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AZERBAIJAN: Religious freedom survey June 2003

By Felix Corley, Forum 18

In its survey analysis of the religious freedom situation in Azerbaijan, Forum 18 News Service reports on government hostility to the idea of religious freedom, which appears to derive from officials' fear of social forces they cannot control and dislike of pluralism. The main victims are Muslims, whose faith is regarded as a potential challenge and whose communities face government interference and control, and minority faiths the government tries to restrict, including Evangelical Christians, Jehovah's Witnesses and the Hare Krishna community. Many religious communities have been denied registration, while all religious literature is subject to compulsory prior censorship.

The Azerbaijani government is fundamentally hostile to the idea of religious freedom, seeking to control faiths it regards as a potential challenge (especially Islam), to co-opt faiths it sees as useful (Judaism, Russian Orthodoxy, Lutheranism and Catholicism) and to restrict as far as it can other faiths that it dislikes (Evangelical Christians, Jehovah's Witnesses, Hare Krishna). Only faiths with a small following and who function unobtrusively, such as Molokans (an early Russian Protestant group), Georgian Orthodox and Baha'is, tend to escape government attention.

In the absence of hard evidence, government harassment of minority religious communities – which violates Azerbaijan's commitments as a member of the Council of Europe and the Organisation for Security and Cooperation in Europe - appears to stem from officials' fear of social change they cannot control and dislike of pluralism.

The prime instrument of control is official registration: without it, individual religious communities cannot act as a body, including owning or renting property, or holding bank accounts. Although the 1992 religion law (amended in 1996 and 1997) does not make registration compulsory, government officials at all levels often act as though it does. Police and local authorities have raided many religious communities that have chosen not to register or have tried to register but have been refused.

The powerful State Committee for Work with Religious Organisations, which has overseen the registration process since it was established in 2001, has a wide range of techniques for dealing with registration applications it regards as unwelcome: it pressures religious communities to withdraw those applications, ignores them, returns them repeatedly for "corrections" of "errors" or rejects them. Indeed, as registration applications need prior approval from local authorities before they even reach the committee, the scope for unpopular religious communities to be barred from registering is wide.

The claim by committee chairman Rafik Aliyev to Forum 18 on 5 March that "all those who applied for registration have received it" is patently untrue: of the 2,000 religious communities that are believed to function, of which 406 had registration with the Ministry of Justice before the State Committee was set up, only "about 175" have achieved reregistration with his committee, he reported in April.

The official list of 168 registered religious communities, dated 1 April and published on the State Committee website www.addk.net, testifies to how difficult it is to register non-Muslim communities outside the capital Baku: one Jewish community is registered in Kuba region, one Georgian Orthodox parish in Gakh region, an Adventist and a Baptist church in the city of Gyanja and a Molokan, a Baptist and a Baha'i community in Sumgait.

Only the Russian Orthodox diocese has gained reregistration, though this is by choice: diocesan secretary Fr Aleksei Nikonorov told Forum 18 that the State Committee wanted the Church to register its six parishes independently, but the Church refused, insisting that all are subject to the diocese and need registration only as branches of the diocese.

Baptist communities in Neftechala and in the town of Aliabad in the northern region of Zakatala, the Adventist community in Nakhichevan, the Greater Grace Protestant church in Ismaili, an independent Lutheran congregation in Baku, as well as a variety of Protestant churches in Sumgait are among those to have been denied registration either at local or national level. The authorities particularly dislike Protestant churches that attract a mainly ethnic Azeri membership. Rafik Aliyev had Baku's Azeri-language Baptist church closed down by court order in April last year after alleging that the pastor, Sari Mirzoyev, had insulted Islam. Mirzoyev was "banned" from preaching and subjected to a harsh media campaign.

Although religious communities denied registration have the possibility of challenging the denial through the courts, most prefer not to take that step, fearing that corruption in the court system and the closeness of the judicial system to the government will prevent a fair verdict. When the Baku Baptist community challenged the court-ordered liquidation it failed to have the liquidation order overturned. Communities denied registration also fear that if they make waves they will only attract further "punishment", such as police visits.

The State Committee, like many government agencies, acts mainly behind closed doors, releasing little information about how it reaches decisions. Communities have scant opportunity to challenge how long the committee lingers over applications or how it decides which documents to challenge. Symptomatic of this lack of transparency is the committee's refusal to allow itself to respond to questioning by independent groups: Rafik Aliyev has instructed his officials for example not to give interviews to Forum 18 as he believes it publishes "inaccurate information" (though neither he nor his officials have ever specified which information is inaccurate).

Rafik Aliyev's untrammelled powers allow him to make public statements through the media based on questionable legal foundations which can worry religious communities. Last year he arbitrarily ordered closed 22 of the country's 26 madrassahs (Islamic schools), announcing the move through the press.

Last October he declared in an interview that he would seek the liquidation through the courts of the Jehovah's Witness community in Baku, alleging that it had engaged in holding "illegal meetings" and involving children in "unhealthy religious services". Although Jehovah's Witness sources have told Forum 18 that no such court action has been initiated and that the Baku community retains its registration, repeated claims in the media that the Jehovah's Witnesses are "illegal" create a mindset among officials and the public that the group is dangerous and a potential threat to society.

Speaking on Lider television on 6 May, Rafik Aliyev said his committee is drawing up a list of religious communities that violate the law, with Baku's Greater Grace Protestant church "top of the list". He claimed that his committee and the interior ministry had given the church several warnings and warned of "serious measures" if the church did not modify its behaviour. Greater Grace leaders declined to comment on these statements, telling Forum 18 that the church has received no written warnings and is continuing its work. Again, such media claims, with no evidence of wrongdoing, add to a general climate of suspicion of religious communities many regard as "non-traditional".

In the same interview, Rafik Aliyev complained that "over 600" Azerbaijani students (presumably mostly Muslim) are receiving religious education in foreign countries "illegally". He said his committee would draw up a list of them and recall them to Azerbaijan. It remains unclear why Azerbaijani citizens are breaking the law in travelling to other countries for religious education. Azerbaijan has abolished the Soviet-era system of exit visas for local citizens and the government has no authority to interfere in citizens' foreign travel, provided there are no criminal or national security implications.

While Protestant communities have been subjected to police raids, beating of church members, denial of registration and harassment of individual church members, it is the Muslim community that faces the greatest state meddling. The government doubtless fears that it might become a source of opposition, with the power to mobilise large numbers of people.

The religion law requires all Muslim communities to be part of the state-backed Caucasian Muslim Board, despite claims that the state does not interfere in the internal activity of religious organisations. Independent mosques controlled by Wahhabis, or other groups which dislike the control imposed by the Caucasian Muslim Board, have faced government pressure and interference. Imams the authorities do not like have reportedly been removed. Rafik Aliyev has declared that the State Committee will take part in drawing up and enacting "attestation tests" for imams, a clear violation of the autonomy of religious communities.

Censorship of religious literature – which existed during the Soviet period – was continued in the 1992 religion law and its subsequent amended versions. The law requires permission from the State Committee before a religious community can publish, import or distribute any religious literature, in clear violation of Azerbaijan's commitments to freedom of speech. Article 9.2 of the July 2001 regulation covering the duties of the committee clearly spells out its censorship tasks: "Take control of the production, import and distribution of religious literature, items, other religious informational materials and give its consent on the bases of the appeals of the religious institutions and relevant state bodies in accordance with the established procedure."

The State Committee also insists that the number of copies of each work to be imported or printed locally must also be approved. A special department of the State Committee – headed by Jeyhun Mamedov – oversees this censorship.

Numerous believers of all faiths – including Muslims, Protestants and others – have seen religious literature confiscated at customs. One Baptist pastor had his twenty-year-old personal Bible confiscated as he returned to the country last year.

Symptomatic of officials' fear of religious freedom are the attempts to suppress accurate reporting of events through intimidation of believers and obstruction. Rafik Aliyev has warned a number of religious groups not to complain to foreigners about the violation of their rights. The local chapter of the International Religious Liberty Association, founded with interfaith backing last autumn, has seen its registration application languish unanswered at the justice ministry for the past seven months, while the Devamm group,

which has campaigned for believers' rights, has failed to get any response to its application for more than two years, despite a court ruling in its favour.

Officials like to claim that Azerbaijan is a country of religious tolerance – a view sedulously promoted by government-favoured groups like the Russian Orthodox Church, the Jewish communities (Mountain, Georgian and Ashkenazi Jewish) and the Catholics (the papal visit in May 2002 offered the tiny Catholic community the opportunity to join in this dubious campaign). Orthodoxy's worldwide leader, Ecumenical Patriarch Bartholomew, repeated the same message during his high-profile visit in April. "All people in Azerbaijan, regardless of whether they are Jews, Christians or Muslims, live comfortably," President Heydar Aliyev declared during the visit, ignoring the plight of members of religious minorities.

Under an authoritarian regime, which has continued many of the old communist mechanisms of control but with a highly-developed and corrupt cult of personality around the president, Azerbaijan has yet to introduce an open, democratic society where religious freedom can flourish. Overlaid on the anti-democratic mindset of many officials is a lingering feeling that it is "inappropriate" for ethnic Azeris to "convert" to other faiths.

While the spring 2002 wave of raids on religious meetings, with believers being beaten and places of worship sealed, seems not to have been repeated, a disturbing number of incidents still continue. As Azerbaijan prepares itself for what many believe will be President Aliyev's imminent death and the inevitable subsequent struggle for power among rival clans, religious minorities fear that the fragile existence they have been able to sustain may be curtailed if officials even more hostile to the limited toleration of religious minorities take control.

Coverage of freedom of thought, conscience and belief in Azerbaijan is at
<http://www.forum18.org/Archive.php?query=&religion=all&country=23&results=50>

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

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