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Baha'is and Baptists want confiscated property back

by Felix Corley

Forum 18 (22.11.2005) / HRWF Int. (23.11.2005) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - The Baha'i community in the capital Baku is pressing for the return of a house in the city confiscated during the Soviet anti-religious campaign which it says has key significance in the history of the Baha'is in Azerbaijan.

"This house was bought in 1880 and was confiscated in the 1930s," Ramazan Askarov of the Baha'i community told Forum 18 News Service in Baku on 19 October.

"We want it because it is the only building in the world named after Abdul Baba, the son of our prophet." As old buildings are being rapidly demolished in central Baku to make way for high-rise blocks, Askarov fears their house too could be destroyed. "This would wipe out all historical traces of the early Baha'i community here."

Similarly, the Baptist community is getting increasingly concerned about its historic church in central Baku, located close to the main railway station. "We regard it as a holy site," Ilya Zenchenko, head of Azerbaijan's Baptist Union, told Forum 18 in Baku on 19 October.

"My grandfather was among those who built the church. It's not just a property we want to get back to sell - our church wants to worship there once again."

He says it is the only historic church in Azerbaijan, as no other purpose-built churches were put up before the communists came to power.

Zenchenko said that after a fire in August, that he fears might have been started deliberately, and high-rise building next to the church which could damage it, the Baptists visited Mustafa Ibrahimov, an official at the State Committee for Work with Religious Organisations, to express their concern.

"He tried to calm us, assuring us the building is recorded as a historical monument," Zenchenko told Forum 18. "But he told us there is no law on restitution so it can't be returned."

Built in the first decade of the twentieth century, the Baptist church was dedicated in 1911 but confiscated by the Soviet authorities in 1930. Although listed as a monument, the church is now the Shafag cinema.

Visited by Forum 18, it is dilapidated and clearly deteriorating, and has been used in recent years as a computer game venue and for electrical repair businesses.

Although the Baptists acquired copies of documents from the Azerbaijan State Archive, attesting that the church was built by the community and belonged to it until its confiscation by the Soviet regime, when the community first asked for the church back in the 1990s officials denied it had ever belonged to the Baptists.

The former Baha'i house has long been a kindergarten.

"We didn't ask for it back before because of the country's economic difficulties, but now we believe the government has the capacity to move the kindergarten to another location," Askarov told Forum 18.

He says the community wants to restore the house and use it as a meeting room and as a museum of the history of the Baha'i faith in the country. "Azerbaijan is the second cradle of the Baha'i faith," he told Forum 18.

Askarov said the community began asking for the return of the house in early 2005. The Education Ministry, Culture Ministry and Presidential Office all declared that they did not own the building. The State Committee for Work with Religious Organisations wrote to the Baha'is to say that without a law on restitution it could do nothing. The community finally learned that the Economic Development Ministry owns the building and wrote to it in August.

The general department of the Economic Development Ministry told Forum 18 on 21 November that it had received the Baha'is' letter of 16 August and passed it to the Committee for Privatization of State Property.

The privatization committee told Forum 18 the same day that Hikmet Mustafaev had prepared a reply, signed by committee chairman Keram Hasanov, which was sent on 13 September, but did not know what was in the reply. But Mustafaev denied to Forum 18 on 21 November that he had drafted the letter and claimed he had no knowledge of the Baha'i building.

Askarov confirmed to Forum 18 on 21 November that his community has received no reply to its August letter, adding that the community is planning to renew its request to the ministry for the building's return.

While the Muslim and Russian Orthodox communities in Baku and elsewhere have generally been able to regain places of worship confiscated during the Soviet period, several other surviving places of worship remain in state hands. Most notable are three in central Baku: the European or Ashkenazi synagogue, now a song theatre, the Lutheran Church (Kirche), a concert hall which the Lutherans are able to use for Sunday worship, and the Armenian Apostolic church, which remains burnt out in the wake of the Armenian-Azerbaijani war of the 1990s.

Gennadi Zelmanovich, head of the Ashkenazi Jewish community, says that because many Jews have left Azerbaijan in recent years and Baku's Ashkenazi community has just finished rebuilding another synagogue it is not asking for the return of its old synagogue.

"Many people work in the theatre," he told Forum 18 from Baku on 1 November. "If we were in a position to suggest where they could go, we could apply for it back. But we're not raising the question at the moment. Let it remain a theatre."

However, Zelmanovich said if President Ilham Aliyev decided to give it back to the community and suitable alternative premises could be found for the theatre the Ashkenazi community would accept it.

The Lutherans - whose church is in the hands of the Culture Ministry - are also not unhappy. "Our church, built by the local German community, was closed down in 1936 and the practice of the faith banned," Natasha Gaidarova of the Baku Lutheran parish told Forum 18 in Baku on 18 October. "But we are happy that we can use it once again for our services." She believes the Culture Ministry would be prepared to return the building if the church asks for it, but is afraid it would be a great financial burden for the parish.

Other places of worship confiscated during the Soviet period include Baku's Catholic church. Built in 1912, the church was demolished in the 1930s and the Soviet KGB secret police's Dzerzhinsky club was later built on the site, but the priest's house next to the church still stands.

At the time of the late Pope John Paul II's visit to Baku in 2002, the then president Heidar Aliyev gave the Catholic community a plot of land to build a new church.

"This was a gesture during the pontiff's visit - I don't know how far it was compensation for the destroyed church," the head of the Catholic Church in Azerbaijan, Fr Jan Capla, told Forum 18 on 19 October at the existing Catholic church.

"If so it was very good compensation." However, he said local and foreign Catholics are paying to build the new church, whose foundation stone was laid by visiting Cardinal Crescenzo Sepe on 11 September.

Fr Capla noted that the only other known surviving Catholic church in Azerbaijan is in the north-western town of Zakataly [Zaqatatal]. Seen by Forum 18, the church is locked and in a dilapidated state. "We haven't been able to find out if there are still any Catholics in the region to see if it is worth trying to regain the church," he told Forum 18.

One place of worship confiscated by the Soviet authorities and returned to religious believers in the early 1990s was the Juma mosque in Baku's Old City, used in the later Soviet period as a carpet museum. However, after the authorities began to distrust the imam, Ilgar Ibrahimoglu Allahverdiev, and tried to insist that the mosque community subordinate itself to the Caucasian Muslim Board, they decided to expel the community from the Juma mosque and hand it over to the board. The mosque is now closed and undergoing repairs.

Amongst the other problems religious communities in Azerbaijan experience from the state is a Sunni Muslim imam being jailed.

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

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If communities do not complaint they will be suppressed even more

by Felix Corley

Forum 18 (03.11.2005) / HRWF Int. (07.11.2005) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - With an opaque and arbitrary system that has seen favored religious communities given help to register, while disfavored communities face repeated obstruction as they seek legal status, one human rights activist says those arbitrarily denied their right to register should fight for their rights publicly.

"They should challenge the denial through the courts, whatever the cost to themselves," Eldar Zeynalov, head of the Human Rights Centre of Azerbaijan, told Forum 18 News Service in the capital Baku on 17 October.

"If communities don't complain they will be suppressed even more. We have a proverb: no-one gives milk to a child that doesn't cry."

The State Committee for Work with Religious Organisations, established in 2001 and headed by Rafik Aliev, is the government agency responsible for registering religious communities. Of the estimated 2,000 religious communities in Azerbaijan, Aliev declared on Space TV on 4 April that his committee had registered 303 Muslim communities and 27 non-Muslim communities. He failed to comment on why his committee has repeatedly refused applications by communities that want registration.

Zeynalov believes any religious community challenging a denial of registration through the courts will face official retribution, but he says they should defy this and even be prepared to take their case to the European Court of Human Rights (ECHR) in Strasbourg.

Without state registration, religious communities do not have a legal personality and cannot exercise such rights as owning or renting property and holding bank accounts. Registration is not in law compulsory, but officials at all levels often act as though it is compulsory and unregistered religious communities face police raids on their meetings.

The registration application submitted by a congregation of the Assemblies of God Pentecostal church in the town of Sumgait [Sumqayit] will prove a test case. Lodged in spring 2005, it was returned by the State Committee at the end of June with numerous technical changes demanded. After the church made all these changes, the application was resubmitted in mid-September, but the State Committee has not yet responded.

One community that has faced relentless pressure from the authorities is Mehebet (Love) church, the Azeri-language Baptist congregation in Baku.

"We have applied for registration seven or eight times in the last three years," assistant pastor Yahya Mamedov told Forum 18 at Baku's Baptist church on 19 October. "Each time we are refused under various pretexts." He said the congregation lodged its most recent application at the end of 2004 but has given up for now. "Of course we want registration," he insisted, "but we're waiting for the situation to change."

State 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, charges the pastor denied. Mirzoyev was "banned" from preaching and subjected to a harsh media campaign.

Mamedov believes it is "not worth" trying to challenge the denial of registration in court. "When we were closed down three years ago there were three court hearings. They just did what they wanted and we lost." He says though that the church could take its case to Azerbaijan's constitutional court and, if it fails there, to the ECHR in Strasbourg.

By contrast, other communities the government likes – such as a group of ethnic Udi Christians who have not yet formed a church and the Molokans, a centuries old Russian Christian group – have enjoyed extensive help from the State Committee to get registration.

However, it is not just the State Committee in Baku which can obstruct registration. Local authorities, who have taken a dislike to a religious community, deploy numerous tactics to prevent applications from even reaching the State Committee.

Several other Baptist communities face registration obstruction. "Two years ago we tried to register our church," Telman Aliev, the Baptist pastor in the southern port of Neftchala, on the Caspian Sea south of Ālāt, whose congregation has existed since 1953, told Forum 18 on 19 October. "The public notary confirmed the identities of all the founders, but the State Committee didn't give registration. We now have to do it all over again."

But the local authorities now claim that the building – given to the community by the Soviet Council for Religious Affairs in 1966 – does not properly belong to it. "The other seven homes in the block have been privatised, but not ours," Pastor Aliev complains. "The mayor won't even answer our letters about this." The authorities are insisting (wrongly) that unless ownership of the building is established a registration application cannot be submitted.

Ramiz Osmanov of the Baptist congregation in Aliabad in Azerbaijan's north-western district of Zakataly [Zaqatakatal] – which holds the record for the religious community in Azerbaijan which has been denied registration for the longest period – reports no progress in their stalled application. He told Forum 18 on 19 October that Najiba Mamedova, the public notary in Zakatala region, is continuing to refuse to sign the registration application. The application, which the church submitted to her back in 2003, cannot proceed without her signature.

Mamedova angrily refused to discuss why she was refusing to sign the application when Forum 18 visited her office in November 2004 and has continued to be obstructive.

Ilya Zenchenko, head of Azerbaijan's Baptist Union (which itself cannot get registration), complained that the denial of registration to many individual congregations means that in law they have to function as branches of Baku's Russian-language Baptist congregation. "We Baptists believe each congregation is autonomous," he told Forum 18 at the Baku church on 19 November. "The bureaucratic recognition of them as branches of another congregation is not normal – it's not in accord with our structure."

Some religious communities do not even try to apply for registration, knowing it is hopeless or for fear of pressure on those who sign the registration application. Forum 18 knows of a number of such communities of a number of faiths across Azerbaijan.

The Baha'i community in the exclave of Nakhichevan [Naxçivan], wedged between Armenia, Iran and Turkey, was registered in 1997, but that lapsed with the change in the registration system in 2001. "We're not sure it will help to try to get registration again, though it is on our agenda," Ramazan Askarov of the Baha'i community told Forum 18 in Baku on 19 October. However, the community fears that giving the names of the founders in a registration application might invite further pressure on them.

Religious communities are free in law to function without registration, but a lack of registration opens them up to official suspicion and arbitrary police raids and threats. This is especially a problem in Nakhichevan and remote parts of the country away from Baku where local authorities tightly control all aspects of life.

Some religious communities choose to ignore official demands that religious communities should register. Nardaran is a traditionally devoutly Shia Muslim village of 8,000, on the Absheron peninsula north of Baku, where clashes took place in June 2002 between interior troops and police on one side and local people on the other. As of 1 August 2004 (the latest figures published by the State Committee), only one mosque was registered in the village, though several exist.

Visited by Forum 18 on 15 October, a vast mausoleum is being completed in Nardaran above the tomb of the eighth-century Imam Museyi Kazim's daughters, revered by local Shias as holy people. Below the shrine (pir) a mosque complex is being built in two sections, one for men and the other for women. "This is all being built by local people on our money," a worker at the shrine told Forum 18. "We are completely independent – we don't have permission from anyone and aren't going to seek it. But no-one has touched us." He said the shrine has no connection with the Caucasian Muslim Board, a government-sponsored body formed in the Soviet era, which the religion law requires all Muslim communities to belong to - in defiance of international human rights standards.

"Nardaran is a kind of independent area – people there are very devout and do what they want to do," Nariman Gasimoglu, an Islamic scholar and parliamentary candidate for the opposition Popular Front, told Forum 18 at the party headquarters in Baku on 17 October. "This is an exception – the government is afraid of them."

Although the new Nardaran shrine and mosque complex is highly visible, most of the country's mosques remain unregistered. Provided they do not annoy the local authorities, they can generally function without registration.

Another religious community determined to ignore official demands that all groups should register are the Council of Churches Baptists, who refuse on principle to register with the state authorities in post-Soviet countries. They argue that such registration leads to official interference and unacceptable restrictions on their activity. "If we register they'll come immediately and tell us what we can't do," Pastor Pavel Byakov, who leads the congregation in Sumgait, told Forum 18 on 20 October.

Such fears are perhaps justified. Rafik Aliev has repeatedly threatened the Jehovah's Witness community in Baku of being stripped of its registration. So far this has not happened, as a community member told Forum 18. But the repeated public threats only encourage popular suspicion of the community and leave it fearful of its future.

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

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Selective obstruction of foreign religious workers

by Felix Corley

Forum 18 (01.11.2005) / HRWF Int. (04.11.2005) - Website: <http://www.hrwf.org> - Email: info@hrwf.net
- Azerbaijani religious communities inviting foreign religious workers are being selectively obstructed, Forum 18 News Service has found.

In June, a Swedish pastor of a charismatic church, Mats-Jan Söderberg, was given two weeks to leave Azerbaijan – after being resident for more than a decade. Other religious communities - such as the Lutherans and Catholics - have told Forum 18 that they believe religious communities should have the right to invite foreign citizens to lead them, if the community wants this.

The Catholic Church, Russian and Georgian Orthodox churches, Jewish communities, the Hare Krishna community and the Baha'i community are not experiencing currently visa problems for foreigners who work with them.

A problem that Azeris have also complained to Forum 18 about is the intense pressure the authorities apply to non-Muslim religious communities, to get state registration as part of a foreign religious organisation.

Azerbaijani religious communities who wish to invite foreign citizens for religious work are still being selectively obstructed, Forum 18 News Service has found. Most dramatically, the Swedish pastor of the Cathedral of Praise charismatic church in the capital Baku, Mats-Jan Söderberg, had his visa denied in June and was given two weeks to leave Azerbaijan, where he had lived for more than a decade. He told Forum 18 from Sweden on 24 October that he has learnt that he has been blacklisted and cannot return to minister to the congregation he still supervises.

Other Azerbaijani religious communities insisted to Forum 18 they should have the right to invite foreign citizens, if they wish to, and that these foreign citizens should have the right to lead religious communities if the community wants this, something the authorities insist is illegal at present.

Söderberg told Forum 18 the June visa denial "came very suddenly and was a surprise for us of course". He said that after thoroughly researching the issue "we realised I had been declared persona non-grata in Azerbaijan, even though the Foreign Ministry and the Religious Affairs Committee denied it".

He said that after the visa denial, he was allowed to stay on until July, but was then denied exit from the country and failed to make his flight. He was then allowed to leave the following day. In August the government's Committee for Work with Religious Organisations allowed him and his family to make a brief return visit to say goodbye to his congregation and pack his property, but after learning that he has been blacklisted his wife and three of their children went without him. However, they were denied entry at Baku airport, held for 28 hours and then expelled.

Söderberg pointed out the irony of being barred from Azerbaijan, as he and his family had already decided to return to Sweden, as he believed the church was ready to be handed over to local leadership. "We will continue to work with our visa issues and as soon the door opens again I will travel to Baku of course," he told Forum 18, noting that he still has oversight responsibilities over the Baku church.

Another religious community with a foreign pastor is Baku's Evangelical Lutheran parish, which is part of ELKRAS (the Evangelical-Lutheran Church in Russia, Ukraine, Kazakhstan and Middle Asia), which has its headquarters in St Petersburg. Church secretary Natasha Gaidarova complains that the current law does not allow ELKRAS - or the diocese to which her congregation belongs, which is based in the Georgian capital Tbilisi – to play a formal role in choosing the pastor. "We are part of ELKRAS and it is not only we, but ELKRAS, that chooses our pastor," she told Forum 18 in Baku on 18 October.

The Lutheran congregation has been led by a German pastor, Wolfgang Hering, since March 2005 and he is due to stay until the end of the year. "He gained his visa without problem – but he was given it as a favour," she said. "The congregation should have the right to invite the pastor it chooses."

Gaidarova said the congregation's pastor "does not conduct religious propaganda" and merely serves the congregation. "Work in the church is not propaganda – our church doors are open." She said that the congregation would ideally like a local pastor but, in view of the destruction of the mainly ethnic German Lutheran Church in Azerbaijan under Stalin and the difficulties since then of re-establishing it, at present there is no prospective candidate, so the congregation has to rely on foreign citizens.

Gaidarova said that Rafik Aliev, the head of the State Committee for Work with Religious Organisations, had declared recently that the provision in the religion law banning foreigners from conducting religious work will be amended. "It would be good if this were changed. This provision of the law doesn't match democratic standards." Forum 18 has been unable to confirm if and when such a change will be made.

Both Gaidarova and Pastor Hering confirmed to Forum 18 that their bishop, Andreas Stoekl, has been able to visit freely from Tbilisi when he needs to, and that Hering has not been obstructed in his parish work.

Fr Jan Capla, a Slovak who heads the Catholic community in Azerbaijan, reports that earlier visa problems for foreign Catholic priests have been resolved. "All four Catholic priests here are Salesians from Slovakia," he told Forum 18 at the Baku Catholic church on 19 October. "We have no problems with visas." He said none of them has applied for Azerbaijani citizenship, but said they were "open to it". Like the Lutherans, the Catholic community was destroyed under Stalin and has no native clergy. He said the nuncio, Archbishop Claudio Gugerotti, is able to visit Azerbaijan freely from Tbilisi.

But Fr Capla complained about the requirement in law that the leader of the community be an Azerbaijani citizen. "This is an anomaly under Catholic canon law," he told Forum 18. "The Code of Canon Law doesn't allow laypeople to lead a parish." He says he believes the ban on foreigners leading religious communities might only be a "temporary measure". "I don't think this provision in the law will last long."

Perhaps to head off potential problems from the government, the Russian Orthodox hierarch in Azerbaijan, Bishop Aleksandr (Ishchein), renounced his Russian citizenship and took Azerbaijani citizenship in November 2001. (Azerbaijan does not allow dual citizenship.) The Russian-born Bishop Aleksandr only came to Azerbaijan to take up a fulltime position in 1995, when he became rector of the Orthodox cathedral in Baku and dean of the parishes in Azerbaijan. His previous church service had been in Russia's North Caucasus.

The Georgian Orthodox Church, which has a functioning parish in Gakh in north-western Azerbaijan close to the border with Georgia also has a resident foreign priest, Fr Ioann Abesashvili, who has encountered no problems working in Azerbaijan.

The various Jewish communities have also been allowed to bring in foreign rabbis. "Meir Bruk, an Israeli citizen, has been our Ashkenazi chief rabbi for nearly four years," the Ashkenazi community leader Gennady Zelmanovich told Forum 18 from Baku on 1 November. "We've never had any visa problems." The most recent new arrival is Rabbi Matityahu Luis, sent by the Chabad Lubavitch movement in May 2005 to serve Jews in Baku.

The Azerbaijani authorities are highly sensitive about the role of foreigners in the country's religious life. Although Forum 18 can find no specific legal provision that bans foreign citizens from leading religious organisations, the religion law describes religious communities as "voluntary organisations of adult citizens" and the State Committee insists that foreigners cannot lead them.

In April 2003, however, after a long battle, the State Committee finally registered the Baku International Fellowship, an English-language Protestant community made up of expatriates. The fellowship is now seeking to employ a pastor.

Article 1 of the religion law, as well as Article 18 of the 1996 law on the status of foreigners and those without citizenship, guarantees foreigners freedom of conscience, but denies them the right to carry out "religious propaganda". Article 300 of the administrative code punishes any foreigner or person without citizenship involved in such "religious propaganda" with deportation, which may be supplemented with a fine of between 20 and 25 times the minimum monthly wage.

Numerous Iranian Muslim clerics, Lutheran pastor Gunther Oborski and some Western Protestant religious workers were deported from the country in the 1990s. Foreigners making short-term visits to local religious communities more recently have occasionally been harassed and expelled, especially if the local religious community is unregistered.

Baku's Hare Krishna community reports that it has been able to invite foreigners for short visits. Babek Allahverdiev told Forum 18 that the community has been able to submit invitations to the Foreign Ministry for foreigners from countries that are unable to buy visas on arrival at Baku airport, such as India. He said the ministry processes the applications within two weeks or so. "We have never had a refusal," he told Forum 18 at the Hare Krishna temple in Baku on 18 October.

Ramazan Askarov of the Baha'i community also reported that the State Committee has not obstructed visas for foreigners' short-term visits. "We recently held our convention here with foreign guests and the State Committee arranged visas for our foreign guests through the foreign ministry," he told Forum 18 in Baku on 19 October.

Despite government hostility to foreign involvement in religious activity, non-Muslim communities seeking registration are put under intense pressure to apply as part of a foreign-based religious organisation, which then has to justify why an Azerbaijani-based congregation is needed and explain who started it. Local Protestants complained to Forum 18 that this means, in effect, that local people cannot decide to form a non-Muslim religious community on their own initiative.

One such local Protestant community is a Pentecostal congregation in the town of Sumgait [Sumqayit], affiliated with the Assemblies of God. "The State Committee insisted there should be a letter from the Assemblies of God headquarters in the United States stating that it wanted to found a church," one church member told Forum 18 in Baku on 18 October. "That means the church in the US is considered to be the founder. Why can't we decide to found our congregation?"

As is usual for Protestant congregations, the application has now stalled. First lodged in spring 2005, it was returned by the State Committee at the end of June with numerous technical changes demanded. "We changed everything the State Committee demanded," the church member told Forum 18. The application was resubmitted in mid-September, but the State Committee has not yet responded.

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

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Human rights organization corrects violations of religious rights in school

Prisma (20.09.2005) / HRWF Int. (17.10.2005) – Website: <http://www.hrwf.net> -Email:info@hrwf.net - The Center for the Protection of Freedom of Conscience and Religion (DEVAMM) reported on September 19th on the correction of the violations of the rights of believers which occurred at Baku's Secondary School No. 75 in Zabrat on September 15th, the first day of school. Eight students and a teacher were banished from the school for wearing hidjab.

According to DEVAMM, on September 15th, School director Solmaz Aziz-Zade, after seeing students and a teacher in the Muslim headscarves, went into a rage and began to swear at them and degrade them. Then Aziz-Zade expelled the students and teacher from the school and threatened not to allow them back if they arrived at school wearing the headscarves again.

As a result, the students and teacher were deprived of participation in the education process for three days. In the opinion of DEVAMM, the director entirely violated their constitutional rights: the right to freedom of conscience, to self expression, to obtaining an education, to personal inviolability, and, in the case of the teacher, the right to work.

On September 19th, a group under the management of the chairman of DEVAMM, human rights activist Ilgar Ibrahimolu, monitored the school's position relative to freedom of conscience and religion. In addition to DEVAMM, representatives of the Azerbaijan department of the IRLA (International Association of Religious Freedom), IHRCS (Institute of the Rights of Man and Civil Positions), and the Associations for Support and Protection of Hidjab participated in the monitoring. As of the 19th, the religious students and teacher participated in the educational process in clothing which corresponds to their beliefs and religion.

In order to be convinced of the complete elimination of problem, DEVAMM will continue monitoring the school for the next week.

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Religious NGOs still banned from registering

by Felix Corley

Forum 18 (27.06.2005) / HRWF Int. (27.06.2005) - Website: <http://www.hrwf.net> - Email: info@hrwf.net -
On 17 June, the Justice Ministry again denied registration as a non-governmental organization (NGO) to the Azerbaijan Centre for Religion and Democracy (ACRD), one of a range of religion-related NGOs to be denied legal status.

"This was entirely expected," Islamic scholar and opposition politician Nariman Gasimoglu, ACRD's leader, told Forum 18 News Service from the capital Baku on 24 June. The denial of registration runs counter to claims by Deputy Justice Minister Togrul Musaev in April, during a meeting with the National NGO Forum, that "decisive measures" had been taken to resolve the problem of the denial of registration to NGOs. Musaev claimed the Justice Ministry had streamlining the process, sacking obstructive officials and ordering unreasonable delays to end.

Forum 18 has repeatedly asked Musaev's office, since April, about when the denial of registration to religion-related NGOs will end, but Musaev has failed to respond. This is a long-standing Justice Ministry tactic to obstruct religious NGO's operations.

The Baku office of the Organization for Security and Cooperation in Europe (OSCE) states that protection of freedom of association is enshrined in OSCE commitments. "If a religious charity is to be founded as an NGO, the commitment to freedom of religion should serve as an additional protection for the manifestation of both rights," Andreas Busch, human dimension officer at the OSCE Baku office, told Forum 18 on 27 June, "and by no means as a hindrance to registration."

"My opinion is that such groups are denied registration because of their criticism of the official religious structures," Eldar Zeynalov, who heads the Human Rights Centre of Azerbaijan, told Forum 18 from Baku on 27 June. "The impact of this denial of legal status is that they can be described in the media as 'illegal', have problems getting foreign grants and have no official stamp or letterhead. The financial obstacles are the most serious."

Azay Guliev, who heads the National NGO Forum, said he was unfamiliar with the denial of registration specifically to religion-related NGOs, but insisted he backs the Centre for Religion and Democracy's attempt to register. "I know Gasimoglu and he is an honest man," he told Forum 18 on 27 June. "His group ought to get registration. We can try to help him."

Fazil Mamedov, who heads the registration department at the Justice Ministry, denies that religion-related NGOs are barred from registering. He pointed to international humanitarian agencies run by religious communities, such as the Seventh-day Adventist organisation ADRA, as well as to the locally-organised Religious Studies Centre, led by Elchin Askerov. "These were both registered a long time ago," Mamedov told Forum 18 from Baku on 27 June. He said some Muslim-based charities had been liquidated through the courts "for various reasons", but did not name them. But he could name no other religion-related NGO that currently has registration with his department.

International humanitarian organisations founded by religious groups are strictly banned from conducting any religious activity as part of their work in Azerbaijan. Gasimoglu pointed out to Forum 18 that Askerov of the Religious Studies Centre is close to the government and suggests that for that reason his organisation was able to get official registration while others cannot. Independent academic religion researchers have been harassed by the government.

Mamedov insisted that, to meet legal requirements, the ACRD's name has to reflect the character of the organisation.

"This was not given, so registration had to be refused," he told Forum 18. "There were other inconsistencies as well," he added, but declined to specify them. Gasimoglu believes such reasons are a pretext. "This untrue statement speaks for their intention to say no to the registration application," he told Forum 18. "Fazil Mamedov is the very person I had a talk with many years ago about registration when he insisted that I cooperate with the government if it needed to struggle against religious missionary

organisations. I refused, telling him we were rather struggling for democracy, for reforming the religious conscience of people and helping Muslims to adapt their religiousness to the contemporary values of democracy." The group has been trying to get registration in vain since 1998.

Gasimoglu added that lack of legal status has made the group's work more difficult. "We couldn't open a bank account that would allow donors to support our projects," he told Forum 18. "We had to ask others for permission to use their bank accounts."

Death threats, unrelated to the registration problem, have been made by Muslim extremists against Gasimoglu, who is an advocate of religious freedom for all (see his personal commentary "Religious freedom, the best counter to religious extremism", but the police have been reluctant to protect him.

Among other religion-related NGOs denied registration is the Azerbaijan branch of the International Religious Liberty Association, a group working for religious freedom for all faiths with branches in many parts of the world. The Azerbaijani branch was founded in 2002, but its repeated applications for registration have been left unanswered. "There were several reasons for the denial of their application," Mamedov told Forum 18, "but the main one was their choice of leader. This has to be someone who obeys the law." IRLA's branch has been chaired by Imam Ilgar Ibrahimoglu Allahverdiev, who was ousted with his community by the government from the Juma mosque in Baku's Old City in. "He has been involved in many dirty deeds," Mamedov alleged.

However, he refused to say whether if the IRLA branch applies again for registration without Ibrahimoglu as leader it would get registration. "If they don't engage in propaganda for any concrete religious community their application would be considered," he declared. "But we can't tell what the documentation will look like." Also denied legal status is a range of organisations that Ibrahimoglu founded.

Azerbaijan is also one of only two former Soviet republics (the other is Turkmenistan) where a Bible Society - which operates as a Christian non-profit agency in most countries of the world - has been refused official registration.

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

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Police with hostile TV crew raid meeting

by Felix Corley

Forum 18 (21.06.2005) / HRWF Int. (22.06.2005) - Email: info@hrwf.net - Website: <http://www.hrwf.net> - Some 25 police and a television crew raided a Jehovah's Witness congress in the Khatai district of the capital Baku on 12 June in an echo of a similar raid two months earlier in Azerbaijan's second city Gyanja [Gãncã].

"There was no need to march in with lots of police and television cameras in tow, and then show this on television," one Jehovah's Witness told Forum 18. "Our Baku congregation has registration and has a contract to meet there with the owner of the house."

Both the police and the prosecutor's office have refused to explain to Forum 18 News Service why a meeting of a registered religious community has been raided.

"The Jehovah's Witnesses were fined and then released," the officer who answered the phone at the Khatai district police told Forum 18 on 21 June. "We won't give out any other information by phone."

The official who answered the phone at the Khatai district prosecutor's office also refused to answer Forum 18's questions. No officials of the State Committee for Work with Religious Organisations - which originally registered the congregation - were available on 21 June.

During the April raid on a Jehovah's Witness meeting in Gyanja that the authorities claimed was "illegal" police also brought along a television crew. Similar tactics were also used by Gyanja police against the Seventh day Adventist Church, with a film crew from ANS (Azerbaijan News Service) television - a local

station noted for its aggressively hostile coverage of religious minorities - conducting hostile interviews with Adventist children.

Despite the parents' clear objections, the police did nothing to prevent the children being questioned by the film crew.

Kirill Kulikov, the Jehovah's Witness lawyer handling the case, stated that about 25 police officers burst into the meeting in the early afternoon of 12 June, accompanied by two or three journalists from the pro-government commercial television company Space TV.

"When the police arrived they gave the journalists orders of what to film," Kulikov told Forum 18 from the Jehovah's Witness headquarters near the Russian city of St Petersburg on 20 June. He said the journalists tried to film interviews with local Jehovah's Witnesses and people from Georgia and the Netherlands against their will.

Kulikov said police shouted at and threatened the 200 or so Jehovah's Witnesses present and instructed them not to conduct religious activity. They checked everyone's identity documents, searched individual bags for Jehovah's Witness literature, and then divided the Jehovah's Witnesses into men and women, forcing all the men - about 30 were present - into a bus and taking them to the 34th police station.

Kulikov reported that when one man refused to go police hit him more than once in the face and chest. The man later obtained a doctor's certificate to verify his injuries.

Police also raided a couple's second floor private flat, and, when some women present refused to open the door, the police broke the door down. Kulikov says the police had no right to search a private home without a warrant. Police nevertheless took away a large quantity of Jehovah's Witness literature, video-cassettes and a DVD player after an hour. These have not been returned by police.

Meanwhile, the 30 or so men were interrogated at the police station for between six and nine hours, with the last freed at 11 pm. "Police beat one of the men on the legs, though strangely the beatings left no marks," Kulikov told Forum 18.

The only specific accusations were against the foreigners among the men, who were accused of conducting illegal religious activity. They were all ordered to leave Azerbaijan "or there will be problems".

In defiance of Azerbaijan's international human rights commitments, Article 1 of the religion law bans "religious propaganda" by foreigners, while Article 300 of the code of administrative offences punishes offenders with fines of up to 25 times the minimum monthly wage or deportation.

Rasim Ismailov, news editor at Space TV, told Forum 18 that both the Society Department at the Khatai district administration and an officer of the 34th police station had informed the station of the forthcoming "operation" and invited them to come along.

"They told us a religious organisation was preaching that all nations should be brothers," he told Forum 18 from Baku on 21 June. "This means if war with the Armenians restarts there'll be no-one on our side to fight." He said that both the local administration and neighbors claim that the Jehovah's Witnesses pay poor people 100 US dollars to join the group, but admitted he had no evidence for this. Jehovah's Witnesses deny bribing people to join their communities.

Space TV broadcast the report on the raid the following day. "The law-enforcement bodies have rendered harmless a missionary organisation propagating a non-traditional religion in Khatai district," the TV presenter said. "Most of the women and children used to come here secretly without letting their husbands or parents know," Space TV alleged. "The Khatai executive authorities have been aware of the Jehovah's Witnesses work in the district over a year. Although the law bans foreigners from propagating religion, the authorities have not prevented them from doing so," the presenter added, claiming that Norwegian, British and Georgian citizens were present as well as unspecified others "illegally living in the country".

Space TV also claimed that the Khatai prosecutor's office has instituted criminal proceedings against the congregation, but their lawyer Kulikov states that so far no-one has been summoned, fined or charged

with any offence. Asked why he believed Space TV had claimed that a criminal case had been launched, Kulikov responded:

"Most likely it sounds more sensational. The aim of such broadcasts is to portray us in a bad light."

Space TV's Ismailov insisted that the TV broadcast had given the Jehovah's Witnesses the opportunity to put their side of the story. "We give both sides to any story," he told Forum 18 and denied that they had filmed anyone against their wishes. "We never show pictures of people if they don't want to be filmed." He said the station had also sought a comment from Rafik Aliev, the head of the State Committee for Work with Religious Organisations, as to why the Jehovah's Witness community had been raided when it had registration, but he refused to talk to Space.

The Jehovah's Witnesses have received a 9 June letter from Rafik Aliev, about the Gyanja community raided in April. Aliev told the Jehovah's Witnesses that, before every event, they must inform the committee in advance, insisting that this is necessary otherwise

"it is difficult to keep control if we don't have information". However, Aliev gave no legal basis for his demand. "The law doesn't require us to do this," Kulikov told Forum18. "And in any case, when we did so in the past it didn't stop them persecuting us."

Aliev warned the Jehovah's Witnesses that if they fail to act "within the law", he will have the group liquidated by a court. Aliev has often claimed in the media - wrongly - that the Jehovah's Witnesses have been stripped of registration or been given a "final warning" for violating the law.

Religious minorities the government does not like - especially Protestants, Muslims outside the framework of the state-sanctioned Muslim Board and Jehovah's Witnesses - find it hard to registering religious communities. Jehovah's Witness sources told Forum 18 that they have not applied for registration for any congregations outside Baku as "we had a very hard experience registering the Baku congregation, and in other places there are not enough adults prepared to take the harassment they will get from the authorities by signing a registration application."

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

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Frustration at latest unfounded allegations

by Felix Corley

Forum 18 (15.02.2005) / HRWF Int. (17.02.2005) - Email: info@hrwf.net - Website: <http://www.hrwf.net> - In the latest of numerous unfounded allegations that Rafik Aliev, head of the State committee for Work with Religious Organisations, has made on local media, he has accused the Adventist and Greater Grace Protestant churches of, amongst other things, conducting "illegal religious propaganda" and of disturbing "citizens residing near places where prayers are held."

"We Protestants have been trying to build up a relationship of trust with him and then he comes out with these unfounded accusations," one Protestant told Forum 18 News Service. Aliev's committee was reported as taking "tough measures up to their closure."

Aliev used a similar approach in 2002 to close down Baku's Azeri-language Baptist church. Pastor Yahya Zavrishko, who heads the Adventist Church in Azerbaijan, told Forum 18 that "Last time Rafik Aliev complained about us in the media a month ago we spoke to him and he confirmed he had no facts of any violations we had committed."

Protestants have expressed their frustration over the latest accusations against specific churches in the local media from Azerbaijan's senior religious affairs official.

Rafik Aliev, head of the State Committee for Work with Religious Organisations, alleged that the Seventh-day Adventist and Greater Grace Protestant churches are working illegally and threatened they could be shut down. "We Protestants have been trying to build up a relationship of trust with him and then he comes out with these unfounded accusations," one Protestant told Forum 18 News Service from the capital Baku on 15 February. "This time it's the Adventists and Greater Grace - in the past it has been other churches."

Rafik Aliev was quoted by the local news agency MPA on 11 February as complaining that the Adventist and Greater Grace Churches involve children in services and teaching (Azerbaijani law requires parental permission before children can be involved in religious activity), conduct "illegal religious propaganda" and "disturb citizens residing near places where prayers are held".

Aliev reported that the State Committee was therefore taking "tough measures up to their closure", was "preparing documents" - possibly ahead of court action against them - to end such illegal activity and would be demanding responses from the churches by the end of February.

Rafik Aliev was unavailable at the State Committee or his company on 14 and 15 February. One official, Vatis Sevullaev of the department that censors all religious literature, told Forum 18 on 15 February that the committee has taken no concrete steps yet against the Adventist and Greater Grace churches, but said the moves were prompted by "recent events".

Apart from referring to the police raid on the Adventist church in Gyanja [Gäncä] last November in retaliation for what the authorities claimed were "illegal" activities going on there, he declined to specify what these "recent events" were.

Sevullaev's colleague Zemfira Rzayeva declined to explain the Committee's planned moves to Forum 18 on 15 February - complaining that Forum 18 had repeatedly distorted her words after earlier interviews - but promised to respond to written questions. Forum 18 then asked in writing how the two churches are alleged to have broken the law, what evidence the Committee has to back up its allegations, what measures the Committee is planning, and why - given that individuals and groups are innocent until proven guilty - the Committee chairman repeatedly makes allegations in the media that have not been proved in a court.

Pastor Yahya Zavrishko, who heads the Adventist Church in Azerbaijan, and the leadership of the Greater Grace Church in Baku both deny any wrongdoing by their churches. They told Forum 18 on 15 February that the State Committee has not written to them about these complaints.

Rafik Aliev frequently makes allegations against named religious communities which are never backed up with evidence. "Last time Rafik Aliev complained about us in the media a month ago we spoke to him and he confirmed he had no facts of any violations we had committed," Zavrishko told Forum 18 from Baku. "There have been no complaints from neighbors of any of our churches that we are disturbing them with noise."

Zavrishko said that so far, only children of church members have been involved in Adventist religious activities. "Parents bring their children to church events in line with their constitutional rights," he reported. "The State Committee has recently demanded that we get written permission from both parents."

He said he and his colleagues would be meeting deputy head of the State Committee, Samed Bairamzade, on 16 February to discuss Rafik Aliev's latest allegations. "We want him to explain the statement as we have had no complaint from the Committee direct," Zavrishko told Forum 18.

Amongst Rafik Aliev's many past unfounded allegations are: claims that Baptist Pastor Sari Mirzoyev had insulted Islam, which Aliev used as a pretext to close Baku's Azeri-language Baptist congregation down; accusations that Catholics conducted "illegal religious propaganda", and claims that there is no religious literature censorship as his own state committee ordered Hare Krishna books to be destroyed.

The local mass media is frequently used to conduct campaigns against religious minorities.

One Baku-based Protestant observer complained that repeated allegations in the media that Protestants

and Jehovah's Witnesses were conducting illegal activity and would be shut down creates a climate of hostility in society.

"Such harsh words create negative attitudes among the wider public," the Protestant told Forum 18 from Baku on 15 February. "We're depicted as criminals and brainwashers of children. The goal of our church is to help the community and to rise up good people."

The Protestant believed that Rafik Aliev "is struggling to understand Evangelical Christians".

Another Protestant linked the allegations to statements Rafik Aliev made on television late last year that churches would not be touched if they do not disturb local people in the area where they are based, do not pressure local residents to attend services and do not involve children in religious activities. The Protestant complained that Rafik Aliev later cited complaints from neighbors about alleged noise and the presence of children at religious events to threaten to close churches and strip them of state registration.

"It's really hard to check who actually complained and whose children they might be," the Protestant told Forum 18. "Didn't the children come with their parents who are church members? I know that people don't invite children to church services. Services are for adults. But if children come they come with their parents and participate in Sunday school with the written permission of their parents."

But the statements made by Rafik Aliev give a broader space to him to be able to accuse any church of illegal activities now."

The Protestant questioned whether such demands over disturbance were leveled at other religious communities such as the Muslims or the Orthodox, schools, bars or other private companies.

"It is obvious that the Committee is looking for a new way of trying to limit churches. It covers Rafik Aliev so that he can say he's 'not going against religious freedom' in the country. And if he can't persecute churches for their faith openly, then he can just go on accusing and persecuting them because they disturb the peace in the community by their gathering and worship."

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

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Will Christian children now get birth certificates?

by Felix Corley

Forum 18 (10.01.2005) / HRWF Int. (10.01.2005) - Email: info@hrwf.net - Website: <http://www.hrwf.net> - Having repeatedly refused to register 18-month old Luka Eyvazov's birth, because his parents gave him a Christian name, the authorities have at last given him a birth certificate, after Forum 18 News Service reported his case.

Unusually, the authorities also apologised to Luka's parents "for making us wait and suffer for so long," Luka's mother Gurayat Eyvazov told Forum 18.

Without a birth certificate, Luka was not able to go to kindergarten or to school, get treatment in a hospital, or travel abroad. Luka's case was the last known case of a series of Baptist parents in the mainly-Muslim town who were refused birth certificates for their children because they had chosen Christian, not Muslim first names.

However, Mrs. Eyvazov said it was unclear if the next time Baptist parents try to register a child's birth with a Christian name they will face similar refusals. "Officials said nothing on this."

At the age of nearly 18 months, Luka Eyvazov has finally received his birth certificate just weeks after Forum 18 News Service reported the authorities' repeated refusals to issue a birth certificate because they did not wish to register him with a Christian name.

Luka's parents, who are ethnic-Georgian Baptists, live in the small town of Aliabad in the north-western region of Zakatala [Zaqatala] close to the border with Georgia. The town administration phoned my husband on 17 December to say the birth certificate would be there and he collected it on 20 December," Luka's mother Gurayat Eyvazov told forum 18 from Aliabad on 10 January.

"They said they had no permission earlier to issue the birth certificate and even apologised to us for making us wait and suffer for so long."

Luka Eyvazov is the fourth child of Novruz Eyvazov, the leader of one of three Baptist congregations in Aliabad. His is the last known case of a series of Baptist parents in the mainly-Muslim town who were refused birth certificates for their children because they had chosen Christian, not Muslim first names.

However, Gurayat Eyvazov said it was unclear if the next time Baptist parents try to register a child's birth with a Christian name they will face similar refusals. "Officials said nothing on this," she told Forum 18.

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 town administration, which is where they first encountered a refusal. Without a birth certificate, Luka was not able to go to kindergarten or to school, get treatment in a hospital, or travel abroad.

Luka's parents failed too at the regional level in Zakatala, where civil registration official Aybeniz Kalashova wrote to the Eyvazovs last May complaining of foreign Baptist missionaries who had come to Azerbaijan in the early 1990s "spreading the Christian faith of the Baptist sect among the population", and who "tried to change surnames and first names, changing them into Georgian and Christian names".

The Eyvazovs even took their case to Mehman Soltanov of the Justice Ministry's civil registration department in the capital Baku, but this too failed to break the logjam.

Other members of Azerbaijan's ethnic Georgian minority have told Forum 18 that the difficulty of registering children with Georgian Christian names is particularly acute in the Zakatala region, though it occurs from time to time in neighboring regions with an ethnic Georgian minority.

One ethnic Georgian told Forum 18 on 10 January from Kakh [Qax] region south of Zakatala region that Ingilos - ethnic Georgians who were converted to Islam several centuries ago and are considered to be Georgian-speaking Azeris by the Azerbaijani authorities, such as the Baptists in Aliabad - face great difficulties trying to change their surnames back to the Georgian form and registering children's births with Georgian names.

However, the Georgian told Forum 18 that in most of these cases the motivation for the parents' desire for Georgian first names is national, not religious.

Georgian Orthodox priest Fr Ioan Abesashvili confirmed to Forum 18 in Kakh last November that his parishioners had no problems registering the births of their children with Georgian Christian names.

Meanwhile, Zaur Balayev, pastor of another Baptist congregation in Aliabad, told Forum 18 on 4 January that the town authorities have finally agreed to allow him to open a grocery shop. He said the earlier refusals were part of systematic local official opposition to Baptists in the town and an attempt to drive them out by economic means by depriving them of the means to earn a living.

Two of the three Baptist congregations in Aliabad have repeatedly tried to register with the authorities to gain legal status but, despite meeting all the criteria, have got nowhere with their applications. The third congregation does not wish to register. Church members have been detained, fined, threatened and their homes have even been shot at over the past decade.

Najiba Mamedova, the notary of Zakatala region, angrily refused to discuss with Forum 18 on 10 January why she is still refusing to notarise the signatures on the Baptist congregations' registration applications necessary for the applications to go further.

"You are asking about such trivial matters when 25 percent of Azerbaijan's territory is occupied by Armenian bandits and the country is flooded with refugees," she declared, refusing to say why this was relevant to why she would not notarise the Baptists' signatures.

She then put the phone down. Mamedova has a record of behaving angrily towards enquirers, having shouted "We don't need Baptists here" at Forum 18.

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

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