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AZERBAIJAN: "Distributing religious literature without state permission"

By Felix Corley, Forum 18

Police in Azerbaijan have detained two Jehovah's Witnesses and fined them each the equivalent of about three weeks' average wages, Forum 18 News Service has learned. The two – who also had their personal Bibles and other literature confiscated – were fined under the Administrative Code article banning "distributing religious literature without state permission". They were detained by police in the capital Baku after talking to neighbours about their beliefs, and were put on trial the same day. The assistant to the judge who tried the case insisted to Forum 18 that the verdicts had been "in accordance with the law". Meanwhile, Baku's Baptist congregation is deeply concerned about a political opposition newspaper article making unfounded allegations against them, including that they are spies for foreign countries. The article led directly to police officers visiting the church several times to check its documents and question the pastor. The newspaper's editor, Rauf Arifoglu, vigorously defended the article to Forum 18.

Two Jehovah's Witnesses were detained by police in Azerbaijan's capital Baku on 3 March, and each fined the equivalent of about three weeks' average wages for offering their literature to others, Jehovah's Witnesses told Forum 18 News Service. The two were fined under an article of the Code of Administrative Offences introduced in 2009 punishing distributing religious literature without state permission. Meanwhile, a Baptist Union church in Baku has been threatened with closure after police visited in response to a hostile article in an opposition newspaper. The editor of the paper defended the article to Forum 18, insisting that no complaints from the Baptists had been received.

"Distributing religious literature without state permission"

Two Jehovah's Witnesses, Famil Nasirov and Amina Mammadova, were stopped by three police officers in Baku's Khatai District on 3 March while talking to neighbours about their faith and offering them literature, Jehovah's Witnesses told Forum 18. The two were taken to the 34th Police Station.

At the police station, their personal Bibles and several Jehovah's Witness magazines were confiscated. Major Vugar Hasanov drew up a record that they were distributing religious literature which had not been approved by the State Committee for Work with Religious Organisations and handed on the case to Khatai District Court.

Later that day, Judge Habil Mammadov (no relation of Mammadova) found the two guilty of violating Article 300.0.2 of the Code of Administrative Offences (distributing religious literature without state permission), one of the new "offences" introduced in 2009. The verdicts – seen by Forum 18 – record that Nasirov and Mammadova were each fined 200 Manats (1,468 Norwegian Kroner, 183 Euros or 250 US Dollars). Jehovah's Witnesses estimated this to be about three weeks' average wages for those in work.

The verdicts declare that Nasirov and Mammadova were "engaged in the spreading of religious literature that was not produced or imported with the permission of the corresponding state organ of executive power".

The assistant to Judge Mammadov declined to allow Forum 18 to speak to him on 11 March, declaring that "he does not talk to journalists". But the assistant – who did not give his name - insisted that the verdicts had been "in accordance with the law". "If these Jehovah's Witnesses are not satisfied with the verdict, they have the right to appeal to Baku Appeal Court." The judge's assistant refused to discuss how fines for religious activity were in accordance with Azerbaijan's international human rights commitments in the area of freedom of religion or belief.

Major Hasanov refused to discuss why the Jehovah's Witnesses had been detained. "Don't ring again," he told Forum 18 on 11 March and put the phone down.

Anti-Baptist article

Local Baptists have told Forum 18 of their serious concern over an article in the opposition Yeni Musavat (New Equality) newspaper on 8 March, which was also posted on the paper's website, accusing Baku's Baptist congregation of being "against Allah

and Islam". Describing the Baptists as spies for foreign countries, they question why the National Security Ministry and Interior Ministry have taken no action against the church.

The article – by Turkan Turan and Sahnaz Novruzqizi – was accompanied by photos they apparently took secretly when they visited the Sunday service on 7 March. Although it does not give the exact street address of the church, it gives the name of the main nearby street, shows a picture of the front entrance and says that it is next to the Ukrainian Embassy.

Baptists expressed alarm that state officials might be encouraged to close down the church. "We don't know what will happen next Sunday," one told Forum 18. The Baptist said more than 100 church members had already read the article. The Baptist also complained that individuals' photographs had been published in the newspaper and on the website without their permission.

Asked whether the Baptists had complained to the newspaper about the article, the Baptist told Forum 18 that there is no point. "If we write to them we fear they will twist our words against us and publish something even worse." The Baptist said in the past Protestant churches had tried to approach media outlets which had attacked them but "this did not help". The authorities have often used TV stations and journalists against members of Protestant Christian, Jehovah's Witness and Muslim religious believers they dislike (see eg. F18News 25 February 2010 http://www.forum18.org/Archive.php?article_id=1414).

Yeni Musavat's editor Rauf Arifoglu was unapologetic about publishing the article. "It was a journalistic investigation and we used a hidden camera," he told Forum 18 from Baku on 12 March. Asked why the newspaper had not given the Baptists the chance to respond to its accusations before they published the article in line with normal journalistic activity, he responded: "We don't know who they are."

Told that the Baptists are concerned and frightened over the article, Arifoglu responded: "No one has complained to us. If they want, let them write to us and we will publish their response." Asked why he had singled out the Baptists, he responded: "It [the Baptist church] is not an official organisation." He refused to explain what he meant. He refused to answer any more questions, muttering "Bastard" as he put the phone down.

Police check-ups follow anti-Baptist article

In response to the article, local police officers visited Baku's Baptist church several times on 9 and 10 March, Ilya Zenchenko, head of Azerbaijan's Baptist Union, told Forum 18 from Baku on 11 March. "Each time they came two officers at a time," he said. "They said they had read in the Yeni Musavat article that we are dangerous and came in to check the church's registration documents."

Zenchenko said the church showed the registration certificate given by the State Committee for Work with Religious Organisations. However, the police officers said that as the church has not yet re-registered with the State Committee in the wake of the amendments to the Religion Law it should be closed down. "We explained to them that we had lodged our application for re-registration before the deadline of 31 December 2009 and are still waiting," he told Forum 18. "In any case, the State Committee has to go to court to have any registration revoked and they have not done so."

The Baptist church is one of many religious communities which has not yet received re-registration under the new Religion Law. All registered communities were required to resubmit registration applications by 31 December 2009 (see F18News 3 June 2009 http://www.forum18.org/Archive.php?article_id=1305). Very few of the reported 700 communities which have applied for registration or re-registration have yet received it.

Protestant church's police visit

Police visited a Protestant church during a religious meeting on the weekend of 6-7 March, Forum 18 has learnt. However, as the church received no punishment, only a warning, the church decided not to go public.

Restrictions on religious activities

Azerbaijan's 2009 Religion Law, along with amendments to both the Criminal Code and the Administrative Code, introduced new "offences" - such as more severe censorship - and new punishments for religious activities and organisations the government does not like. It is implied that unregistered organisations are illegal, and stated that "all religious organisations" can act only after gaining state registration (see F18News 3 June 2009 http://www.forum18.org/Archive.php?article_id=1305).

Shortly after the Religion Law entered into force further amendments were passed specifically targeting Muslims. These amendments ban non-citizens and citizens who have gained their religious education abroad from leading Muslim rituals, and require leaders of mosques to be appointed by the state-favoured Caucasian Muslim Board (see F18News 22 July 2009 (see F18News http://www.forum18.org/Archive.php?article_id=1330)).

The authorities have also recently been raiding, fining and detaining followers of the approach to Islam of theologian Said Nursi, and have continued their long-standing harassment of Baptists in northern Azerbaijan. Most recently a birth certificate was denied to a

family who chose a Christian name for their child, Esteri Shabanova (see F18News 25 February 2010 http://www.forum18.org/Archive.php?article_id=1414). (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 printer-friendly map of Azerbaijan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=azerba>.

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