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Jailed for sharing faith, “non-constructive teaching” and “creating tensions between family members”

By Felix Corley

Forum 18 News Service (13.12.2004)/HRWF (13.12.2004) – Email: info@hrwf.net - Website: <http://www.hrwf.net> - One Baha'i and 18 Muslims were imprisoned for up to two weeks in September, during a crackdown on religious activity in the Azerbaijani exclave of Nakhichevan (Naxçivan), between Armenia, Turkey and Iran, Forum 18 News Service has learnt. Baha'i sources told Forum 18 that they believe the charges against Tavachur Aliev were fabricated, to punish him for speaking of his faith to others. "Eighteen Muslims were given two week sentences on accusations of being Wahhabis," Haji Sultan, the representative of the Caucasian Muslim Board in Nakhichevan, told Forum 18 on 10 December. "But I don't believe they really were Wahhabis." He said all the Muslims held were local people but denied that any were imams.

"Wahhabi" is strictly speaking an adherent of the school of Islam, which predominates in Saudi Arabia, but is widely - and incorrectly - used in many former Soviet republics to denote someone the authorities regard as a fundamentalist. In Uzbekistan, officials also use the term to describe Jehovah's Witnesses.

Nakhichevan - an Azerbaijani exclave wedged between Armenia, Iran and Turkey - has some of the strictest controls on religious activity in the whole of Azerbaijan. No religious communities currently have legal status and only mosques are allowed to function - all other minority religious communities, such as the Adventists, have been "crushed," in the words of one church leader. It has been suggested to Forum 18 that the authorities in Nakhichevan are doing what authorities in the rest of Azerbaijan would like to do.

Idris Abbasov, head of the Nakhichevan branch of the State Committee for Work with Religious Organisations, has always denied that any religious persecution takes place in the exclave. He declined to talk to Forum 18 on 10 December.

Baha'i sources told Forum 18 that Tavachur Aliev was summoned to his local police station in mid-September, but when he arrived later than the appointed time he could not find anyone at the police station. He went to work intending to return later, but was detained the same day on accusations of not obeying the police. He was then sentenced to ten days' imprisonment.

The Baha'is believe the case was set up to punish him for speaking to others about his faith. We are sure this was the real reason," one Baha'i told Forum 18, "though the authorities often find another pretext." The Baha'i insisted that if the true intent was to punish Aliev for arriving late at the police station, as a first offence he should at most have been fined.

When Aliev was freed at the end of his sentence, officials extracted a verbal promise from him not to speak further of his faith to anyone. "Of course it was wrong for officials to extract this promise," Baha'i sources told Forum 18. "Everyone in the country has the right to teach any faith." They point out that for Baha'is "our religion is our life" and that it is impossible not to speak of their faith.

Even while Aliev was still in prison the Baha'i community complained to the State Committee for Work with Religious Organisations, but it wrote back to say that it had investigated his case and claimed that Aliev had not been detained for his religious activities. Also in September, the Baha'i community wrote to the ombudsperson, Elmira Suleymanova, but she replied immediately to say that the case had been thoroughly investigated and that the Nakhichevan authorities had reported to her that Aliev had not been imprisoned for his religious beliefs.

The names of the 18 Muslims detained are unknown and Haji Sultan declined to discuss further with Forum 18 the exact nature of the charges against them. "No official reason for the detentions was given," Haji Hajili, a researcher on a religious freedom project at the FAR Centre, a Baku-based research institute, told Forum 18 on 25 November. However, other sources told Forum 18 that they were imprisoned for giving "non-constructive teaching" and "creating tensions between family members".

Source: <http://www.forum18.org>

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“Our constitution guarantees us freedom of religion, but in reality we don't have it”

by Felix Corley

Forum 18 New Service (09.12.2004)/HRWF (13.12.2004) – Email: info@hrwf.net - Website: <http://www.hrwf.net> - "We rely on God. If we're persecuted for the name of Christ we're blessed," a Pastor told Forum 18 News Service after commenting that "our constitution guarantees us freedom of religion and belief, but in reality we don't have it." Baptists in north-west Azerbaijan face being prevented from working by the authorities, intimidation, and refusal to register their children's births with Christian names, Forum 18 has found. The birth registration ban stops children going to kindergarten or to school, getting treatment in a hospital, or travelling abroad. Despite the detailed accounts of Baptists met by Forum 18, the head of the town administration has strenuously denied their statements. Forum 18 has also been told that people who visit Baptist services are threatened with the loss of their

jobs, a powerful threat in a region where unemployment is high, and that the police have banned the holding of a Sunday school for children.

Baptists in Aliabad, in Azerbaijan's north-western Zakatala [Zaqatala] region, have faced forced unemployment, postal censorship, literature restrictions, threats and intimidation ever since the church was founded in 1993. Aliabad is a small town of some 10,000 people almost entirely made up of members of the Ingilo minority, ethnic Georgians who were converted to Islam several centuries ago. The problems faced by the Baptists are in addition to the authorities' refusal either to register their church or permit a church to be built.

The church's pastor, Hamid Shabanov, told Forum 18 how in 1994, after he converted to Christianity from Islam, he was summoned to the secret police in Zakatala, where officers beat him. He said meetings were organised at the town mosque to denounce Christians. Shabanov and other church members told Forum 18 how they had been kicked out of their jobs in state institutions in the first half of the 1990s, when the authorities learnt they had become Baptists. "I worked for the local television in Zakatala for 18 years," Shabanov told Forum 18. "When I was kicked out they refused to give me a reason at first, then they said it was because I had converted."

Tamila Suleimanova, another church member, told Forum 18 at the family home in Aliabad on 26 November that in 1994 she had been fired from her job as director of a kindergarten where she had worked for seven years. "The director of the regional education department came down and said they had no complaints about my work," she recalled. "But as you've become a Baptist we have to remove you, they told me." She said the police were also present when she was sacked.

Suleimanova told Forum 18 that the letter of dismissal cited "crude violations" at work as the reason for her sacking. She said she had gone to the local administration to try to get reinstatement but officials told her verbally that until she abandoned her new faith she could not regain her job. "Every three years I have asked them for work, but they refuse."

Among the half-dozen other Baptists sacked was Roza Suleimanova, one of Tamila's relatives, who worked as an assistant at the kindergarten. She told Forum 18 that she has not worked since then and has given up looking as officials will not give her a job because of her faith.

In 1995, Zaur Balayev – now pastor of the second congregation which is also a member of the Azerbaijani Baptist Union – was imprisoned for 16 days. "They called me a bandit and claimed I was preparing a revolt in Aliabad," he told Forum 18 in the town on 26 November.

Shabanov reported that in April 1997, unknown attackers shot at his house, narrowly missing his wife. Forum 18 saw the bullet hole which has still not been repaired in the window of their living room. Shabanov also showed Forum 18 the anonymous note he found afterwards, pinned to the gate, which threatened the Baptists. The same day that Shabanov's home was shot at, raiders also shot at the home of fellow Baptist Novruz Eyvazov, as he told Forum 18 at his home on 26 November.

"Our first problem is the lack of registration: we need to get this problem solved before anything else," Balayev told Forum 18. Registration is "very important", he added, as even if they are interested townsmen would not come to a service in a private house.

"The second problem is the expulsion of church members from their jobs: the authorities won't give them their jobs back or any other jobs in state-run institutions."

"The third problem is solving the problems over registering children's births with Christian names," Pastor Balayev told Forum 18. Only after repeated pressure have some church members been allowed to register their children's births with names they choose, while 18-month-old Luka Eyvazov still has not received a birth certificate as the regional civil

registration office has objected to the parents' choice of the name. Despite promises by Mehman Soltanov of the Justice Ministry's civil registration department in Baku, as of 8 December the birth certificate still had not been issued. Without birth certificates, people cannot go to kindergarten or to school, get treatment in a hospital or travel abroad.

However, the head of the town administration Gasim Orujov strenuously denied that any Baptists had been dismissed from their jobs, or that there is a de facto ban on employing Baptists in state jobs. "Suleimanova was not sacked – that's not true," he insisted to Forum 18. "They're not telling you the truth. They say that their faith doesn't allow them to slander people, but look what they're saying."

Although services have not been raided by the police and local authorities since 1996, Balayev claims that people who have come to Baptist services are still threatened with the loss of their jobs, a powerful threat in a region where work is hard to come by.

This summer the head of the local police summoned him to warn that the church was not allowed to hold a Sunday school for children. "I told him we have every right to teach our faith to our children if the parents agree," Balayev reported. "He said we had no right to drag our children into religious practice and said no children under 16 attend the mosque."

In about 2000, Pastor Shabanov and a colleague were detained for undertaking an evangelistic trip to a nearby town with tapes, New Testaments and tracts. He said the Zakatala regional police then searched his house and confiscated all the religious literature they could find and 300,000 Manats (378 Norwegian Kroner, 46 Euros, or 61 US Dollars), funds which the community had gathered towards the cost of building a church. "The books were returned two months later, but they never returned the money," Shabanov told Forum 18.

Eyvazov, who now leads a congregation that is part of the Council of Churches Baptists, who refuse on principle to register with the state authorities in CIS countries, told Forum 18 that he and a colleague were each fined some 10 US dollars (49 Azeri Manats, 62 Norwegian Kroner, or 7.5 Euros) in 2002 for membership of the unregistered congregation. The average monthly salary in Azerbaijan is around 30 US Dollars (147,300 Azeri Manats, 186 Norwegian Kroner, or 23 Euros).

Foreign visitors to Aliabad's Baptists are routinely questioned about why they have come, most recently this summer when two women came to visit the churches from Moldova. However, local Baptists reported that letters from foreign Christian organisations are no longer obstructed or routinely opened before delivery. "The first time we get a letter from an unknown individual or organisation they open it," Shabanov reported, "but from then on they let them through."

Aliabad's Baptists – like all religious believers in Azerbaijan – cannot receive religious literature sent by post. Under Azerbaijan's compulsory religious censorship system, customs impound the literature in Baku and release it only once an individual or religious organisation has gained specific authorisation from the State Committee.

As Georgian speakers and living very close to the border with Georgia, the Baptists would also like to be able to import religious literature from Georgia, but this too is almost impossible. Anything more than a few religious books for personal use are confiscated.

"The authorities are making sure we can't work, earn money or do anything as believers as we want and as God wants," Shabanov told Forum 18. "Where the law exists it should be fulfilled, but the law doesn't help us. When God thinks we need registration we'll get it." Eyvazov was equally sceptical that the authorities will change their attitude to the Baptists soon. "Our constitution guarantees us freedom of religion and belief, but in reality we don't have it," he told Forum 18. "We rely on God. If we're persecuted for the name of Christ we're blessed."

Balayev – who claims local officials are deliberately obstructing him from opening a grocery shop to be able to earn a living – says the Baptists are not going to give up. "If I didn't believe in God or Christ, I'd have left here long ago," he told Forum 18, "but we're not afraid."

Source: <http://www.forum18.org>

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Why are religious communities in Nakhichevan "crushed"?

By Felix Corley

Forum 18 News Service (10.12.2004)/HRWF (13.12.2004) – Email: info@hrwf.net - Website: <http://www.hrwf.net> - Adventist leaders have complained to Forum 18 News Service that their community in Nakhichevan (Naxçıvan), an autonomous exclave wedged between Armenia, Turkey and Iran, has been "crushed". Baha'is have told Forum 18 that one of their members, Tavachur Aliev, was jailed for ten days in September on trumped-up charges and warned not to teach his faith to others. "We can't do anything in Nakhichevan," one Baha'i who preferred not to be named said.

More than a dozen Muslims were imprisoned for up to two weeks in September, Forum 18 has learnt. As an autonomous republic, Nakhichevan has its own government and parliament. It has a population of some 350,000. Idris Abbasov, head of the Nakhichevan branch of the State Committee for Work with Religious Organisations, has always denied any persecution of believers in the exclave. He declined to talk to Forum 18 on 10 December. Although officials in the main part of Azerbaijan have described the re-registration of religious organisations launched in August 2001 as "completed", the process has not even begun in Nakhichevan.

"In Nakhichevan the state of religious freedom is very bad," stated Ilgar Ibrahimoglu Allahverdiev, the imam of the Muslim community forcibly ousted in June by the police from the Juma mosque in the capital Baku. Like other observers, he regarded the suppression of independent religious activity as part of the general climate of repression in the exclave. "There is no civil society there at all - in Nakhichevan officials are more open about persecution than elsewhere."

Ali Abasov, a professor at the National Academy of Sciences and president of the Azerbaijani branch of the International Religious Liberty Association, agreed. "There is no democracy, no free media and no human rights in Nakhichevan," he told Forum 18 in Baku on 29 November. Asked why, he responded with a grim laugh: "The authorities don't want it." He insisted the Nakhichevan authorities are merely exercising the controls the authorities would like to institute in the rest of the country.

The Baha'i community in Nakhichevan gained registration as a religious organisation in 1997 but, its members report, this registration was annulled within a year "under false accusations". The official reason was that one of the founding members was not in fact a member. "Under pressure he was forced to sign a statement that he was not a Baha'i," sources told Forum 18. "That brought the official number of founders down to nine - not enough to maintain registration."

Subsequently at least one local Baha'i was fined for leading unregistered meetings, which the authorities (wrongly) described as "illegal". In 2002 a meeting in a private home was raided by the police and broken up. "Since then we have not held meetings in Nakhichevan.

We Baha'is try to resolve problems with the authorities. If the government says don't do something, we don't do it. It's our principle to obey the government."

The Baha'i community is determined to resume its work in Nakhichevan and intends to seek the help of the State Committee in Baku to try to bypass the obstruction to registration of any religious organisations from the Nakhichevan branch of the State Committee. In any case, the Baha'is believe the official registration of their National Spiritual Assembly as a nationwide religious body in September 2004 covers the activity of their community in Nakhichevan, though the Nakhichevan authorities reject this.

With Islam the majority faith in Nakhichevan, Muslims are generally not directly obstructed in their religious life and mosques function fairly freely despite the lack of registration. However, several years ago the Nakhichevan authorities closed all Turkish and Iranian mosques in the exclave. Ibrahimoglu complained that the mosques that do function are not allowed to issue the call for prayer over loudspeakers from minarets.

Haji Akif Agaev, spokesman for the Caucasian Muslim Board in Baku to which all mosques in Azerbaijan are forced to belong, denied that mosques in Nakhichevan are restricted in any way. "We live normally there as anywhere in Azerbaijan," he told Forum 18 on 10 December. He said the head of the Board, Sheikh-ul-Islam Allahshukur Pashazade, and other Muslim leaders regularly travel there from Baku, while the Board is represented in the exclave by Haji Sultan.

Of the 236 mosques in the exclave, none have been re-registered, Haji Sultan told Forum 18 from Nakhichevan on 10 December. "We gave in our documents some time ago to Idris Abbasov, and he promises us they will soon get registration." Haji Sultan was unable to explain why it has taken so long, but insisted that the Muslim community wants its mosques re-registered. He said only about 25 mosques were registered previously by the Justice Ministry under the old registration system.

The small Adventist church in Nakhichevan - repeatedly denied registration by the authorities - has been closed down by the authorities. "Our members there have been banned from meeting," Yahya Zavrishko, leader of Azerbaijan's Adventists, told Forum 18 in Baku on 24 November. "When we travel there, the police bar us from visiting our church. I was in Nakhichevan at Easter and the local police chief did allow us to hold a meeting in our church - once." Zavrishko said of the eight members present, many were elderly. Also present was church member Zinaida Ushakhova, who lost her son in the war against Armenians in Nagorno-Karabakh in the early 1990s.

The last resident Adventist pastor, Khalid Babaev, was forced to flee from Nakhichevan with his family in February after police refused to protect them in the face of repeated threats from unknown local people. A previous pastor, Vahid Nagiev, was deported with his family from the exclave in June 2002, although Azerbaijani law has no provisions for internal deportation.

One source told Forum 18 that the refusal to register religious communities in Nakhichevan stems from the battle for authority between Baku and Nakhichevan. "The local State Committee branch wanted the power to register religious organisations, but the Cabinet of Ministers refused to grant this. Only the State Committee in Baku has this right." However, under the burdensome registration regulations all religious communities throughout Azerbaijan have to go through, local authorities have to approve all registration applications before they are sent on to the State Committee in Baku, so it is easy for the Nakhichevan authorities to obstruct them.

One religious community told Forum 18 it had asked the State Committee in Baku back in 2002 whether Nakhichevan registrations would be carried out locally or in the capital, but was told the State Committee was awaiting a decision of the Cabinet of Ministers.

Source: <http://www.forum18.org>

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“We don’t need Baptists here”, shouts obstructive official

by Felix Corley

Forum 18 News Service (08.12.2004)/HRWF (09.12.2004) – Email: info@hrwf.net - Website: <http://www.hrwf.net> - "We don't need any Baptists here," Najiba Mamedova, the notary of Azerbaijan's north-western Zakatala [Zaqatala] region shouted at Forum 18 News Service, asked why she has for more than a year refused to notarise the signatures on the registration application of a local Baptist congregation. "We don't want a second Karabakh," Najiba Mamedova screamed, adding "Who financed you? Go to them," before throwing Forum 18 out of her office and threatening to call the police. The church's pastor, Hamid Shabanov, told Forum 18 that "She always spoke to us like that." The church began applying for registration in 1994, making it the religious community which has been denied registration in Azerbaijan for the longest period. The head of the Aliabad administration, Gasim Orujov, has refused to allow the Baptists to build a church in the village. "There is Islam here and we have our mosque," he told Forum 18.

"We don't need any Baptists here," the notary of Azerbaijan's north-western Zakatala [Zaqatala] region shouted at Forum 18 News Service on 27 November when it tried to find out why for more than a year she had refused to notarise the signatures on the registration application by a local Baptist congregation. "We don't want a second Karabakh," Najiba Mamedova screamed, referring to the Armenian-populated region that broke away from Azerbaijani control more than a decade ago in a brutal war. "Who financed you? Go to them," she added before throwing Forum 18 out of her office in Zakatala's court building and threatening to call the police. "She always spoke to us like that," the church's pastor, Hamid Shabanov, who had witnessed Mamedova's response, told Forum 18 sadly.

Shabanov's church – one of three Baptist congregations in the village of Aliabad, two of which are members of the Azerbaijani Baptist Union – lodged its latest registration application for notarisation with Mamedova some fourteen months ago, but she has consistently refused to process it, church members complain. Without the notarised signatures of the church's founding members the application cannot be processed and the congregation cannot get legal status.

The church began applying for registration in 1994, making it the religious community which has been denied registration in Azerbaijan for the longest period.

Ali Abasov, a professor at the National Academy of Sciences and president of the Azerbaijani branch of the International Religious Liberty Association, said he could well understand how the authorities in a place like Aliabad could "illegally obstruct" the registration of a minority religious community. "It is a question of ten minutes at the notary's office," he told Forum 18 in the capital Baku on 29 November. "Officials should do their job in accordance with the law."

"It is wrong for the notary to refuse to notarise the documents," Azer Sharafli, head of the general department of the State Committee for Work with Religious Organisations, told Forum 18 in his office in Baku on 24 November. "It's their job to do so." He said although his committee is in charge of the registration of religious organisations, it is not its responsibility if other officials refuse to do their job. "No-one appealed to us," he claimed. He said if the Baptists have any complaint they should take their case to court.

"If all the paperwork is in order, notarisation is a question of no more than 30 minutes maximum, that's my view," the head of the Aliabad administration, Gasim Orujov, told Forum 18 under outsized portraits of President Ilham Aliev and his late father Heidar Aliev in his office in the village on 27 November. Although no fan of the Baptists, he said he was unable to tell if the authorities want to register the Baptists or not. "It's not my responsibility. I won't interfere."

Orujov readily admitted that the Baptists – like believers of any other faith – have the full right to practise their religion. "There's democracy here." He claimed to be ready to give the Baptists any documents they require to complete the registration process. However, he resolutely refused to allow them to build a church in the village. "There is Islam here and we have our mosque," he told Forum 18, gesturing to the nearby minaret. "People wouldn't allow a church nearby. There would be conflict." (He did not mention that Aliabad used to have a Georgian Orthodox church, which was closed during the Soviet period.)

Orujov brushed aside suggestions that one group of citizens cannot prevent another group of citizens exercising their rights. "Can we allow a church to be built after they have been here for only ten years?" he asked. "Let them pray at home." Told that registered places of worship of a wide variety of faiths exist in Baku he responded: "Baku has people of many faiths and different backgrounds – it's OK for churches to exist there."

Source: <http://www.forum18.org>

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Police disperse and harass academic religion researchers

by Felix Corley

Forum 18 News Service (02.12.2004)/HRWF (03.12.2004) – Email: info@hrwf.net - Website: <http://www.hrwf.net> - Azeri authorities have repeatedly broken up meetings of a local academic research group, Forum 18 News Service has learnt. Project leader Hikmet Hajizade told Forum 18 that "we wanted about eight people in each group, but even such a small group was not allowed to meet – the police often drove us out of town." Police told FAR Centre researcher Haji Hajili that "they had received instructions to drive us out and said it would be better if we left peacefully of our own accord." The researchers faced such problems as the cancellation of premises' availability, police breaking up meetings, obtrusive eavesdropping by police informers, widespread fear of the authorities' reaction amongst local participants, police surveillance of participants' homes, some Muslim participants accusing researchers of working with "enemies of Islam" and then calling police to meetings, as well as threatening other participants.

Azeri authorities have repeatedly obstructed a local research group engaged in a project to measure the state of religious freedom in Azerbaijan, project leaders told Forum 18 News Service in the capital Baku. "We have faced serious official obstruction to our work, although we are conducting purely academic research," project leader Hikmet Hajizade told Forum 18 at the offices of the Baku-based FAR Centre on 25 November. He said police in different towns across the country stopped people gathering for focus groups and participants often backed out citing fear of retaliation from the authorities. "We wanted about eight people in each group, but even such a small group was not allowed to meet – the police often drove us out of town."

The research on the state of religion and relations between religion and the state in Azerbaijan in the wake of the 11 September 2001 terrorist attacks in the United States is being conducted by the FAR Centre under a grant from the US-based National Endowment for Democracy. The project began this summer with focus groups made up of local religious

leaders and non-governmental group activists in Baku and in other towns across the country, to be followed up by a public opinion survey with 1,000 respondents and finishing with scholarly conferences on the state of religious freedom.

Haji Hajili, a FAR Centre researcher who led many of the focus groups, told Forum 18 that his centre wanted the authorities to know about the project and the way it was proceeding. "Each time they gave verbal permission, but when we began to discuss the religious situation the police arrived," he reported. "They told us unofficially they had received instructions to drive us out and said it would be better if we left peacefully of our own accord. The government is very sensitive on religious questions."

He insists their survey questions are "normal, simple enquiries", such as how many members there are in a participant's religious community, whether the authorities intervene in communities' religious life, how believers regard other faiths and how local people regard them. Hajili told Forum 18 that many respondents were often afraid to respond openly even to such apparently innocuous questions.

Hajili pointed out that research was not too difficult in Baku, but was obstructed almost everywhere else. He believes the real power on the ground in the regions is the local executive authority, and it was these leaders who organised the breaking up of focus groups in their towns.

As Hajizade and Hajili told Forum 18, problems began with the first focus group meetings outside Baku, held in July in central Azerbaijan in the second city Gyanja [Gänca], as well as Shamkir [Simkir], Tovuz and Kazakh [Qazax]. When the eight focus group members arrived with the moderator at the House of Culture in Kazakh on 21 July as arranged, an employee of the venue informed them that only the day before the local authorities had instructed the House of Culture not to make its premises available.

Participants then decided to talk in a nearby teahouse in a park. "However, it soon became clear that participants' words were being listened to by people nearby who had quietly sat themselves as close as they could to our table," survey organisers reported. Of the three apparent eavesdroppers, one participant recognised one as a well-known local informer for the authorities. When the moderator remarked to them that it was not polite to listen to other people's conversation, the eavesdroppers responded that they were interested in what was going on. "It became clear that the local authorities were interested in the identity of the focus group participants and the theme of the discussion." Participants then decided to cancel the focus group meeting and resume elsewhere.

When the group reconvened in the chess school in the nearby town of Shamkir, several participants refused to attend further, fearing retaliation from the authorities, Hajili told Forum 18. The rump focus group was in mid-discussion when the director of the chess school told them that the authorities had demanded that he should immediately halt the meeting. Organisers were forced to meet individual participants privately.

Even at this early stage of the research, FAR organisers noticed that participants were afraid to speak freely and responded with terse answers. "It was obvious that they were afraid." Some even believed it was a trap devised by the authorities. "They all demanded that the content of the meetings and their names be kept confidential." Participants later told the researchers that on their return home they were immediately subjected to police surveillance.

Between August and October focus groups were due to take place in northern Azerbaijan, but with even less success. "Despite our approaches to the executive authorities of four northern regions – Balakan, Zakatala [Zaqatala], Oguz and Sheki [Saki] – not even in one of them were we given permission to hold meetings with representatives of religious communities and other interested individuals," the organisers report sadly. "Therefore, as on previous occasions we had to work without official permission." Organisers were finally

able to hold meetings in the local administration building in one village in Sheki region, though the administration leader asked the organisers to keep the meeting secret. "The representatives of the clergy present at the meeting refused point-blank to give their names, citing the unfriendly attitude towards them of the law-enforcement and state security agencies."

When the focus group attempted to meet to discuss attitudes to religious freedom among participants in the town of Ali-Bairamali [Ali Bayramli] in south eastern Azerbaijan, Muslim participants accused FAR Centre organisers of working with "enemies of Islam" and threatened to call the police. Twenty minutes later the police duly appeared outside the Shirvan human rights resource centre where the meeting was taking place. A man in civilian clothes came into the room and ordered the organisers to leave the town immediately. "The frightened participants dispersed." When the meeting was reconvened a week later, the police gave verbal approval, but begged the organisers not to inform the "official organs". Participants again gave terse answers to survey questions, apparently fearing official retaliation. NGO participants reported that they received threats from local supporters of an Islamic state in Azerbaijan.

Few religious believers or human rights activists were surprised to learn of the problems the survey organisers had encountered, telling Forum 18 in late November that the very subject of religion was so sensitive that any investigation into it, even on an academic level, would be obstructed. While agreeing with this, Ilgar Ibrahimoglu Allahverdiev, the imam of the Muslim community forcibly ousted in June by the police from Baku's Juma mosque, pointed to the researchers' affiliation with the opposition Musavat party as a further reason why the authorities might be obstructing their survey. "Even if Hikmet Hajizade went out onto the street to play rock and roll he would have problems from the authorities," Ibrahimoglu told Forum 18 in Baku on 24 November.

Source: <http://www.forum18.org>

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The boy who (officially) does not exist

by Felix Corley

Forum 18 News Service (01.12.2004)/HRWF (03.12.2004) – Email: info@hrwf.net - Website: <http://www.hrwf.net> - 18-month-old Luka Eyvazov does not officially exist, Forum 18 News Service has found, because local authorities refuse to issue birth certificates for children with Christian names. "We have letters from village residents and 98 per cent are opposed to registering Christian names," local registration official Aybeniz Kalashova told Forum 18. Mehman Soltanov of the Justice Ministry asked Forum 18 "why did they choose a religious name?" and then speculated that it was not Luka's parents who chose his name but "some religious sect".

Luka's father, Novruz Eyvazov, insists that children are from God and told Forum 18 that "We went many times to ask what basis they had to interfere in our family life. They indicated there was pressure on them from on high. When they told me to choose the name of a famous Azerbaijani poet or writer instead," he told Forum 18, "I responded that Luke, as one of the Gospel-writers, will still be famous when all the poets and writers are long forgotten."

This is the latest of case of official refusal to register Christian names. Without birth certificates, people cannot go to kindergarten or to school, get treatment in a hospital or travel abroad.

Although officially he does not exist, 18-month-old Luka Eyvazov appears to be real enough. Observed by Forum 18 News Service on 26 November, Luka laughed, cried and played with his parents' telephone in their home in the village of Aliabad in the north-western region of Zakatala [Zaqatala] close to the border with Georgia. Despite repeated attempts by his parents, who are Baptists, the local civil registration office has consistently refused to issue a birth certificate because they do not wish to register children with Christian names. "We have letters from village residents and 98 per cent are opposed to registering Christian names," Aybeniz Kalashova of the local registration office in the regional centre Zakatala told Forum 18 on 1 December.

"This is ridiculous," remarked a member of a Christian community in the capital Baku, who works in the legal field, on being told of the problems in Zakatala region. "You can call your child 'Communist' or 'Tractor'," she told Forum 18 on 29 November. "Why not a Christian name?" Believers of a variety of faiths and human rights activists told Forum 18 they were not aware of such restrictions in any other part of Azerbaijan, even those populated by ethnic minorities.

"Luka is not an Azerbaijani name," Mehman Soltanov of the Justice Ministry's civil registration department told Forum 18 from Baku on 1 December. "Why did they choose a religious name?" Soltanov, who wrote to tell Luka's father Novruz Eyvazov on 5 April that he had issued "appropriate instructions" to Kalashova's office, speculated to Forum 18 that it was not the parents who had chosen this name but "some religious sect".

Indeed, in her 1 May response to Novruz Eyvazov, which Forum 18 has seen, Kalashova complained that "during the chaos and anarchy in the country in 1989-90, foreign missionaries came to the village of Aliabad and tried to conduct subversive activity, spreading the Christian faith of the Baptist sect among the population, and tried to change surnames and first names, changing them into Georgian and Christian names, strengthening separatist sentiment and setting friend against friend". She claimed local villagers had protested against such activity. She asked Eyvazov to "respect and honour the desire and wish of the inhabitants of Aliabad".

Kalashova refused to explain to Forum 18 why the complaints of other local residents affected Eyvazov's right to register the birth of his child with the name he and his wife have chosen. "Why are you interfering in the internal affairs of Azerbaijan?" she asked Forum 18.

In a second interview later on 1 December, Soltanov told Forum 18 he had spoken to Kalashova at the Zakatala civil registration office and that Luka's parents should go once again and would receive the birth certificate. "They won't have any problems now," he pledged.

Children's births in Azerbaijan are generally registered at the place where their parents are registered to live. As Azerbaijani citizens and registered residents of Aliabad, the Eyvazov couple originally tried to register Luka's birth at the local village administration, which is where they first encountered a refusal. They failed too at the regional level in Zakatala, both before and after taking their case to Soltanov at the Justice Ministry in Baku.

"We told the officials we had chosen the name Luka, but they refused to register it, complaining that we were spreading Christianity," Novruz Eyvazov recalled. "We went many times to ask what basis they had to interfere in our family life. They indicated there was pressure on them from on high."

He insists that a child is from God. "When they told me to choose the name of a famous Azerbaijani poet or writer instead," he told Forum 18, "I responded that Luke, as one of the Gospel-writers, will still be famous when all the poets and writers are long forgotten."

Speaking to Forum 18 on 27 November in his office at the village administration, village leader Gasim Orujov claimed that the refusal to register Christian first names had been

resolved. "The civil registration office has corrected this in the past year," he claimed (wrongly). "It is no longer a problem." Reminded of the continuing refusal to give a birth certificate to Luka Eyvazov, Orujov declared: "Let his parents come. I'll give them the certificate." However, when Novruz Eyvazov went to his office on 29 November, Orujov said the decision lay with the regional office at Zakatala.

The Eyvazov family – like the vast majority of Aliabad's 10,000 inhabitants – are members of the Ingilo minority, ethnic Georgians who were converted to Islam several centuries ago. Most retain their Muslim faith with varying degrees of observance. The village mosque remains the only registered religious community, as the three existing Baptist communities do not have registration.

Since Christianity took hold in the village a decade ago, adherents have faced strong pressure from the village authorities. Although the Eyvazovs' church is part of a Baptist network that refuses on principle to register with the authorities in any of the former Soviet republics where it operates, two other Baptist communities in Aliabad have been repeatedly denied registration (see forthcoming F18News article).

"Without a birth certificate, Luka will not be able to go to kindergarten or to school, get treatment in a hospital if he should need it or travel abroad," Zaur Balayev, pastor of one of the Baptist communities which is seeking registration told Forum 18 in Aliabad on 26 November. He related that Luka's case is only the latest in a string of similar refusals to register the births of children given Georgian and/or Christian first names by their parents.

Novruz Eyvazov told Forum 18 that when his third child was born, it had taken him three months to register his birth with the name Moisei (Moses).

Another local Baptist, Ramiz Osmanov, told Forum 18 on 27 November that the civil registration authorities only issued a birth certificate for his son Daniil (who is now aged three) when he was six months old. Osmanov said he had been forced to take his case to officials in Baku before he was given the birth certificate. Baptist villager and pastor Hamid Shabanov told Forum 18 that the civil registration authorities had rejected the name Samson for his grandson. In the end the parents chose Daud (David), knowing they would never get a birth certificate with the name Samson.

Members of the Georgian Orthodox minority in the neighbouring Kakh [Qax] region told Forum 18 at Kakh's Orthodox church on 27 November that they had no problem registering the births of their children with Georgian religious names. Aliabad's Baptists say such problems do not exist either in the Balakan [Balakän] region north of Zakatala, which also has an Ingilo minority.

Balayev pointed out that members of neighbouring Georgia's large ethnic Azeri minority do not have problems freely choosing names for their children.

Source: <http://www.forum18.org>

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Police raid Adventist service, fine and threaten leader, connive at hostile TV interviews of children

by Felix Corley

Forum 18 News Service (22.11.2004)/HRWF (24.11.2004) – Email: info@hrwf.net - Website: <http://www.hrwf.net> - While a Council of Europe delegation was examining whether Azerbaijan meets human rights commitments, police in the country's second city,

Gyanja [Gäncä], raided a worship service being held by a registered Adventist congregation, arrested and interrogated two leaders, fining and threatening one with deportation, and connived at a local TV crew conducting hostile interviews with children against the protests of their parents. Interviewed by Forum 18 News Service, Firdusi Kerimov, local representative of the State Committee for Work with Religious Organisations, who took part in the interrogations and TV interviews, claimed that he defends the rights of believers, "but only if they act in accordance with the law" and insisted that "everything was done in accordance with the law." The Azeri ban on foreigners conducting "religious propaganda" violates international human rights law, which does not distinguish between anyone legally resident in a country.

Embarrassingly for the Azerbaijani authorities, a 20 November police have raided a Seventh Day Adventist service, in the country's second city Gyanja [Gäncä], at the same time that a delegation from the Council of Europe was finishing a visit to Azerbaijan, to examine whether the country is meeting its human rights commitments.

Fifteen police officers raided the service at the registered Adventist church at about 11 am on Saturday 20 November (Adventists mark their Sabbath on Saturdays). The police then brought in a film crew from ANS (Azerbaijan News Service) television – a local station noted for its aggressively hostile coverage of religious minorities – as Azerbaijan's Adventist leader Yahya Zavrishko complained to Forum 18 from the capital Baku on 20 November. Against the wishes of their parents, the journalists interviewed children present at the service asking if they had been forced to attend. Despite the parents' clear objections, the police did nothing to prevent the children being questioned by the film crew.

Firdusi Kerimov, the representative in Gyanja of the State Committee for Work with Religious Organisations, admitted to Forum 18 News Service from Gyanja on 20 November that he had joined the interrogation at the police station of two Adventist leaders detained after the service, but denied suggestions that the raid represented harassment of the Adventist community. "Everything was done in accordance with the law," he insisted. He referred all further enquiries to the police officer who led the raid and interrogation, the deputy head of the city police, Ilgar (last name unknown), but a man answering his telephone on 22 November claimed that Forum 18 had reached a wrong number.

Police then after the raid took two Adventist leaders, Rustam Akhmedov and Vidadi Huseinov, for interrogation at the city police headquarters. After accusing Akhmedov of conducting "religious propaganda", they threatened him with punishment under Article 300 of the code of administrative offences. This article prescribes punishment of fines of between 20 and 25 times the minimum monthly wage, or deportation for foreigners or those without citizenship who conduct "religious propaganda" in the country. An Azerbaijani native who has a temporary residence permit to live in Gyanja, Akhmedov has Moldovan citizenship.

"The police told me I can't talk about religion and spoke about deportation," Akhmedov told Forum 18 from Gyanja on 20 November, "although I have local residence registration." He said police confiscated his passport, but after two hours of questioning, let him and Huseinov go. He said they were instructed to return for punishment on 22 November.

Akhmedov was again summoned both on 21 and 22 November, with his wife Gulnara, and their landlord. On 22 November police deputy head Ilgar threatened and abused Akhmedov, declaring that he had "betrayed his country and his religion" by becoming an Adventist and insisted he should be a Muslim. He alleged that Akhmedov had changed his faith because of money and then fined Akhmedov 140,000 manats (178 Norwegian Kroner, 22 Euros, or 29 US Dollars) under Article 300, and returned his passport. This is about 5 times the monthly minimum wage.

Akhmedov noted that all people legally resident in Azerbaijan should have the same rights to religious freedom, but nonetheless paid the fine. "Many Azerbaijanis live in Iran, Turkey

or Western Europe, and I never heard of any penalties on them for conducting religious activity," Akhmedov told Forum 18.

Deputy police chief Ilgar said he was not ordering Akhmedov's deportation on this occasion, because his wife is an Azerbaijani citizen, but warned him that if he conducts "illegal religious propaganda" again he will be deported. "He told me I can attend church, but not preach," Akhmedov told Forum 18.

In a bizarre move, Ilgar also threatened to deprive Akhmedov's landlord of Azerbaijani citizenship and deport him from the country. "Of course he cannot do this, but he was using this as a way to threaten him," Akhmedov commented.

Akhmedov is particularly upset by the ANS film crew's persistence, with the police's connivance, in interviewing the children despite the protests of parents. "ANS gives false information," he complained. He said that all the children who were present had attended the service with the permission of their parents, who were also present at the service. He was afraid ANS would selectively broadcast footage of parents objecting to their children being interviewed, making Adventists appear to be aggressive. Akhmedov said he had declined to be interviewed, but that the film crew still persisted in filming him and Huseinov at the police station, before interviewing Firdusi Kerimov, the local representative of the State Committee for Work with Religious Organisations. It is believed that ANS is preparing to broadcast the report later today (22 November).

Azerbaijani media often broadcast or publish attacks on religious minorities, who are permitted very little right of reply to false broadcast allegations. Zavrichko said that for the past few months a Gyanja television station, Kepes, has been running a weekly programme called Drop in the Ocean, presented by Ilgar Agaev, which blames Adventists "for all manner of sins".

The controversial ban on foreigners and those without citizenship conducting "religious propaganda", which is also specified in Article 1 of the religion law, violates international human rights norms, which make no distinction between the rights of citizens and other individuals legally in a country. Azerbaijani authorities have deported or warned a number of foreign citizens, including Muslims and Protestants.

In the most recent known case, Nina Koptseva, a Russian living in Baku by invitation of the Greater Grace Protestant Church was forcibly deported in April 2002. In September 2003, Rafik Aliev, head of the State Committee, accused the then Catholic priest in Baku, Belgian citizen Fr Daniel Pravda, of conducting "illegal religious propaganda".

Gyanja's state committee official Kerimov insisted to Forum 18 that his office defends the rights of believers, "but only if they act in accordance with the law". He refused to say why a peaceful Adventist service on private property represented a violation of the law and why police had the right to raid such a service.

Source: <http://www.forum18.org>

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OSCE discusses religious freedom minus a victim

By Felix Corley

Forum 18 News Service (07.10.2004)/HRWF (14.10.2004) – Email: info@hrwf.net - Website: <http://www.hrwf.net> - For the second time in less than a month, border guards at Baku airport prevented religious freedom activist and imam Ilgar Ibrahimoglu Allahverdiev

from travelling to take part in a conference of the Organisation for Security and Cooperation in Europe (OSCE), a body which aims to promote democracy and human rights and of which Azerbaijan is a member. The first OSCE conference which imam Ibrahimoglu was banned from travelling to was an OSCE conference on racism and discrimination.

"He would have informed people here at the OSCE conference in Warsaw about the real situation of religious freedom in Azerbaijan," human rights activist Eldar Zeynalov told Forum 18 News Service from the OSCE human dimension implementation meeting in the Polish capital on 7 October. "That's why our government didn't want him here."

Zeynalov, who heads the Human Rights Centre of Azerbaijan, said Ibrahimoglu would have told the conference of the violations of the rights of believers at his Juma mosque in Baku's Old City, who were forcibly expelled by the authorities in June after he had already been handed a suspended sentence on charges widely believed to have been fabricated.

"He would also have spoken of the persecution of Adventists and members of other religious minorities as he doesn't just focus on the rights of Muslims," Zeynalov added.

Forum 18 was not immediately able to reach any officials in the Azerbaijani foreign ministry or border service to find out why Ibrahimoglu's travel to the OSCE conference was obstructed.

Urdur Gunnarsdottir, spokesperson for the OSCE's Office for Democratic Institutions and Human Rights in Warsaw, which is organising the 4-15 October meeting, said she was not familiar with Ibrahimoglu's latest denial of permission to travel.

But she was clear about the importance the OSCE places on free participation by non-governmental representatives at OSCE conferences. "We really appreciate the active participation of NGOs and do everything we can to encourage them to attend and take part," she told Forum 18 from Warsaw on 7 October. "We regret it when such representatives are prohibited by their governments from attending."

Gunnarsdottir said that following the Azerbaijani authorities denial of permission to Ibrahimoglu to attend the conference on tolerance and non-discrimination held on 13 and 14 September in Brussels by the OSCE and the Belgian Foreign Ministry, the OSCE mission in Baku had taken up the issue with the Azerbaijani authorities. "I don't know what came of it," she reported.

No officials at the Baku OSCE mission were immediately available for comment on the latest travel ban.

Ibrahimoglu told Forum 18 from Baku on 7 October that he had intended to attend and speak at the session on freedom of religion on 6 October. In the morning of 6 October, after informing the Justice Ministry of his forthcoming travel abroad, he checked in at Baku airport, received his boarding pass and went through customs, only to be denied permission to board his flight by the border guards.

Ibrahimoglu told the border guards that he believed their actions were illegal and violated his fundamental human rights, including his freedom of movement. "No positive effect was achieved," he noted sadly.

"According to the law, even taking into account my illegal suspended sentence, the court decision does not contain any point limiting my departure from the country, and demands only the notice of the appropriate bodies concerning any change of my residence," he told Forum 18. "Despite the fact that I did not need to inform them about my departure to the conference because I had not changed my residence, I informed the appropriate structures of the Ministry of Justice in writing on 5 October."

He pointed out that since his release from prison, he has already traveled abroad to an international conference on religious freedom, held in May in the Ukrainian capital Kiev. "But for some reason it is already the second time that my freedom of movement illegally is deprived and in this way my human rights activity is restricted."

Zeynalov told Forum 18 he had challenged the Azerbaijani government representative about their obstruction of Ibrahimoglu's attendance at the conference at a plenary session. "Our official said that as someone serving a suspended sentence, Ibrahimoglu has some freedom of movement but not freedom to leave the country. He said he couldn't leave the country."

"Of course this looks bad for the Azerbaijani government," Zeynalov told Forum 18. "It is a return to Soviet times when there was no freedom of movement and no freedom of speech."

Source: <http://www.forum18.org>

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Jehovah's Witness seeks right to alternative service

By Felix Corley

Forum 18 News Service (06.10.2004)/HRWF (08.10.2004) – Email: info@hrwf.net - Website: <http://www.hrwf.net> - A Jehovah's Witness who is trying to claim his constitutional right to do alternative non-military service rather than military service has so far failed. Mahir Bagirov told Forum 18 News Service that on 16 September the appeal court in the capital Baku rejected his case that the demand that he present himself for military service was illegal and unconstitutional.

"I have now received the text of the judgment and have lodged my further appeal to the Supreme Court," he told Forum 18 on 5 October. "But the other problem is that, as a civil judgment, the ruling has already entered into force."

Bagirov fears he could be seized and sent to a military unit at any time. An unidentified man who said he was from the police telephoned Bagirov's mother at her home on 3 October threatening that her son would be seized and imprisoned.

Rauf Guliev, head of the international relations department at Azerbaijan's Constitutional Court, maintains that the right to perform alternative service does not depend only on the constitution, but on the proposed law on alternative service now being considered by parliament. "Under the constitution and Azerbaijan's commitments to the Council of Europe the right to perform alternative service must be provided," he told Forum 18 from Baku on 22 September, "but I am not permitted to issue clarifications of the legal position on such issues."

Guliev did not appear to support the unqualified supremacy of the constitution. "Our basic objective at the Constitutional Court is to ensure the supremacy of the constitution," he told Forum 18. "The constitution is the supreme law, but it depends on the situation." He did not elaborate.

Guliev said the Constitutional Court can act only in response to petitions brought by individual citizens who claim their rights have been violated, adding that he is not aware that it has ever ruled on an alternative service case. He said that if Bagirov believes his rights are being violated he should take his case through the courts. "He should go to the Supreme Court and if he is still not satisfied he can bring his case to the Constitutional Court."

Adil Gadjiev, an official at the ombudsman's office in Baku, told Forum 18 that as no alternative service law has yet been adopted setting out the mechanism of how such a service should work, those unable to do military service on grounds of conscience should inform the military commissariat, who would then not generally call up the individual.

Asked what should happen if the commissariat ignored the individual's request not to serve, Gadjiev responded: "Then the person should apply to us immediately as we'll deal with the appropriate commissariat." He said so far his office had dealt with only one case, of a Jehovah's Witness in 2003. "This was resolved positively."

Told about the 16 September appeal court ruling rejecting Bagirov's case, Gadjiev responded: "I can't criticise a court ruling, but I would consider it a mistake because it contradicts the constitution." He offered to intervene to resolve Bagirov's case. After Forum 18's interview with Gadjiev, Bagirov sought his assistance and presented all the documents in the case, but Gadjiev said he was unable to help as it was before the courts.

Bagirov, who is 28, was called up in 2000 but wrote to the recruitment office declaring that he wished to perform alternative service because of his faith. "I'm a Jehovah's Witness, and my religious convictions would be violated if I was forced to bear arms," he told Forum 18. His application received no response, but he then received a three-year deferment as he began studies.

He was called up again in May of this year and ordered to report to a military unit. On 9 June he lodged his suit at Baku's Khatai district court, arguing that the insistence that he perform military service was illegal and in violation of Article 76 part 2 of the constitution, which declares: "If the beliefs of citizens come into conflict with service in the army then in some cases envisaged by law alternative service instead of regular army service is permitted." Bagirov claims that in rejecting his suit on 16 September, the court failed to give any reasoned argument.

In a separate case, Bagirov has appealed for the military unit that claims to have conscripted him to remove him from its list. The hearing at Baku's Sabail district court is due to be heard on 8 October.

Although Azerbaijan adopted an alternative service law in the early 1990s, the war with ethnic Armenian forces over the Nagorno-Karabakh region meant that it was never implemented. Azerbaijani officials have since then always denied that an alternative service law exists.

One of Azerbaijan's commitments on joining the Council of Europe in January 2001 was "to adopt, within two years of accession, a law on alternative service in compliance with European standards and, in the meantime, to pardon all conscientious objectors presently serving prison terms or serving in disciplinary battalions, allowing them instead to choose (when the law on alternative service has come into force) to perform non-armed military service or alternative civilian service". Azerbaijan failed to meet this deadline, although a constitutional amendment approved by referendum in August 2002 spelled out the right to perform alternative service.

The whole process of adopting an alternative service law has been shrouded in secrecy. "The law has not been adopted," Rahim Ahundov of the parliamentary press service told Forum 18 from Baku on 27 September. "We are still working on it, introducing improvements and consulting." He said he was unable to give a specific date for when it will go to parliament as this depends on parliament's agenda.

But he claimed that parliament was taking its commitment seriously. "This needs very serious deliberation. You can't just pass any piece of paper - there could be a lot of flaws." He declined to make the current draft of the law available to Forum 18.

Mats Lindberg, the Council of Europe's representative in Baku, insisted to Forum 18 on 23 September that Azerbaijan still must meet this commitment, adding that his organisation has already given its comments on the current draft of the law. He added that his office had not dealt with Bagirov's case.

A Council of Europe official who has been involved in the issue of alternative service at its headquarters in Strasbourg told Forum 18 that the organisation is awaiting confirmation of a date to meet the law's drafters to discuss its recommended changes. "We know the deadline for adopting this law under Azerbaijan's commitments has passed," the official declared. "Adopting such a law meeting basic standards is high on our agenda - and we know it's high on the Azerbaijani government's agenda."

On 5 October the Council of Europe parliamentary assembly debated how far Azerbaijan's institutions are now democratic and approved a resolution calling for the introduction of an alternative service.

Eldar Zeynalov, head of the Human Rights Centre of Azerbaijan, is concerned about Bagirov's failure to secure his constitutional right, especially in contrast to the way a similar case - against fellow Jehovah's Witness Leonid Moroz - was resolved in 2002. "Very interesting is that the criminal case against Moroz was closed because of the 2002 amendment to the constitution. So the current behaviour of the military authorities appears anachronistic," he told Forum 18 from Baku on 17 September. "Beside the urgency to protect him from the draft, the new trend of the judiciary to ignore the amended Constitution is why there is a need to intervene."

Moroz argued on the same basis that the constitution guaranteed his right not to do military service but an alternative instead. But the military commissariat of Baku's Khatai district appealed to the district prosecutor's office, which instituted legal proceedings. The court hearing began on 2 July 2002 in Khatai district court, but the prosecutor immediately petitioned the judge to send the case back to the prosecutor's office as it was not completed. After looking into materials submitted by Moroz's lawyer, the judge ruled to direct the case for additional investigation.

Moroz was never tried and the case was closed, though Forum 18 has received reports that new attempts have been made in recent months to conscript him.

Source: <http://www.forum18.org/>

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Muslims can't pray at home, says police chief

By Felix Corley,

Forum 18 (02.08.2004) HRWF Int. (03.08.2004) - Website <http://www.hrwf.net> - Email: info@hrwf.net -- Colonel Chingiz Mamedov, acting chief of police of Baku's Yasamal district who broke up a Muslim prayer service in a private home on the evening of 30 July and detained all 26 people present for two hours, has insisted that Muslims are not allowed to hold prayer services in private homes. "There are seven functioning mosques in my district of the capital - if they want to pray they can go there," he told Forum 18 News Service from Baku on 2 August. "Muslim law requires believers to pray in a mosque."

Asked why he, as a state official, was concerned about whether or not the community was abiding by Muslim requirements, Colonel Mamedov then complained that the community's leader, imam Ilgar Ibrahimoglu Allahverdiev, was conducting "agitation and propaganda against the government" and that the community is not registered with the Justice Ministry (the community was registered in 1993). "His thoughts are anti-government," Mamedov told Forum 18. "I have tapes of his sermons where he speaks out against the authorities. It is my job as a state employee to defend the government."

As Colonel Mamedov insisted that Azerbaijan respects freedom of worship, freedom of speech and freedom of assembly, Forum 18 asked why he maintains that believers of any faith cannot meet for worship in private homes. He responded by declaring that the community had been meeting in a basement with no running water. "A cellar is not suitable for religious meetings," he declared. Asked why this was a matter for state officials he put the phone down.

Those detained are members of the Juma (Friday) Mosque in Baku's Old City who had been ousted by police from their place of worship on 30 June. One month later, they appear no nearer to regaining their mosque - which has now been closed for "repairs" - and are still being subjected to pressure.

The community has responded with outrage to what they regard as a "new bout of persecutions" against the community. "It is clear that the believers of Juma Mosque are not allowed to pray even at their homes," community members told Forum 18 from Baku on 30 July.

Community members were meeting in the home of Haji Alekber for prayers led by Ibrahimoglu after a funeral service. The police surrounded the house at about 8 pm while prayers were underway. "When the police began rushing into the premises, the owner of the premises informed them that their actions were illegal and that they had no right to rush into private property without any legal reason," the community told Forum 18. "He explained that the religious service connected with the funeral repast was taking place and the believers were performing the religious rituals without disturbing anyone. However, the police, having pushed the owner of the premises away, rushed inside and without any explanations started arresting all the believers who were there, including Ilgar Ibrahimoglu."

Those detained were taken to the city's 26th police station, where they had their personal details recorded. Colonel Mamedov threatened the home owner that if community members gathered there again, "it would be worse for him".

After human rights activists from the Devamm religious freedom group and the local chapter of the International Religious Liberty Association intervened all were freed at about 10 pm.

"Devamm and IRLA Azerbaijan Chapter consider this situation as the grossest violation of the religious freedom and as the next bout of repressions against Ibrahimoglu and the Juma Mosque religious community," complained a joint statement from the two organisations.

Since the mosque was seized, some community members have been fined. In mid-July a member of the mosque community who continued to support Ibrahimoglu as the imam was sacked from his job at Baku's Interior Ministry hospital.

Source: <http://www.forum18.org/>

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Mr Eric Rassbach's testimony before the CSCE

CSCE (21.07.2004) / HRWF Int. (27.07.2004) - Website <http://www.hrwf.net> - Email: info@hrwf.net -- On July 21, 2004 the US Commission on Security and Cooperation in Europe held a briefing about religious freedom in the Caucasus. We are presenting you the testimony delivered to the CSCE by Mr. Eric Rassbach, from The Becket Fund for Religious Liberty.

Good morning. My name is Eric Rassbach. I am an attorney with The Becket Fund for Religious Liberty here in Washington, DC. The Becket Fund is an international, interfaith, public interest law firm that is dedicated to protecting the free expression of all religious traditions, both here in the United States and abroad.

I'd like to thank the Commission and Chairman Smith for inviting me to appear before you today. I'd also like to thank the Commission for drawing attention to the very timely subject of Religious Freedom in the Caucasus. This topic is, as I hope will become apparent, one of singular importance to the peoples of the Caucasus and the United States.

I've been asked to describe to you the state of religious freedom in Azerbaijan. Let me illustrate by an example. A congregation of moderate Shia Muslims is meeting one morning for worship. They have been told that for them to meet together is illegal under the laws of the State, because they have not agreed to become part of the State muftiate – they want to remain independent. The State has ordered them to leave the ancient mosque they rescued from its Soviet fate as a carpet museum, and has threatened violence in removing them. The mosque's leader, a charismatic young imam who is a well-known speaker at human rights conferences across Europe, has publicly committed the congregation to non-violent resistance. If the police come, he says, "We will meet them with flowers."

As it happens, there is not enough time to hand any flowers to the police. They burst in during the morning prayer and immediately begin to beat the mosquegoers. The young imam remains in prayer position on the floor, not returning the blows, while exhorting the congregation not to fight back. Eventually all of the mosquegoers are dragged out of the mosque.

In the subsequent crackdown, religious believers are arrested when they attempt to visit the mosque, or in their own homes. The State first attempts to impose a new imam not chosen by the mosque congregation. When the state authorities realize that only the imposed imam's bodyguards will pray with him, they give up – the mosque is closed "for repairs."

This is the story of the Juma Mosque congregation and its imam, Ilgar Ibrahimoglu Allahverdiev, whom The Becket Fund is privileged to represent in their lawsuit against Azerbaijan in the European Court of Human Rights. Unfortunately this story is an all-too-common one in Azerbaijan today, and that is why this story and the other stories of religious oppression in Azerbaijan must be heard.

Thus I think the best way to characterize the state of religious freedom in Azerbaijan is: bad, and getting worse quickly. On an almost daily basis, there are new violations of the most basic elements of religious freedom – mosques and churches shut down, believers beaten, those who resist state-imposed religious conformity jailed. If it remains on its current path, the government of Azerbaijan will have eliminated religious freedom entirely within a few years.

But this need not be. With some pressure from the international community – and specifically from the United States government – I think it is very likely that many of the most egregious intrusions into the realm of religious freedom could be avoided. Azerbaijan is sensitive to how it is perceived by the outside world, both because it is dependent on countries like the United States for defense and for diplomatic leverage against larger neighbors like Russia and Iran, and because it values its role in international institutions like

the Council of Europe, which many Azeris see as a stepping stone to eventual membership in the European Union.

However, the leaders of Azerbaijan will not change course and begin treating religious freedom as a fundamental human right, unless other countries and international organizations make clear that they support religious freedom as a matter of the utmost importance. This is because the experience, ideology, and political interests of these leaders all tell them that the only way to deal with religious people and religious beliefs is to suppress them.

As in many post-Communist countries, Azerbaijan's leaders are not quite sure what to do with religion. As secularists who shared in power under the old, officially atheistic regime, these leaders understand religion as the "opiate of the masses" – a dangerous and destabilizing ideology of ultimately irrational thought that must be controlled by the state. And in keeping with this idea of faith-as-narcotic, they attempt to suppress believers – religious addicts, if you will – the only way they know how: top-down command and control.

What is happening in Azerbaijan today should thus be viewed as the resurrection of the worst methods of the Soviet Union's suppression of religious belief. The Soviets used three primary methods in Azerbaijan. First, most houses of worship and other religious institutions were demolished or closed. During the Soviet period in Azerbaijan, only 16 of the 2000 pre-Soviet mosques remained open. The Cathedral Mosque of Baku, the Juma Mosque, was turned into a carpet museum, while most other mosques were torn down. All 800 religious schools were closed. Many churches were also shut down.

Second, those religious institutions that were allowed to survive were forced to become zombie mosques and churches – alive but deadened by the close supervision of a state-controlled religious umbrella organization. During the Soviet period, all Muslims in Azerbaijan, both Shia and Sunni, were placed under the control of the Spiritual Board of Transcaucasia, founded in 1944 by Stalin. This Board controlled everything that went on in the few mosques that remained open. The Russian Orthodox Church was, as is well known, also placed under the complete control of the State.

Third, the Soviets suppressed all public manifestations of religious belief and other forms of religious expression, including the printing of religious texts, and especially proselytization. Any non-official religious activity resulted in jail time or worse. The Azerbaijan government is now resorting to all three Soviet methods – closure, a state-controlled religious hierarchy, and suppression of all "unofficial" religious expression – mainly because it thinks that countries like the United States won't notice or what's worse, won't care.

The most notorious example of the neo-Stalinist approach to religion in Azerbaijan is the government's campaign against the Juma Mosque. The Juma Mosque, built in the 15th century, is one of the few ancient Azeri mosques that Stalin did not tear down. But as I mentioned, the authorities did turn the Juma Mosque into a carpet museum. In 1991, after Azerbaijan had gained its independence from the Soviet Union, then-President Elchibey decreed that all former mosques should be restored to their original, religious functions. A group of Muslim believers began worshipping in the Juma Mosque at that time and registered themselves as a "religious organization" under the law, once with the Baku city government, and once with the Ministry of Justice. Then, for 12 years, the members of the Juma Mosque congregation were allowed to worship in peace.

That peace was broken last year. In October, presidential elections were held that most international observers said were clearly rigged to elect Ilham Aliyev, the son of the former president (and former Soviet Politburo member) Heidar Aliyev. After the elections, there was rioting in Baku because of the perceived injustice of the election. The state authorities seized upon this opportunity to round up everyone they thought might be a political rival to the state. Among their targets was Imam Allahverdiev, who though able to take refuge in the Norwegian Embassy during the immediate post-election roundup, was eventually arrested in December and held without charges in Baku's notorious Bayil prison.

The Imam languished in prison for several months and then, in a trial convened with almost no notice, was convicted of inciting a riot, on the basis of obviously conflicting (and probably coerced) testimony. The five year sentence imposed by the court was, however, immediately suspended due to international pressure, including observers from the American and Norwegian embassies who were present at the trial. This sentence is now on appeal in the Azerbaijani courts. If, as I think is likely, the domestic courts do not overturn the conviction, we will almost certainly bring an appeal to the European Court of Human Rights.

While the campaign against Imam Allahverdiev was going on, the state authorities mounted a parallel attack on the Juma Mosque congregation itself. The Baku city government claimed that because the Juma Mosque congregation was not registered with the Caucasus Muslims Board – the direct successor to Stalin's Spiritual Board of Transcaucasia – it had no right to operate as a religious organization within the Juma Mosque. A government agency moved a Baku district court to evict the Mosque, and the court complied. This decision was upheld by the Appeals Court of Azerbaijan, and is currently on appeal to the Supreme Court.

The authorities waited for several months after receiving the eviction order to carry it out. Finally, on June 30, acting on the basis of this unlawful eviction order, the police raided the mosque. As the story I related earlier shows, the authorities used all three of the Soviet methods to suppress the Juma Mosque congregation: the mosque has now been closed; the congregation has been relegated to illegal, homeless, status because it refuses to become part of the State muftiate; and the mosque's believers have been jailed for expressing their support for the imam they chose.

Other religious groups have been the victims of Soviet methods as well. In May of this year, two Seventh-Day Adventist pastors were fined for "illegal preaching" in the cities of Gyanja and Sumgayit. Pastor Khalid Babaev, the pastor fined by the Sumgayit police, had previously been driven out of Nakhichevan province because the police refused to investigate death threats made against the pastor. In addition, Adventist congregations have been denied state registration, making all of their religious activities, according to the authorities, illegal.

Perhaps the religious group that has been hit the hardest by the state authorities are the Baptists. Baptist churches are routinely threatened by local police, including "visits" during worship services. Pastors who travel from church to church preaching are often detained by police officers. Only three Baptist congregations have been able to get state registration. In April 2002, the Eternal Love Church, Baku's Azeri-language Baptist congregation, was shut down by the State Committee for Affairs of Religious Organizations (the "SCARO"). The Eternal Love Church's pastor, Sari Mirozyev, was banned from preaching and subjected to a harsh media campaign. In addition, the SCARO prohibited Baptist churches from importing 50,000 Azeri-language New Testaments into Azerbaijan, leaving rural congregations without access to Scripture. Thus the Baptists, like the Adventists and the Juma Mosque congregation, are victims of Azerbaijan's neo-Stalinist disregard for religious liberty.

So what can we, sitting here in Washington, do? I think quite a lot. First, the United States government should unequivocally and publicly condemn the Azerbaijan government's activities directed at suppressing and controlling Muslims, Baptists, and Seventh-Day Adventists. Thus far the United States government has been sending a mixed message to Azerbaijan – concern about the government's campaign against the Juma Mosque, but not condemnation. Unfortunately such subtleties will be lost on the government and the press in Azerbaijan. Only a clear public condemnation of the suppression of religious liberty will result in action by the government of Azerbaijan.

The second thing some of us here in Washington can do is bring individual pressure to bear on the Azerbaijan government. I can assure you that every Member of Congress who brings their concerns about religious liberty in Azerbaijan to the attention of the Azerbaijan government will be taken very seriously. Azerbaijan has sought the help of many in Congress, both in dealing with Azerbaijan's conflict with Armenia, and in obtaining financing

for development projects in Azerbaijan. A single letter or visit from a Member could by itself have an immediate impact on the state of religious liberty in Azerbaijan.

The third thing we can do is make the Azerbaijan government aware of the potential effect of the International Religious Freedom Act of 2000, commonly known as "IRFA," on their activities. Azerbaijan's recent activities clearly bring it within the scope of "country of particular concern" designation under IRFA, resulting in the possibility that the United States might impose sanctions on Azerbaijan. Designation as a country of particular concern would have a number of other immediate effects in Azerbaijan: its credit rating would be harmed, our cooperation on its defense issues would likely be endangered, and it would suffer the diplomatic disaster of being grouped with countries like North Korea, Sudan, and Iran. There are compelling reasons for nations to avoid designation as countries of particular concern, and pointing out the risk of CPC designation to the government of Azerbaijan would likely have a significant influence. At the very least, Azerbaijan should be placed on the "watch list" for CPC designation.

Some might argue that to speak out on religious freedom in Azerbaijan would harm the United States' other geopolitical interests in Azerbaijan, including Azerbaijan's huge offshore oil and gas reserves, and its strategic position between Russia and Iran and between Turkey and Central Asia. Yet our geopolitical interests will be advanced, not harmed, if there is greater religious liberty in Azerbaijan. It is fundamentally in the geopolitical interests of the United States that a moderate Muslim country like Azerbaijan remain moderate. If religious belief and expression is forced underground by the government, it is highly likely that Iran's influence on Shia Muslim believers in Azerbaijan would increase exponentially. If Azerbaijan is destabilized or, even worse, taken over, by Iranian-style Islamic militants, American interests will surely suffer. It would cede control over yet another important source of energy resources to those who hate our way of life.

Even more importantly, it is fundamentally in the interests of the United States, as a nation that loves liberty, to see the first freedom that our nation was founded upon – religious liberty – protected in other countries. If it becomes the rule in the rest of the world that religious activity is something to be managed by the State – rather than something the State must respect – we will feel the repercussions here in the United States.

To conclude, I think it is fair to say that the situation of religious freedom in Azerbaijan is dire but not hopeless. If the international community, and especially the United States, makes it clear to Azerbaijan that respecting religious liberty is the price it must pay to enter the ranks of the developed nations, the Azerbaijan government will respond. On the other hand, if we do nothing, the two most likely outcomes are neo-Stalinist repression or a takeover by Islamic militants.

The Becket Fund intends to continue pressing the government of Azerbaijan to honor the right to religious freedom of the Juma Mosque congregation, Imam Allahverdiev and other believers in Azerbaijan, both before the European Court of Human Rights, and in other legal fora. Ultimately, however, the protection of religious liberty will be a matter of political will, here, in other countries, and in Azerbaijan.

Thank you.

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Twenty-seven Juma mosque members detained

By Felix Corley

Forum 18 (07.07.2004) / HRWF Int. (08.07.2004) - Email: info@hrwf.net - Website: <http://www.hrwf.net> -- In the week since police and court executors seized the Juma

(Friday) mosque in Baku's Old City from its Shia Muslim congregation, a total of 27 community members have been detained, most of these have been fined and four have been beaten in custody, the mosque's imam Ilgar Ibrahimoglu Allahverdiev told Forum 18 News Service from the Azerbaijani capital on 7 July. "The mosque is under a police gendarme regime. We have been deprived of the right to meet collectively in God's house," he complained. Coming to the support of the Juma mosque community are Baptist leader Ilya Zenchenko and Adventist leader Yahya Zavrishko. "I'm indignant about the police action," Pastor Zenchenko told Forum 18 on 7 July. "The seizure of the mosque was unjust and a violation of their rights." Pastor Zavrishko agreed. "It is my personal view that the police's action was over-harsh," he told Forum 18 on 7 July. "Religious communities have the right to function without state registration."

Again on 7 July Forum 18 was unable to reach anyone in the Juma mosque offices, which are under the control of Imam Surkhai Mamedov of the Caucasian Muslim Board. He and his colleagues were installed by the police on 30 June when the mosque was raided and the community expelled. On 7 July, Forum 18 was also unable to reach Rafik Aliev, the head of the State Committee for Work with Religious Organisations. His assistant said he had already left for the day and said he had no mobile telephone.

Police stormed the mosque on 30 June to implement a March court order depriving the community of the building. However, the community - which is independent of the Muslim Board - overwhelmingly rejected Imam Mamedov. After allowing the community limited access to the prayer hall for prayers in the next few days, police then detained Ibrahimoglu's colleague Imam Adil Huseinov as he began evening prayers on 4 July. Eyewitnesses told Forum 18 that the police did not take off their boots and continued to carry sidearms in their holsters, and as they cleared the Muslims from the prayer hall they used "foul language" and manhandled community members. Police then sealed the building entirely to the original community.

Ibrahimoglu reported that police pressured those detained to sign statements that they would no longer attend the mosque. He said a few did sign, but when the remainder refused the police ordered them to pay fines of 50,000 manats (70 Norwegian kroner, 8 Euros or 10 US dollars). "They were forced to pay, otherwise they would not be released, but only the court has the right to fine people, not the police," he told Forum 18. "Nor did the police give them receipts. This is economic pressure on believers, on top of the other pressures." He said they were all warned that if they come to the mosque again they will face heavier fines.

Ibrahimoglu was particularly offended that eleven of those arrested were women, detained and interrogated for one and a half hours at the Sabail police station on 5 July. Accused of holding an "unsanctioned religious meeting" they were fined under Article 299 of the Code of Administrative Offences, which punishes "violation of the regulations relating to the creation and functioning of religious communities".

It is an insult to arrest Muslim women," he complained.

Ibrahimoglu said no community members are currently being held because he has instructed his community not to attend the mosque as long as the police remain in control of it. He added that his religious freedom organisation Devamm has received some 500 complaints from community members about the police actions and that the community will be seeking redress through the courts.

Despite international human rights agreements that Azerbaijan has signed, which guarantee believers the right to choose their own religious leaders without state interference, Article 9 of Azerbaijan's 1997 religion law requires Islamic religious organisations to be subject to the Caucasian Muslim Board. The Juma mosque community rejects this stipulation, arguing that it conflicts with international religious freedom norms.

Robin Seaward, acting head of the Baku office of the Organisation for Security and Cooperation in Europe (OSCE), said his office is monitoring developments at the mosque closely. "We do have an interest in it and we are concerned," he told Forum 18 from Baku on 7 July. "We are concerned that religious freedom and freedom to exercise one's faith is preserved in Azerbaijan. Religious freedom is an absolutely fundamental human freedom and one of the main OSCE principles without which it is impossible to build a democratic society."

Source: <http://www.forum18.org/>

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Police seize imam and three others during mosque prayers

By Felix Corley

Forum 18 (05.07.2004) / HRWF Int. (05.07.2004) - Email: info@hrwf.net - Website: <http://www.hrwf.net> -- Police stormed into the embattled Juma [Friday] mosque in Baku's Old City during prayers yesterday evening (4 July) and seized imam Adil Huseinov and three other community members as they were praying. "As soon as imam Huseinov began to lead the community in prayer the police stormed in, grabbed him on both sides and took him outside to a car and drove him away," Ambassador Steinar Gil of the Royal Norwegian Embassy, who witnessed the detention, told Forum 18 News Service today (5 July) from Baku. "The start of prayers was apparently the signal for the police to move in - they seem to have been instructed not to allow him to lead prayers." This police action is seen by Muslims as particularly offensive as, not only did the police fail to remove their boots and weapons, but it is also thought to be sacrilegious to interrupt anyone's prayers.

Ilgar Ibrahimoglu Allahverdiev, Huseinov's colleague and the mosque's main imam, told Forum 18 that the four were held overnight by Sabail district police where they were beaten, threatened and insulted before being released this morning. But he said police seized five other community members who arrived for Monday morning prayers and took them to the 39th district police station, where they are still being held.

No-one was available to comment on the police raids and the detentions at the State Committee for Work with Religious Organisations, which controls religious activity in Azerbaijan. Nigar Mamedova told Forum 18 on 5 July that only committee chairman Rafik Aliiev was authorised to comment and he was not in the office until 6 July.

Nor did anyone answer the phone on 5 July in the mosque office which has, since the police raid on 30 June and the forcible installation of imams loyal to the Caucasian Muslim Board, been under police guard and inaccessible to Juma mosque members.

Ambassador Gil told Forum 18 that one of the newly-imposed imams rejected by the community had led Sunday evening prayers for his 15 or so followers inside the mosque while up to 200 Juma mosque members waited patiently for them to finish. Then imam Huseinov began to lead the prayers. "The police didn't take off their boots and came in wearing sidearms, though they were not holding weapons or truncheons in their hands." Muslims regard entering mosques wearing shoes or carrying weapons as offensive.

Ambassador Gil said the community - which has rejected a court decision to oust them from the historic mosque they have been using for the last twelve years and has rejected new imams being imposed on them with the backing of the police - was "very dignified and disciplined". "They didn't allow themselves to be provoked and left very quietly after the police seized their imam."

Also witnessing the Sunday evening detentions was Robin Seaward, acting head of the Baku office of the Organisation for Security and Cooperation in Europe.

"Speaking as a religious freedom and human rights advocate I can declare that there is no religious freedom in Azerbaijan," Ibrahimoglu told Forum 18. He particularly objected to the arrest taking place during prayers and by police wearing boots inside the mosque.

He said between fifty and 200 police have encircled the mosque and they refused to open it up to allow the community to celebrate morning prayer. "Those held overnight were threatened that they will be arrested if they visit the mosque again," he reported. "This is a police regime. The house of God no longer exists."

The authorities have long disliked imam Ibrahimoglu, known for his defence of the religious freedom of Christians and Muslims and the mosque community, which insists on functioning independently of the Caucasian Muslim Board. The Sabail district court on 1 March ordered the community out of the 1000-year-old Shia mosque and the appeal court upheld the expulsion on 22 April. Court executor Nuridin Mustafaev told Forum 18 in April that expelling the Muslims from their mosque would be "unpleasant" but that he is obliged to carry out court orders.

Source: <http://www.forum18.org/>

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Police storm mosque, expelling and beating-up Muslims

By Felix Corley

Forum 18 (30.06.2004) / HRWF Int. (01.07.2004) - Email: info@hrwf.net - Website: <http://www.hrwf.net> -- In what members of the Juma mosque community describe as "a terrible day" and "a return to Soviet practice", dozens of police officers this morning (30 June) stormed their mosque in the Old City of the capital Baku, beat the members inside and forcibly evicted them from the building. Forum 18 News Service has learnt that after some 700 mosque members arrived in a show of support for their embattled imam Ilgar Ibrahimoglu Allahverdiev the police were forced to allow the members back in for the 2 pm prayers.

Community members also refused to accept a new imam the Caucasian Muslim Board - to which the mosque is not subject - is trying to impose. "This was a terrorist action," human rights activist Eldar Zeynalov told Forum 18 from Baku on 30 June. "The community has challenged its court-ordered eviction at the European Court of Human Rights, so the government should wait for its judgment before taking any action. I see no urgent reason to expel the community now."

Ibrahimoglu told Forum 18 the police arrived at about nine o'clock in the morning to "storm" the mosque. He said the police beat him, his brother Najaf and another activist Seymur Rashidov, as well as some 20 other members present at the time. Najaf Allahverdiev told Forum 18 some of those beating the mosque members were in civilian clothes. "They caused destruction, turning things over and taking Ilgar's computer," he reported. He said police then expelled all the mosque members from the building.

As hundreds of the mosque's members gathered outside the building, diplomats from the Royal Norwegian, the United States and British embassies arrived, as well as an official of the Baku office of the Organisation for Security and Cooperation in Europe. Under pressure of numbers the police were forced to allow them in again.

"I saw the police at about 9 am as I was arriving for work," Ambassador Steinar Gil of the nearby Royal Norwegian embassy told Forum 18 on 30 June. He said he had seen some forty policemen outside the mosque, with more inside he could not see. The police were armed with the usual sidearms and were without truncheons. "I didn't see any violence except a little pushing as the police drove the crowd back. Members of the community behaved very calmly and with restraint, doing nothing to provoke further violence." He said he had spoken to one mosque member who had told him he had been beaten, though without "excessive brutality".

Ibrahimoglu told Forum 18 that the Caucasian Muslim Board's nominee to run the mosque, Imam Surkhai, then arrived with a handful of supporters. "I allowed him to address the community, but the believers refused to support him as their imam. They were able to choose and chose me." He said Surkhai then left and prayers took place.

He said about 4 pm the police came in again and ordered the community out again. "To avoid any incidents I told them to leave and to come back for evening prayers at 8 pm." The authorities have long disliked imam Ibrahimoglu and the mosque community, which insists on functioning independently of the Caucasian Muslim Board. The Sabail district court on 1 March ordered the community out of the 1000-year-old Juma mosque they regained for worship in 1992.

The appeal court upheld the expulsion on 22 April. Court executor Nuridin Mustafaev told Forum 18 in April that expelling the Muslims from their mosque would be "unpleasant" but that he is obliged to carry out court orders.

In a related case, Ibrahimoglu himself was only freed from prison on 2 April after being jailed and then given a five-year suspended sentence imposed in retaliation for his work as the mosque's imam and his religious freedom and human rights campaigning for Christians and Muslims.

Court officials seeking to enforce the expulsion order interrupted Ibrahimoglu as he was leading prayers on 22 June. "Having entered God's temple without observing the necessary hygiene rituals, they came up to me in the presence of the believers during the prayer when I was reading the Holy Scripture, wanting to interrupt my prayer," Ibrahimoglu told Forum 18 on 25 June. "But I told the officers not to hinder me while I was performing the prayer in God's temple. If anyone wants to address me, he should wait till I finish." The officials then left.

On 23 June the community sued those officials for interrupting the prayer. "The believers are indignant that the officials who entered God's temple did not observe the necessary hygiene rituals and by doing so insulted believers' religious feelings," Ibrahimoglu told Forum 18. He said they also sent a complaint to the Ministry of Justice about the "illegal" actions of their officials.

Forum 18 could find no state official immediately prepared to discuss the storming of the mosque. Court executor Mustafaev was out on "work-related business", one of his colleagues told Forum 18 on 30 June. She declined to comment, saying that he was handling the Juma mosque case.

Faiq Gurbanov, head of the human rights department of the Justice Ministry told Forum 18 on 30 June that he was at a meeting away from Baku and said he would have to find out about the raid. "I can't answer on this until I have checked up through my own sources." However, he stressed that court executors were required to enforce court orders. "This is not about freedom of religion, freedom of speech or freedom of assembly," he insisted. He dismissed reports of police violence. "The police would not get involved in that." He stressed that if the mosque members have any complaints they can take up the issue through the courts.

Later, a spokesman for the justice ministry, Hussein Alikhanov, told the BBC that worshippers at the mosque were warned repeatedly to vacate the premises. "But they refused to do this... so this morning we carried out the decision of the court. There was no force and no violence used and we did not beat up any one."

Ambassador Gil told Forum 18 he believes the authorities will have learnt from the response of the Juma mosque's members. "I think the authorities realise they should not go too far in preventing believers from attending prayers in their mosque and that trying to install a replacement imam against the wishes of the community was a failure."

Zeynalov, who heads the Baku-based Human Rights Centre of Azerbaijan, believes the authorities are intent on sending a warning signal to Muslims who want to function independently. "The government would like to terrorise religious communities that don't want to be subject to the authority of the Caucasian Muslim Board."

Ibrahimoglu said the community was upset that once again the police had come into the mosque without respect, storming in while wearing boots. He said that police officers repeatedly threatened that he would be arrested under the terms of his suspended sentence. But he insisted that despite the police brutality the mosque members will continue their firm stand of refusing to react with violence. "I told the believers not to respond to the provocations."

Source: <http://www.forum18.org/>

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Senior official "slanders Adventists"

By Felix Corley

Forum 18 News Service (09.03.2004) / HRWF Int. (10.03.2004) - Email: info@hrwf.net - Website: <http://www.hrwf.net> - The leader of Azerbaijan's small Adventist church has described as "an absolute lie" accusations by the country's senior religious affairs official, Rafik Aliev, that the pastor forced to flee the exclave of Nakhichevan had tried to bribe local people to convert. "This is slander," Pastor Yahya Zavrichko told Forum 18 News Service from the capital Baku on 9 March. "He accuses Pastor Khalid Babaev completely without foundation. We should take him to court." Zavrichko also rejected Aliev's claims that the Adventist relief organisation ADRA was engaged in covert proselytism. A spokesman for the embattled Juma Mosque in Baku's Old City rejected another of Aliev's recent broadcast claims that the International Religious Liberty Association (IRLA), a group that defends religious liberty for all with membership from a variety of faiths, is an Adventist organisation funded by United States "special services".

Aliev, the chairman of the State Committee for Work with Religious Organisations, made the accusations against Pastor Babaev and against ADRA in an interview with the pro-government private television station Azad Azerbaijan TV on 5 March. His accusations came in response to strong criticism on 4 March from the US State Department and the US Helsinki Commission of moves to oust the Muslim community from the Juma Mosque and the refusal of the Nakhichevan authorities to register the local Adventist congregation and protect Pastor Babaev from death threats.

Forum 18 tried to reach Aliev on 9 March to find out why he had made such unconfirmed allegations about Pastor Babaev, ADRA and IRLA, but he was not at the State Committee, while a man answering his telephone in his office at the organisation Irshad, who did not give his name, said Forum 18 had got the wrong number.

Idris Abbasov, head of the local branch of the State Committee in Nakhichevan confirmed to Forum 18 on 9 March that he had not discussed the difficulties of Nakhichevan's Adventist community with Aliev since early January and that he had not passed on to Aliev any allegations that Babaev had been attempting to buy converts. It remains unclear where Aliev obtained his information.

The TV broadcast quoted Aliev as declaring that ADRA, "which is involved in popularising Adventism, is planning to increase the number of its community at all costs". Saying that this is against the law, Aliev said these attempts "would be decisively thwarted". It is not the first time that Aliev has accused ADRA of trying to convert local people, charges ADRA has repeatedly denied.

Zavrichko insisted that while ADRA is the relief arm of the Adventist Church, it is a completely separate organisation that solely provides aid to people in need regardless of their faith. "ADRA does not get involved in attracting people to Christianity," he declared. "People shouldn't mix up the Church with the charity - they are different organisations."

Seymur Rashidov, a spokesman for the Juma Mosque community, which is about to lodge its appeal against the court decision to taken away from it the building it has been using for the past twelve years, has complained of a "new misinformation campaign". "By saying that IRLA is an Adventist organisation that receives money from American special services he wants to create a negative impression in society," he told Forum 18 on 9 March. "It is very sad to hear these slanderous statements against believers and against the well-respected IRLA, especially from a high government official."

Rashidov described Aliev's claims as "consumed with hatred towards believers", describing him as one of the "main fighters against missionary work".

The Juma Mosque's imprisoned imam, Ilgar Ibrahimoglu Allaverdiev, is secretary general of the Azerbaijan chapter of IRLA.

Zavrichko too insisted that while IRLA was originally founded by Adventists more than a century ago, its charter specifies that it is open to people of all faiths. "I don't understand why Rafik Aliev, a senior government official, is making such accusations. It's very sad."

Meanwhile, Abbasov insisted that the Adventist community in Nakhichevan cannot function on a regular basis without registration, although he was unable to tell Forum 18 which article of the country's religion law specifies that state registration is compulsory before a religious community can meet for worship.

He claimed that his office had rejected the Adventists' registration application because the proposed statute was "illiterate", that the community did not have the approval of the Nakhichevan city administration and that it did not have an identification number from the statistical office. "When they submit a correct application, we will register them within the prescribed one month period," he declared. "Until then they cannot meet on a regular basis."

Despite earlier promises to Forum 18 that he would investigate the death threats that forced Pastor Babaev and his family to flee from Nakhichevan, Abbasov said he could not get involved because the community is not registered. "I have no right to get involved," he claimed. "I can only work with organisations that have undergone registration."

Zavrichko told Forum 18 that he now believes the unidentified men that threatened Pastor Babaev were from the National Security Ministry. "We are people with no rights in Nakhichevan," Zavrichko complained. "There is no guarantee that if Khalid returns he won't be driven out again, and if we send someone new as leader they too could be kicked out."

He said the congregation, which is mainly made up of elderly women, is now too frightened to meet for worship.

Source: <http://www.forum18.org/>

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Adventist pastor flees serious death threats

By Felix Corley

Forum 18 News Service (01.03.2004) / HRWF Int. (02.03.2004) - Email: info@hrwf.net - Website: <http://www.hrwf.net> -- Adventist pastor Khalid Babaev and his family have been forced to flee from the Azerbaijani exclave of Nakhichevan (Naxçıvan) after police refused to protect them in the face of repeated threats from unknown local people. "The family fled late on Friday night in fear," Yahya Zavrishko, head of the Adventist Church in Azerbaijan, told Forum 18 News Service from the capital Baku on 1 March. Yet Idris Abbasov, head of the Nakhichevan branch of the State Committee for Work with Religious Organisations, refused to comment on the case to Forum 18 on 1 March saying he had no information, although Babaev had informed him of the threats. "These are difficult days at the moment with Ashura," he added, referring to the commemoration by Shia Muslims of the martyrdom of Imam Husayn, grandson of Islam's prophet Muhammad, when passions often rise. "I have been too busy to look into the case." Babaev is the second Adventist pastor driven out of Nakhichevan in recent years.

In mid-February the Babaev family first received threats from a telephone caller who did not give his name. The same caller rang again on 24 February, repeating the threats "with obscene words". "I will come and take your soul!" Babaev quoted him as shouting. "I will gather a crowd and drag you from here!" Later that evening there was another threatening call. The following day, five men - one of whom introduced himself as a driver named Jamil (last name unknown) - appeared at the gate of Babaev's house and threatened to gather a mob of people to kill him or drive him out. Police refused to help Babaev or even accept a statement from him about the threats. They also refused to discuss the threats with Forum 18.

Babaev, his wife and their young son had then stayed the night elsewhere, fearing to remain in the house, which doubles up as the church. Zavrishko told Forum 18 that neighbours told Babaev that on 27 February five men had again come to the house. It was that night that they decided to flee Nakhichevan.

Zavrishko reported that Babaev and his family have taken refuge in the country's second city Gyanja (Gänca). "I don't know if they'll be able to return to Nakhichevan. We don't know if it is safe." He said the small community there of some 17 Adventists is now unable to meet for worship and could hold no service last Saturday, the Adventists' holy day. "They're frightened," he told Forum 18.

Babaev wrote to Azerbaijani president Ilham Aliiev on 25 February, informing him of the way police refused to protect him and calling on the president to protect his constitutional rights as a citizen of Azerbaijan. Zavrishko told Forum 18 there has been no response from President Aliiev so far. "We are hoping for a presidential response - and for a better decision locally. We are praying for this."

Abbasov once again affirmed to Forum 18 that everyone in Azerbaijan enjoys the right to freedom of conscience and freedom to practice their religion. He described it as "impossible" for anyone to drive out other residents of Nakhichevan and said there is religious tolerance in the exclave. However, he withheld all comment on Babaev's case until after his office has

been able to look into it. "I asked my assistant to investigate this and will let you know," he pledged. He gave unclear answers as to whether he had contacted the police to discuss the threats.

A previous pastor of Nakhichevan's Adventist church, Vahid Nagiev, was deported with his family from the exclave in June 2002, although Azerbaijani law has no provisions for internal deportation. The Nakhichevan church (like many Protestant congregations across Azerbaijan) has been denied state registration.

Yet Abbasov rejected any suggestions that the authorities or residents did not want Adventists in Nakhichevan. "I don't know that there are people here who hate others for religious reasons," he told Forum 18.

Zavrichko said that the threats against Babaev and the forthcoming trial of the imam of Baku's Juma mosque, Ilgar Ibrahimoglu, are due to be discussed on 2 March at a meeting in Moscow of the regional branch of the International Religious Liberty Association. A separate case to confiscate the Juma mosque from its Muslim community began in court in Baku on 1 March after a preliminary hearing on 25 February.

Source: <http://www.forum18.org/>

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"Traitor" for being Christian?

By Felix Corley

Forum 18 News Service (12.02.2004) / HRWF Int. (17.02.2004) - Email: info@hrwf.net - Website: <http://www.hrwf.net> -- A senior local official in the south-eastern town of Neftchala (at the mouth of the river Kura) has promised to help the local Baptist congregation end harassment from the local police. Baptist leaders have told Forum 18 News Service that Telman Aliev, who has served as the congregation's pastor since last May, is regularly abused and threatened by the local police when he visits the town to lead services. But Alatin Rzayev, aide to the head of the district executive authority of Neftchala district, told Forum 18 from the town on 12 February that he is committed to resolving the problems. "We'll summon the policemen and ask them why they are doing this to the church," he declared. "They shouldn't have such difficulties."

Ilya Zenchenko, head of the Baptist Union in Azerbaijan, reported that the deputy head of the Neftchala police, Gorkhmas Asadov, has regularly summoned, threatened and insulted Aliev, most recently in early February. "He threatened to drive him out of the town, ban him from visiting and insulted him as a 'traitor' for having adopted Christianity," Zenchenko told Forum 18 from the capital Baku on 12 February. "The authorities are putting systematic pressure on the congregation and on Aliev. They want to break him morally and stop him coming to preach in the church."

Zenchenko recounted that when he visited the Neftchala church to lead the Sunday service with Aliev on 28 December, Asadov and the local policeman Arif (last name unknown) arrived during the service. "It was good that I was there, otherwise they would have broken up the service," he declared. "Asadov spoke to me politely - he was all smiles." Zenchenko said that twice before that service and at least twice afterwards Aliev has received police threats.

However, Asadov from the police vigorously denied he had threatened Aliev or the church. "There are no problems. There were no threats," he asserted to Forum 18 on 12 February. "Let Telman Aliev come and lead the church, but it must have registration. Let them register

where they meet and then continue their activity. I've explained to him what documents he needs to have." Asadov claimed that without such registration, the church's activity is illegal under the country's religion law (although the religion law does not impose compulsory registration which would, in any case, be illegal under Azerbaijan's international human rights commitments).

Rzayev of the district executive authority also maintained that the church needs registration in order to function. "They don't need registration to be able to meet, but they do in order to function," he maintained. "That's why we force even the Muslims to register." Challenged on his interpretation of the religion law, he declared: "I'm not an expert on this - we have a special department that covers social, political and religious activity. We also have officials from the Committee for Work with Religious Organisations that come here every month and ask us how many registered and how many unregistered religious communities are functioning."

The Neftchala Baptist church consists of about fifteen elderly women, Zenchenko reports.

"We want to register the congregation," he insisted.

The Baptist church has throughout Azerbaijan had great difficulty registering its congregations with the State Committee, which has been in charge of such registration for the past three years. Only three of its congregations (in Baku, Sumgait [Sumqayıt] and Gyanja [Gəncə]) have been able to gain registration.

Last year the state notary in Aliabad in the northern Zakatala (Zaqatala) district told local Baptists that he would not register their signatures on the application as he could not allow a Baptist church to exist in the area. The Aliabad congregation has been seeking registration in vain for more than a decade. "The congregation can meet without too many problems at the moment, the police have been busy with other things lately," Zenchenko reported. "But now they will have to start the registration process all over again."

The State Committee has continued to ignore the application from the Eternal Love Church, Baku's Azeri-language Baptist congregation. Committee chairman Rafik Aliev had the church closed down by court order in April 2002 after alleging that the pastor, Sari Mirzoyev, had insulted Islam. Mirzoyev was "banned" from preaching and subjected to a harsh media campaign. "First the chairman was away on holiday, then he was on a work trip to Iran, then President Aliev died," Zenchenko told Forum 18. "There's always some excuse why they won't handle the application. There are other congregations too we would like to register, but it's a question of time and nerves."

Nor can Zenchenko register the Baptist Union as a separate legal entity. The Union held the formal founding meeting on 25 October 2003 and submitted the application. After several months of inaction, in early February Rafik Aliev wrote Zenchenko a two-page letter demanding changes to the Union's statute and making other recommendations. He has often objected to Zenchenko speaking on behalf of all the country's Baptist congregations, declaring that each one should make its own representations.

Reached by telephone on 14 February, Zemfira Rzayeva, head of the registration department at the State Committee, declined absolutely to answer Forum 18's questions about the Baptists' registration difficulties. "I have given you information before and you have distorted it," she declared. "You publish completely inaccurate information." She declined to specify what inaccurate information Forum 18 had published and put the phone down.

In addition to the registration problems and the threats in Neftchala, Zenchenko reports that other smaller congregations have been threatened by the local police, including those in Kusari (Qusar) district of northern Azerbaijan and in the village of Ititala in Balakan

(Balakän) district in the north-west. "They are trying to force them to abandon their Christian faith," he claims.

The State Committee, which by law carries out the compulsory prior censorship required of all religious literature, has refused to allow the Sumgait Baptist congregation to import 50,000 copies of the New Testament in Azeri into the country. Rafik Aliev initially responded saying they could import only 2,000 copies, a concession the Baptists have rejected. When the Baku Baptist congregation applied to import the remaining 48,000, Rafik Aliev wrote back on 25 December to say his committee had already approved the import of 2,000 copies and that was enough for all. "It was a very bad Christmas present," Zenchenko told Forum 18. He said the twenty or so rural congregations of the church will be deprived of "spiritual nourishment" because of the ban.

Zenchenko said he wrote again to Rafik Aliev in early January asking again for permission and asking Aliev to explain the legal basis as to why copies of a Holy Book have been denied entry to the country. "I asked him to explain why if the Bible is not banned he is limiting the number of copies allowed into Azerbaijan."

The Baptists are also upset over Aliev's recent remarks on television that their church in central Baku, confiscated by the communist authorities, will not be returned and will be turned into a museum. Zenchenko likened this to the plans to turn the Juma mosque in Baku's Old City into a carpet museum, in what many people believe is an attempt to crush the Muslim community led by imprisoned imam Ilgar Ibrahimoglu Allahverdiev. The Baptists have been prominent in their solidarity for Ibrahimoglu, pointing out that his arrest "testifies to the intentions of the authorities to restrict even further the religious freedom not only of Baptists but of all believers in Azerbaijan".

Forum 18 tried on 12 February to reach Rafik Aliev, head of the State Committee for Work with Religious Organisations, but his assistant said he was out of the office.

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