation of Azerbaijan claim that a recent raid on a Baptist church is part of a wider pattern of repression against Christians, the Keston News Service reports. Authorities freed two leaders of the Baptist Church in Baku, Sary Mirzoyev and Yahya Mamedov, on September 22 after serving 15-day sentences.

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Azerbaijani Authorities Target Jehovah's Witness

by Felix Corley

KESTON NEWS SERVICE (28.09.1999)/HRWF International Secretariat (05.10.1999)
- Website: <http://www.hrwf.net> - Email : info@hrwf.net - The only Jehovah's Witness in Khachmaz region of north east Azerbaijan has been subjected to harassment from the law enforcement agencies and 15 days' administrative arrest for practising his faith, the Human Rights Centre of Azerbaijan reported from Baku on 28 August. On 9 August IBRAHIM YUZBEYOV was invited to the regional police office for discussion of his religious activities. One of the deputy chiefs of the regional police told him that the inhabitants of his native village of Alekseyevka had complained that he had been engaged in religious propaganda which, the officer said, was illegal. After that, the deputy chief and three other policemen accompanied Yuzbeyov to his home, searched it without a warrant and the witnesses required by law and confiscated books, audio and videotapes. The village council drew up the confiscation protocol later in the presence of the village authorities.

Back in the regional police office, the officers forced Yuzbeyov to write a statement before putting him in a cell. The following day, Yuzbeyov was handcuffed and taken to the Khachmaz regional people's court where he was informed that he had been sentenced by a judge to 15 days' administrative arrest "because he changed religion". The formal accusation was a minor act of hooliganism based on a falsified protocol which Yuzbeyov had not signed. There was no trial or lawyer, despite the fact that from the Constitution Court has ruled that from 13 July administratively arrested people have the right to legal representation from the moment of detention. Yuzbeyov was reportedly maltreated in the preliminary detention cell. He claimed he was beaten on his head and face, his hair was cut, and he was forced to work in the police station. He was fed only once per day. The police refused to accept a food parcel from Yuzbeyov's father. During the period of detention, Yuzbeyov was interrogated by officers of the Ministry of National Security who tried to convince him that Jehovah's Witness propaganda was illegal (they are not officially registered in Azerbaijan).

After his release, he was invited to meet the chief of the regional office of the Ministry of National Security who warned Yuzbeyov, who is a citizen of Azerbaijan, that he would be forcibly deported from the country within three days if he remained a Jehovah's Witness. Yuzbeyov was then released, but the books and tapes were not returned.

Concerned by the threats from the national security and police officers, Yuzbeyov travelled to Baku to bring his

complaint to several human rights organisations, including the Human Rights Centre of Azerbaijan, which is headed by ELDAR ZEYNALOV. 'This is the most recent case of persecution of members of the Jehovah's Witness community in Azerbaijan,' Zeynalov declares. 'Although all the necessary documents were presented to the Ministry of Justice several years ago, the Jehovah's Witnesses are neither registered nor have they received a response, while the believers are "legally" persecuted on administrative charges because of the lack of registration. There are many cases of forcibly dispersed meetings, fines, confiscation of identity documents, and confiscations of books and tapes.' In November 1997, after the Jehovah's Witnesses had been trying unsuccessfully to gain registration with the Ministry of Justice for two years, a Ministry official appeared to indicate that registration would become possible on payment of a bribe. The Jehovah's Witness representative, ALEKSANDR USENKO, handed over a 2,000 dollar bribe, and was immediately arrested. Tried in February 1998, Usenko - a Russian citizen - was given a suspended sentence of three years' imprisonment on charges of bribery under Article 171 of the Criminal Code. He was freed and allowed to leave Azerbaijan. In 1998-9, four other foreign Jehovah's Witnesses who travelled to Azerbaijan to preach were forcibly deported to Russia. The Baku paper '525 Newspaper' reported on 9 April 1999 that a court in Nasimi district of Baku had expelled two Russian citizens, SERGEI SHABANOV and ANDREI AVDIYENKO, from Azerbaijan for participation in illegal religious activities. Four other members of the Society told the Human Rights Centre that on 1 April 1999 four of the six meetings held in the capital were broken up, that 400 names were taken by the authorities and that many participants had been fined 27,000 manats (about seven US dollars). The owners of the premises where the meetings had taken place were fined 60,000 manats each. Shabanov had been arrested during one of these raids. Another Baku paper, 'Zerkalo', reported on 21 July that police officers in Khatayi district held spot-checks in compliance with the Law on Status of Foreigners and People Without Citizenship. During the checks, the police detained two Jehovah's Witnesses, ANDREI AVDIYENKO and NINA TVERITINA, in one flat. 'It was found out that they had regularly spread religious propaganda among school pupils and belonged to the Jehovah's Witnesses sect,' Zerkalo reported.

The Khatayi District Court fined Tveritina. (It is not clear if this is the same Avdiyenko or, if so, whether this was a separate incident.) The Jehovah's Witnesses also suffer for their refusal to perform military service, which is compulsory in Azerbaijan. (A 1992 presidential decree created the procedure for alternative service, but this decree and provisions in Article 76 part 2 of the Constitution allowing alternative service have never been enacted.) Earlier this year one Witness, ROVSHAN MURSALOV, protested against his conscription into the army and began a campaign for his right to perform alternative service. Since then, the Human Rights Centre of Azerbaijan reports, he and his family have been harassed by the police, the military conscription office and the local authorities.

` This background forces us to take Yuzbeyov's statement seriously and to share his fear of possible further persecution,' Zeynalov concludes, adding that any further administrative arrests for petty hooliganism could lead to Yuzbeyov's punishment under Article 207 of the Criminal Code (with punishment ranging from a fine of 500 dollars to a one-year imprisonment). Azerbaijan is one of a handful of countries around the world (Uzbekistan and Turkmenistan are among the others) for which the Jehovah's Witnesses do not publish membership statistics.

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German Lutheran Church Services Halted in Baku

Police Intervention Initiated by 'Internal Church Struggle'

by Barbara G. Baker

Compass Direct (01.10.1999)/HRWF International Secretariat (06.10.1999) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Local police and KGB agents halted morning worship services of the German Lutheran Church in the capital of Azerbaijan last Sunday, filming some 30 attenders and taking their names as participants in an "illegal" religious meeting.

Six officials entered the Baku church shortly after 10 a.m. services began September 26. Due to a heavy rainfall, less than half of the congregation had arrived. Although the officials had no documents authorizing their action, they declared that the German pastor must report to police headquarters for questioning. His parishioners, however, reportedly stationed themselves around the Rev. Gunther Oborski, refusing to permit his detention.

According to Rev. Oborski, the police action was apparently requested through the governmental Religious Affairs Committee by the current chairperson of the church council, Mrs. Tamara Gumbatoba.

An active Communist Party member in the former Soviet regime, Gumbatoba was elected to head the church council when it gained official registration with the Azeri government's Religious Affairs Committee at the end of 1996.

According to several Baku sources who spoke with Compass, she has opposed Oborski's ministry in the Baku parish since he arrived last fall, for apparent financial as well as political motives.

The German Embassy in Baku confirmed today that Rev. Oborski has an official visa issued through the Azeri Foreign Ministry as pastor of the German Lutheran congregation. However, Gumbatoba has objected, saying that the 1996 law, which prohibits foreigners from engaging in "religious propaganda," does not permit a

foreigner to pastor a local congregation. Although largely of German descent, most of the current parishioners were born in Azerbaijan.

The German Lutheran congregation has been refused official use of their church premises since the end of August, although the Adventist and Greater Grace congregations are still using the building. In order to continue meeting for worship, the Lutherans rented temporary facilities in a theater for Sunday services during September.

The church member who was leading last Sunday's worship service faces a possible fine for leading "illegal" religious services, although no ruling has yet been made on the case by the general prosecutor's office.

According to German Ambassador Christian Siebeck, it was only at the initiative of the church's chairperson that the Azerbaijani authorities were involved in what he termed "an internal church struggle."

"She told them that her community was registered in her name," Siebeck told Compass by telephone from Baku, "and what the church was doing was against her will." The ambassador noted that "there was a kind of unease on the [Azeri] government side to get involved." He said that in his opinion, "So far, the position of the authorities is quite correct."

Since the Sunday police action, German Lutheran Bishop George Kretschmar has sent word from his office in St. Petersburg that he has removed authority for the Baku parish from the chairperson and her council. Until new church council elections in November, the bishop announced, the Baku congregation will be subject directly to St. Petersburg.

Baku's German Lutheran Church celebrated its 100th anniversary this past March. Its large church building was converted into a concert hall during the Soviet period, but after Azerbaijan declared independence in 1991, the Lutheran and other church congregations have been allowed to use the facility for worship services.

The Lutheran church closure came on the heels of the September 5 police raid of the Baku Baptist Church, a legally registered church where 60 Christians were arrested. The two Azeri pastors of the congregation jailed for 15 days in Baku's Black Prison for allegedly "resisting the police" were released unharmed on September 22. Eight expatriates present were ordered deported "without appeal" for participating in an "illegal religious meeting," but they remain in the country while their case is considered by the general prosecutor's office.

In Baku, the Norwegian Embassy confirmed that Foreign Minister Kurt Vollebeck had raised the issue of the

court-ordered deportations during his mid-September visit to Azerbaijan, since one of the expatriate Christians listed for deportation was a citizen of Norway. "It was certainly raised," an embassy spokesman told Compass. "We cannot say that it has produced any effect, but we are following this closely."

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Sixty Christians Arrested at Worship Service

Two Baptist Leaders Jailed for 15 Days, Ten Foreigners Face Deportation Order

by Barbara G. Baker

Compass Direct (09.09.1999)/HRWF International Secretariat (10.09.1999) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Azerbaijani police and KGB officers forced their way into a legally registered church in Baku last Sunday, disrupting the worship service and arresting some 60 Christians in the congregation.

The local pastoral team of Baku Baptist Church, together with at least a dozen foreigners, were among those taken to the police station for interrogations over the next two days. Several young people and children were also arrested.

The detained Azeri Christians were reportedly all asked to sign a paper stating they had been attending an "illegal meeting" and promising not to attend the church again. "Some did under duress," a Baku source told Compass by telephone today, "but most did not. Those who did not alleged that the 'confessions' were filled out and signed [forged] on their behalf."

After being released overnight and returning for questioning on Monday and again on Tuesday, both the pastor and his assistant were sentenced Tuesday afternoon to 15 days in prison on administrative charges of "resisting the police."

The two church leaders were charged, tried and convicted in a half-hour court hearing, and then "hustled right off to the Black City Prison," the Baku source reported. They have since been allowed visitors, who reported that there were no indications of physical abuse.

According to an Azeri Christian who spoke with Compass today, the jailed church leaders must be released after 15 days, unless authorities charge them with violation of criminal laws.

Two Americans among those detained were released Sunday night and not recalled for more questioning, the U.S. Embassy in Baku confirmed. However, a total of 10 citizens of Finland, Norway, Korea, Iran, Colombia and Mexico were charged with "engaging in religious propaganda" and "propagating against the Muslim religion."

A vague statute appended in 1996 to Azerbaijan's religious freedom law declares, "Carrying out of religious propaganda by aliens and stateless persons is forbidden." However, the Constitution guarantees freedom of religious confession and worship to all citizens.

"The available evidence does not support either of those charges," the Baku source said. "In fact, the judge reaffirmed that under Azeri law, foreigners have the right to attend and participate in any religious services they choose."

Yesterday, the court ordered eight of the foreign citizens deported, and two others with student visas were ordered to pay a fine to remain in the country. All 10 foreigners are said to have rejected the ruling and have appealed the court's decision through the prosecutor's office.

Reports could not be confirmed that an additional eight foreign citizens also had been told their deportation orders were pending before the courts.

"In Azerbaijan there's been a lot of low-level harassment," the Baku source admitted. "But nothing of this nature in the past. This is the first time they've gone after a registered church." In several other incidents in the past month, he said, "The excuse [the authorities] have given is that the organization in question is not registered. But the point is, they haven't allowed them to register."

During the past month, at least two unregistered church groups have reported police raids on their worship meetings, with members of the congregations detained and interrogated by KGB authorities. "Believers were kept at police offices for a few hours," an Azeri Christian reported, "and demanded to believe in Mohammed instead of Jesus, because they are Azeris."

One of the expatriate Christians detained last Sunday reported that a recent television program had attacked the pastors and congregations of the Sumgait Pentecostal Church and Lokbaton Greater Grace Church. Both TV and newspaper reports routinely condemn Azeris for changing their religion.

Some 80 percent of Azerbaijan's 7.5 million people are of Muslim heritage, although many Azeris who have become Christians in this decade insist they were previously atheists, not Muslims. According to research compiled this summer, there are 2,250 ethnic Azerbaijani Christians regularly attending evangelical churches in the country. Before 1993, there were less than 50 known Azeri Christians worldwide, many of whom lived abroad.

Only the Roman Catholic Church has been granted formal registration status with the Azerbaijan government in the past six years, although the Baptist, Adventist and Greater Grace churches had previous status. A number of other churches have been either refused or delayed in their attempts to gain legal registration. These include the Pentecostal Church, Word of Life, the Unregistered Baptists, Ichthus, and several small church-planting groups. Jehovah's Witnesses have also been denied registration.

Started nearly a century ago in the Central Asian nation's capital, the Baku Baptist Church now conducts worship services in both the Azerbaijani and Russian languages. Although registered with the Committee on Religious Affairs of the Cabinet of Ministers, it has been unable to regain possession of its original 1908 church building on Azadlyq Avenue, confiscated during the Soviet period and now used as a cinema.

This week's arrests and pending deportations are reportedly being closely monitored by the U.S. and Norwegian embassies, both of which sent observers

to the court proceedings against the local and foreign Christians.

An observer at the Baptist church's regular mid-week service last night reported that the congregation had assembled without incident, with no evidence of any type of police presence.