

25 February 2010

AZERBAIJAN: Raids, fines, detentions, and another birth certificate denial

By Felix Corley, Forum 18 (<https://www.forum18.org>)

Two followers of the approach to Islam of Said Nursi have been fined and sentenced to 48 hours' detention in Azerbaijan, Forum 18 News Service has learned. They were also among seven Muslims fined three days earlier, after police raids on private homes during which religious books were seized. During the raids police used hostile TV and newspaper coverage against the Muslims, as has also happened against members of Protestant Christian and Jehovah's Witness communities the authorities dislike. Separately, a "temporary" nationwide ban on praying around mosques, imposed in August 2008, continues to be enforced. And the latest case of a child in Zakatala Region being denied a birth certificate because the parents have chosen a Christian name is Esteri Shabanova, born on 25 December 2009. Without a birth certificate, it is impossible for children to go to kindergarten or to school, get treatment in a hospital, or travel abroad. An official of the State Committee for Work with Religious Organisations insisted to Forum 18 that "there is no persecution of religious believers in Azerbaijan."

Two followers of the approach to Islam of the late Turkish Muslim theologian Said Nursi were fined and sentenced to 48 hours' detention each in the northern town of Sheki [Saki] on 17 February, other followers told Forum 18 News Service from the capital Baku. The two were also among seven Muslims who follow Nursi's approach fined three days earlier in the wake of extensive police raids on private homes in the town on 14 February during which religious books were seized.

The raids and fines are part of a growing campaign against Muslims who follow Nursi's approach. At least three other raids – including by police armed with automatic weapons – have already taken place in 2010 (see F18News 26 January 2010 http://www.forum18.org/Archive.php?article_id=1398).

On 19 February a Baku imam, Shahin Gasanli of the Meshedi Dadash mosque, said he had received a telephone warning from the State Committee for Work with Religious Organisations not to allow believers to pray outside the mosque during Friday prayers. In August 2008 the State Committee imposed what it said would be a "temporary" nationwide ban on praying around mosques. The ban, which appears still to be in force, has apparently never been published (see F18News 17 October 2008 http://www.forum18.org/Archive.php?article_id=1205). A number of mosques have also been in 2009 demolished or forcibly closed (see F18News 22 December 2009 http://www.forum18.org/Archive.php?article_id=1390).

In a separate development, the deputy head of the village council in the town of Aliabad in the northern Zakatala Region is refusing to issue a birth certificate to a two-month-old girl, because he does not like the name her parents have given her. This kind of harassment of Christians has been an ongoing problem in the Region (see eg. F18News 22 May 2007 http://www.forum18.org/Archive.php?article_id=961).

An official of the State Committee in Baku insisted that no religious believers suffer for their faith. "There is no persecution of religious believers in Azerbaijan," the official – who declined to give his name – told Forum 18 on 24 February. Told about the raids, fines and imprisonment of Muslims in Sheki and the denial of a birth certificate to a Christian family in Aliabad, he responded: "How can you know what went on in Sheki?"

Sheki raids and fines

Police raided seven private homes in Sheki on the afternoon of 14 February in what Sheki police told the local Azeri Press Agency (APA) were "operational-investigative measures". The Interior Ministry website said the same day that during searches of the homes, 1,200 religious books, 500 booklets and 110 audio and video cassettes were discovered and confiscated.

Muslims who follow Nursi's approach say one of the flats was raided by some nine police and secret police officers, while the other six flats were raided by police only. Searches lasted some two hours, and even women's bags were searched. Police copied all the phone numbers in the mobile phone of one home owner, Javid Kuliev.

The seven homeowners – including Kuliev and Tahir Salamov - were taken to the town police station, where they were questioned.

They were then taken to the town court, where each was fined 10 Manats (74 Norwegian Kroner, 9 Euros, or 12 US Dollars) under Article 298 of the Code of Administrative Offences ("violation of the procedure for holding meetings"). They were detained by police for up to seven hours.

Muslims who follow Nursi's approach told Forum 18 that after they complained, Kuliev and Salamov were again summoned to the police station on 17 February. There the police chief told them not to meet and shouted at them that they were doing "bad things". Salamov raised his hand to indicate that he wished to respond to the accusations, followed soon after by Kuliev. The police chief told his deputy to take the two to court to have them detained.

The Muslims told Forum 18 that the deputy police chief insulted Kuliev and Salamov before taking them to the town court. Court officials promised to get them a lawyer but when he arrived, Muslims who follow Nursi's approach say he failed to take any action to familiarise himself with the case or defend them.

Police claimed Salamov had shouted outside the police station at 11 am that day, while inside at the same time Kuliev had shouted. Muslims insisted to Forum 18 that both were in the deputy chief's office at the time the alleged shouting was supposed to have taken place.

Both Muslims were found guilty under Article 310 of the Code of Administrative Offences ("wilful failure to submit to the legal demands of a police officer"). They were each fined 25 Manats (185 Norwegian Kroner, 23 Euros, or 30 US Dollars) and given two days' imprisonment. The two have sent complaints about their treatment to Azerbaijan's President, Ilham Aliyev.

"The police accused our people of meeting against the government," one Muslim told Forum 18. "They said they had weapons – and illegal books. But when they searched they didn't find anything. They only took books on Islam – the Koran in Arabic, books by Said Nursi in Turkish and discs with teaching on the namaz in Azeri. These books are not banned in Azerbaijan, but they still haven't been handed back."

The Muslim added that the police phoned Kuliev on 23 February and told him the fines should have been 100 Manats (740 Norwegian Kroner, 90 Euros, or 120 US Dollars), not 10 Manats. "Javid told him they wouldn't pay this."

The man who answered the phone on 24 February of Sheki's police chief refused to answer any of Forum 18's questions about the raid and punishments and put the phone down. However, Sheki Police told APA that those fined had been teaching religion to women and children and that in the wake of the raids and fines, religious communities in Sheki were warned to be "vigilant in this issue".

Kuliev, Salamov and one of the others fined lodged appeals at Sheki Appeal Court on 23 February, but no date has yet been set for these to be heard. Muslims who follow Nursi's approach told Forum 18 that the other four people fined were too afraid to lodge further complaints or appeals.

Muslims also complained that while the seven were being held at the police station they were filmed by the national TV channel Public Television and Radio Broadcasting Company (ITV), as well as local Sheki television. The police also filmed the confiscated books. Salamov gave a television interview while he was being held, denying that those arrested had done anything wrong. "But the police shouted at him for that and the television did not broadcast what he said. They distorted the whole case and presented these people as bandits." The authorities have often used TV stations and journalists as part of raids and interrogations against members of Protestant Christian and Jehovah's Witness communities they dislike, including children (see eg. F18News 21 June 2005 http://www.forum18.org/Archive.php?article_id=590).

Another fine after an earlier raid

Muslims who follow Nursi's approach also told Forum 18 that Naila Ahmedova was brought to court in the northern town of Khachmaz [Xacmaz] on 4 February and fined 100 Manats (740 Norwegian Kroner, 90 Euros, or 120 US Dollars) under Article 299 Part 3 of the Code of Administrative Offences. This states that "the holding by clergy and members of religious associations of meetings and the creation of labour, literary and other circles and groups not connected with the conducting of religious rituals with the aim of attracting young people and youth carries a fine of 10 to 15 times the minimum monthly wage for responsible figures."

Ahmedova's home in Khachmaz was raided by police and a state Religious Affairs official on 18 January, who used force to break in. Nine of her religious books were confiscated. Police warned her that if she met together with her friends in her own home in future they would be arrested (see F18News 26 January 2010 http://www.forum18.org/Archive.php?article_id=1398).

The Muslims complained to Forum 18 that police brought along an employee of the regional RTV television company, who filmed the raid in Ahmedova's home without her permission. The RTV and ITV channels broadcast items about Ahmedova on 19 January. Sharq newspaper covered the case the following day.

Muslims who follow Nursi's approach complained that Ahmedova tried to lodge an appeal against the fine, but the court refused to

accept it.

Outside prayers banned

Imam Shahin Gasanli of Baku's Meshedi Dadash mosque told the APA news agency on 19 February of the telephone call from the State Committee banning him from allowing mosque attendees who could not fit into the mosque for Friday prayers that day to pray outside. "As the warning was verbal, we didn't submit to it," Imam Gasanli told APA. "If such a law exists, let them present the warning in written form."

Gasanli estimated that up to 2,500 worshippers attend Friday prayers regularly at the Shia mosque.

APA quoted Gunduz Ismailov of the State Committee as confirming the telephone warning, citing "reports of a possible provocation at the mosque". He did not explain. However, he also claimed that Gasanli is not the imam of the mosque as he does not have the approval from the Caucasian Muslim Board required before the state will recognise a leader of a mosque.

Forum 18 was unable to reach Imam Gasanli. The official at the State Committee who spoke to Forum 18 on 24 February declined to discuss the ban.

Yet another birth certificate denied

Esteri Shabanova, born on 25 December 2009 at the maternity home in the village of Aliabad, has been refused a birth certificate because a local official will not register her birth with a Christian first name, her grandfather Hamid Shabanov told Forum 18 from Aliabad on 23 February. Ramiz Shabanov (no relation), the deputy head of the village council, told her parents some ten days after the birth: "I won't write that name – this is not Europe or Russia that you can give such a name."

Without a birth certificate, it is impossible in Azerbaijan for children to go to a kindergarten or school, get treatment in a hospital, or travel abroad.

Hamid Shabanov told Forum 18 that his son and daughter-in-law had explained to the deputy head that Esteri (Esther) is a Biblical name common to both Jews and Christians. However, the official showed them a typewritten booklet of recognised Azeri names and insisted they had to choose a name from the list, not a Christian first name.

Hasan Hasanov, the head of Aliabad's village council, told Forum 18 on 23 February that Ramiz Shabanov was not in the office. He declined to discuss any of Forum 18's questions and put the phone down.

The population of Aliabad, which is not far from Azerbaijan's border with Georgia, is mainly made up of Ingilos, Georgian speakers whose ancestors were converted to Islam several centuries ago.

Hamid Shabanov and his family are members of one of several Baptist churches in the village which has been seeking state registration in vain for more than a decade (see F18News 21 December 2009 http://www.forum18.org/Archive.php?article_id=1389). Shabanov and another Baptist pastor, Zaur Balaev, have served prison terms on what the church says were fabricated charges (see F18News 12 February 2009 http://www.forum18.org/Archive.php?article_id=1254).

Children of church members have long faced difficulties gaining birth certificates (see eg. F18News 22 May 2007 http://www.forum18.org/Archive.php?article_id=961).

Hamid Shabanov told Forum 18 that other residents of the village who are not Baptists have been denied birth certificates for their children because they gave them Georgian first names. "Three of four local families have children – some as old as five – who don't have birth certificates."

Denial of name illegal

Article 10 of Azerbaijan's Law on the Rights of the Child says that children must be registered at birth. The United Nations Convention on the Rights of the Child – to which Azerbaijan became a party in 1992 – clearly bars this kind of human rights denial. Articles 7 and 8 read:

Article 7

- 1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.
- 2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under

the relevant international instruments in this field, in particular where the child would otherwise be stateless.

Article 8

- 1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognised by law without unlawful interference.
- 2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

Calling for an end to the arbitrary denial of birth certificates is Dr Nabil Seyidov, national coordinator of the Azerbaijan NGO Alliance for Children's Rights. "This is very important issue. Unfortunately, it is not new to us," he told Forum 18 from Baku on 23 February. "We have been getting information about such cases several times a year in the last 4-5 years."

Seyidov said he had not heard of cases where officials have a list of approved names, but said it would be illegal to demand the parents to call a child using such a list. "The parents have a right to name a child whatever they wish," he told Forum 18, "but that shall not undermine the dignity of a child and should not pose any threat to his/her development and best observance of his/her best interests in long-term perspective."

Forum 18 was unable to reach any officials at the Justice Ministry's Civil Registration Department in Baku on 23 and 24 February.

Sedaget Gahramanova, deputy head of the State Committee for Family, Women and Children's Issues, confirmed that officials do not have the right to refuse birth certificates or to reject first names chosen by parents. "Whatever name the parents have chosen must be accepted," she told Forum 18 from Baku on 24 February. She promised to investigate why Esteri Shabanova has been denied a birth certificate. (END)

For more background information see Forum 18's Azerbaijan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1192.

More coverage of freedom of thought, conscience and belief in Azerbaijan is at <http://www.forum18.org/Archive.php?query=&religion=all&country=23>.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

For a personal commentary, by an Azeri Protestant, on how the international community can help establish religious freedom in Azerbaijan, see http://www.forum18.org/Archive.php?article_id=482.

A personal commentary on the European Court of Human Rights and conscientious objection to military service is at http://www.forum18.org/Archive.php?article_id=1377.

A printer-friendly map of Azerbaijan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=azerba>.

If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY