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AZERBAIJAN: Religious minorities want religious freedom

By Felix Corley, Forum 18

As Azerbaijan prepares amendments to its Religion Law, religious communities have told Forum 18 News Service of their widely differing views on this. The state-approved Caucasian Muslim Board wants more restrictions, as the current Law "gives great possibilities to all kinds of destructive and totalitarian sects and pseudo-religions" – although its spokesman repeatedly could not name any such Azeri group. In sharp contrast, religious minorities Forum 18 has spoken to want religious freedom. The major changes they want are: the end of compulsory censorship of religious literature; the removal of practical and legal barriers, such as a requirement that non-Muslim communities have a centre abroad to which they are subject; and an end to the ban on foreigners conducting "missionary activity". They have also told Forum 18 that they want an end to officials' arbitrary powers to interpret the law to restrict religious freedom, or to invent restrictions without any foundation in law.

As Azerbaijan prepares amendments to the country's Religion Law, views among religious communities as to how the Law needs to be changed vary widely. The state-approved Caucasian Muslim Board, Azerbaijan's largest religious community, has told Forum 18 News Service it wants a more restrictive law.

In sharp contrast, all the religious minorities Forum 18 has spoken to say they want an end to restrictions on religious freedom, both within the Religion Law and in the way officials nationally and locally implement the law. The major changes they would like to see are the ending of compulsory prior censorship of all religious literature, the removal of provisions and practices that make registration of communities the government does not like impossible, and an end to the ban on foreigners conducting "missionary activity".

Rabiyat Aslanova, a deputy of the Milli Mejlis (Parliament) who chairs the working group preparing the amendments, told Forum 18 that she expects the draft to be completed by September, opened up to public discussion and then presented to the Milli Mejlis. She would not explain what changes are being planned, or clearly explain why she considers that the Religion Law needs changing (see F18News 14 August 2006 http://www.forum18.org/Archive.php?article_id=827).

Haji Akif Agaev, who speaks for the state-approved Caucasian Muslim Board, insists that the current law needs "correction". "Law is such a thing that it constantly needs rewriting in accordance with the needs of the times," he told Forum 18 from Baku on 8 August. "The Religion Law should reflect current realities and should ensure that everyone can fulfil his or her religious needs. But religion should not be used for other purposes – or against others. The Religion Law should meet the demands of the people and the country."

Both Deputy Aslanova and Agil Hajiev, of the State Committee for Work with Religious Organisations, made similarly vague statements about why changes are being planned (see F18News 14 August 2006 http://www.forum18.org/Archive.php?article_id=827).

Although Haji Akif said that the Board could not give concrete recommendations on any changes until it sees the draft amendments, he insisted that the Law must be tightened. "Today's law gives great possibilities to all kinds of destructive and totalitarian sects and pseudo-religions," he claimed. "There's no mechanism in the current law to tackle them, as exist in other European laws." He could not name any countries which have such mechanisms, and repeatedly refused to name any destructive sects that he believes function in Azerbaijan.

Given his repeated refusal to name the groups he had in mind, Forum 18 asked if he meant Muslim or non-Muslim groups, to which he responded: "Both." On the tenth request to name such groups, he would only specify Aum Shinrikyo, the Japanese cult responsible for the fatal attack on Japan's Tokyo Metro in 1995. Forum 18 is unaware that this or any similar group has any adherents in Azerbaijan.

Like Deputy Aslanova and Agil Hajiev of the State Committee for Work with Religious Organisations, Haji Akif of the Caucasian Muslim Board rejected the description of the mandatory prior approval of religious literature as censorship. "It is a normal procedure to examine what literature is being produced or brought into the country" (see F18News 14 August 2006 http://www.forum18.org/Archive.php?article_id=827).

Religious minorities Forum 18 has spoken to are unequivocal in calling for an end to discrimination in the Law and in practice. Although the current Law specifies that all religions are equal and that citizens have equal rights regardless of their religious affiliation, Ilya Zenchenko, head of the Baptist Union, insists this must be strengthened in the new Law. "Islam is considered the national faith," he told Forum 18 from Baku on 8 August. "Rafik Aliev, the former head of the State Committee, used to regard Azerbaijan as an Islamic state. He wrote a book on religion and more than 95 percent was devoted to Islam. Only two pages covered Christianity, with Judaism getting only slightly more space."

Zenchenko called for an end, in the registration process, to the requirement that non-Muslim communities have a centre abroad to which they are subject. "This is a very strange provision. Baptists are an international brotherhood, and this is good. But we're not subordinate to anyone," he insisted. Ramazan Askarov, secretary of Baku's Baha'i community, shares this view. "If you want to establish a centre, why not? But this should be a decision for the religious community itself," he told Forum 18 on 9 August. "It's not logical for the state to require this."

Another Protestant pastor - who asked not to be identified as he was speaking in his own name, not in that of his church - agreed. "You can't get registration until you get a denomination, but you can't get a denomination until you have a centre abroad," he told Forum 18 from Baku on 8 August. "Why not? What if you don't have a centre abroad that you're subject to? What if you're just a few people getting together to worship?"

The Baku-based pastor also complained about the way registration is implemented (see eg. F18News 3 November 2005 http://www.forum18.org/Archive.php?article_id=681). The regulations setting out the procedure require a "religious centre" to apply for any individual community's registration, as well as requiring that the ten founding members need to present a document from their place of work. "It's funny: all ten founders need to get a special paper from where they live and where they work," the pastor told Forum 18. "This means you have to tell your employer that you are a founder of a religious organisation. As well as potentially bringing problems for you, it violates the Constitution as your religious affiliation is confidential. This must be corrected."

Askarov of the Baha'i community complained that one Deputy had declared, in Parliament this summer (2006), that in the new Law registration should be made more difficult, not less. He attributed registration denials and bans on activity – as for the Baha'i community in the exclave of Nakhichevan [Naxçivan], where no religious minority communities are allowed to function or register – to the initiative of local officials, rather than national laws. "The Religion Law says we can have registration in Nakhichevan, but local officials don't allow it," he explained.

Nakhichevan, an exclave between Armenia, Turkey and Iran, has long had the reputation as the area with the most repressive authorities in Azerbaijan (see eg. F18News 10 December http://www.forum18.org/Archive.php?article_id=474 and 13 December 2004 http://www.forum18.org/Archive.php?article_id=475).

All religious minorities Forum 18 spoke to were unanimous that prior compulsory censorship of all religious literature produced in Azerbaijan or imported into the country must be abolished as part of the amendments. "We have to ask permission from the State Committee for any literature – we would like that removed," Askarov of the Baha'i community told Forum 18.

Zenchenko of the Baptist Union pointed out the absurdity of the censorship system. He recounted how the Cathedral of Praise Protestant church had obtained permission from the State Committee to import copies of a book two years ago, but when the Baptists wanted to import the same book the Committee said they would have to submit a copy to it separately for a new expert analysis. "Such artificial obstructions have been introduced by the State Committee – they've introduced the strict controls that exist now. I can't even receive Bibles sent to me by post" (see F18News 28 March 2003 http://www.forum18.org/Archive.php?article_id=20 and 6 April 2004 http://www.forum18.org/Archive.php?article_id=295).

The current Religion Law appears to allow only registered religious centres to establish educational institutions - and even then a maximum of one per denomination. Only registered religious centres can apparently establish religious publishing houses – and all literature they produce must be subjected to prior censorship.

Some religious minorities demand the removal of the ban on foreigners from conducting "religious propaganda", though others seem less concerned by this, or by the fines or deportation prescribed in the Code of Administrative Offences for those violating this ban. "It's bad that foreigners are banned from conducting missionary activity," the Baku-based Protestant pastor told Forum 18. "We're moving towards democracy, so people – whether locals or foreigners – should be free to express their views."

Aja-Das, who leads Baku's Hare Krishna community, complained of the onerous system for inviting foreigners on a "normal working visit" to give lectures to the community. "We have to invite them through the State Committee and the Foreign Ministry," he told Forum 18 from Baku on 8 August. "There are a lot of checks and it takes a lot of effort. If only it could be easier" (see F18News 1 November 2005 http://www.forum18.org/Archive.php?article_id=680).

But Zenchenko of the Baptists was less concerned. "I'm not too worried by this ban on foreigners involved in missionary activity – we're strong enough to do this on our own," he told Forum 18. Askarov of the Baha'is said his community has not suffered as a result

of this ban.

Askarov also called for provisions in the law to ban incitement to attack people of other faiths. Some parts of the media in Azerbaijan have a record of participating in the state's intolerance of religious minorities (see eg. F18News 21 June 2005 http://www.forum18.org/Archive.php?article_id=590 and 15 February 2005 http://www.forum18.org/Archive.php?article_id=511).

Forum 18 was unable to get the views on the proposed new law of the Russian Orthodox Diocese of Baku and the Caspian, which has six parishes within Azerbaijan. "Bishop Aleksandr is away from Azerbaijan at the moment and without his blessing no-one can comment," Fr Mefody Efendiev, Diocesan Secretary, told Forum 18 from Baku on 11 August.

In addition to seeking changes to the religion law to end obstructions to religious practice, religious minorities would also like the authorities to end arbitrary powers of national and local officials to interpret the law in ways that restrict religious freedom or to invent restrictions which have no foundation in law.

Among such inventions are the restriction of religious communities that function without registration and restriction of the functioning of a religious community to the city or town where it is registered (see eg. F18News 3 November 2005 http://www.forum18.org/Archive.php?article_id=681). "We can only get registration in Baku," Aja-Das of the Hare Krishna community told Forum 18. "We want to work in the whole country, not just in Baku." He cited continuing restrictions on Hare Krishna work outside the capital. "In some places we have been stopped from distributing literature. It wouldn't be bad if this was changed so that religious communities can work across the country."

Protestants and members of other faiths have encountered frequent similar bans in small towns and villages (see eg. F18News 16 November 2005 http://www.forum18.org/Archive.php?article_id=689). (END)

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

For more background information see Forum 18's Azerbaijan religious freedom survey at http://www.forum18.org/Archive.php?article_id=92

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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