

28 May 2008

AZERBAIJAN: Jailed Muslim teacher "completely innocent"

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

Said Dadashbeyli, a Muslim teacher on a 14 year jail term is "completely innocent," his lawyer and family have insisted to Forum 18 News Service. His lawyer, Elchin Gambarov, claims the Azerbaijani government wanted to show foreign governments that there was a serious Islamist threat. Commenting on the trial proceedings, he complained that "anyone who saw what actually went on would laugh," he told Forum 18. Dadashbeyli's family told Forum 18 that he promoted a "European style of Islam" and rejected fundamentalism, especially that preached by missionaries from neighbouring Iran. An appeal against the sentence has been made to the Supreme Court. However, a court official told Forum 18 that no case under the name Dadashbeyli is listed. "This means the appeal was not received." Gambarov rejects this and stated that, if the Supreme Court appeal fails, they will take the case to the European Court of Human Rights in Strasbourg.

The lawyer and family members for imprisoned Muslim teacher Said Dadashbeyli have insisted to Forum 18 News Service that his 14-year prison term imposed in Baku in December 2007 is completely unjustified. "Said and eight members of his group, out of the total of the 15 sentenced, are I believe completely innocent," Dadashbeyli's lawyer Elchin Gambarov told Forum 18 in Baku on 22 May. "All Said was doing was expounding his views of Islam to his 40 or so followers and collecting money to help the poor." Gambarov claims the Azerbaijani government wanted to show foreign governments that there was a serious Islamist threat. "The state knows Said is no danger, but needed a victim. He is a victim of geopolitics."

Gambarov told Forum 18 that the authorities had violated Dadashbeyli's rights to freedom of religion and freedom of association. He said they wished to crush the religious group he led, but sought to find a way to do it without appearing to target him for his religious activity.

No-one at the National Security Ministry (NSM) secret police was prepared to discuss Dadashbeyli's case with Forum 18.

Gambarov complained that the original trial in 2007 was closed. "Anyone who saw what actually went on would laugh," he told Forum 18. "It was all a spectacle. The verdict was one-sided and only had in it what was in their original accusation. I was allowed in but even his family was not." Similar accusations of lack of due process in court proceedings were made in the case of Baptist pastor Zaur Balaev (see F18News 9 August 2007 http://www.forum18.org/Archive.php?article_id=1005).

The 32-year-old Dadashbeyli is currently being held at Strict Regime Prison No. 15 in Baku's Narimanov District. The camp address is:

UA-38/15, Boyuk Shor settlement

Baku AZ1029

Azerbaijan

Dadashbeyli's mother, Gatiba Karaeva, told Forum 18 on 22 May that she is allowed to visit her son once a month. However, even in prison he is not allowed free access to religious literature. "He is allowed a copy of the Koran, but no other religious literature," she complained. "I can send him magazines and books about economics, which he studied, or anything else, except about religion. I don't know why."

The official who answered the phone at the prison on 28 May – who refused to give his name – told Forum 18 that prison director Yusif Allaverdi was not present that day (a public holiday in Azerbaijan). He maintained that Dadashbeyli's health is "excellent". He denied Karaeva's assertions that her son was not allowed to receive religious literature other than the Koran. "She can claim anything she likes," he told Forum 18. "But he uses religious literature. We have a mosque here also." He declined to explain on what terms Dadashbeyli and other prisoners are allowed access to the mosque.

Elchin Behbudov, head of the Azerbaijan Committee Against Torture, a non-governmental organisation, says that he has regularly visited Dadashbeyli and that his health is reasonable. He told Forum 18 from Baku on 28 May that for the last two weeks he has

been treated for painful kidneys in the medical unit. "Said can go to the camp mosque freely, but like other prisoners cannot have religious literature apart from the Koran. This has been banned by the prison director Colonel Allaverdi, who says he fears extremist literature." Behbudov said he too believes Dadashbeyli is innocent.

Dadashbeyli – who had worked for many years for an oil-service company – founded an Islamic group called Nima in 2005. His family told Forum 18 the name was chosen as it represented Amin (Amen) backwards, and was chosen to signal respect for Muslims and Christians as both use the word when praying.

They say Dadashbeyli promoted a "European style of Islam", mutual respect and unity between Shias (the largest Muslim group in Azerbaijan) and Sunnis, and rejected fundamentalism, especially what he regarded as fundamentalism preached by missionaries from neighbouring Iran. He also opposed sending alms from Muslims in Azerbaijan to ayatollahs in Iran, arguing that needy people in Azerbaijan should be supported instead. Karaeva, his mother, told Forum 18 that he had collected money and helped orphans, disabled people and the poor.

The family say Dadashbeyli met with his followers in tea houses around Baku where he would discuss his views informally with them. He often prayed with his followers at Baku's Turkish (Sunni) mosque, where he would encourage Shias to pray alongside Sunnis. The family add that the group was still forming and had some 40 members when Dadashbeyli and the others were arrested. They say he had intended to set up a website to expound his views, formalise the group, draw up statutes and try to register it with the Justice Ministry.

Dadashbeyli was arrested by the NSM secret police on 13 January 2007, just days before he, his wife and their two children were due to emigrate to Canada, where he had gained permission to work. Gambarov reports that immediately after his arrest, NSM officers beat Dadashbeyli, deprived him of food and water, refused to let him sleep and refused him calls to his lawyer and family.

Dadashbeyli was charged under a range of Criminal Code articles: Article 274, Article 278 (violent seizure of power), Article 218 (organising a criminal group), Articles 28.2 and 180.3 (attempted robbery), Articles 204.3.1 and 204.3.2 (manufacture or sale of forged money), Article 228.4 (illegal storage of firearms and ammunition) and Article 234.1 (illegal storage of drugs). He rejected all the charges.

Gambarov and the family told Forum 18 that drugs and weapons were planted in Dadashbeyli's car when he was arrested. A hunting rifle he had been given for his 30th birthday and for which he had a licence was used as evidence also. "He had never even got round to using the hunting rifle – he never had time," his mother told Forum 18.

The trial of the 15 alleged conspirators took place from 28 September to 10 December 2007 at Baku's Court for Especially Serious Cases under Judge Anver Saidov. It was closed to the public. All 15 received long sentences – of between 14 years and two years – on a range of serious charges.

Those Gambarov and Dadashbeyli's family insist are innocent are, in addition to Dadashbeyli: Mikail Idrisov, Emin Mehbaliev, Rasim Kerimov, Samir Gojaev, Beybala Guliev, Farid Agaev, Fatula Bebirov and Zaur Orujov. Gambarov told Forum 18 that their families too are trying to challenge the long sentences. Two of those sentenced together with them are, the lawyer and the family insist, local people who had been recruited as Iranian spies. The other four were, they say, guilty of forging money in an unrelated case (they knew one of Dadashbeyli's followers) which was "deliberately" merged into their case.

Dadashbeyli lodged an appeal against his sentence, but this was rejected by Baku's Appeal Court in a one-day hearing on 25 February 2008. "The last chance to challenge the sentence here in Azerbaijan is at the Supreme Court," the lawyer Gambarov told Forum 18. "We lodged the appeal at the end of March."

However, an official of the Criminal Cases Collegium of the Supreme Court told Forum 18 from Baku on 27 May that no case under the name Dadashbeyli is listed. "This means the appeal was not received."

Gambarov rejects this. "They did receive it," he insisted to Forum 18 on 27 May. He says if the Supreme Court appeal fails they will take the case to the European Court of Human Rights in Strasbourg. "I have no illusions – courts here are not independent. I know we will have to go to Strasbourg."

Dadashbeyli's wife Ilhama and their two children left for Canada in late 2007 while the trial was still going on. She told Forum 18 from Canada that she remains highly concerned about her husband and his colleagues. "I am determined to fight for the rights of my completely innocent husband."

Karaeva, Dadashbeyli's mother, told Forum 18 she has repeatedly appealed to Azerbaijan's president Ilham Aliyev, ombudsperson Elmira Suleymanova, and other agencies. However, so far her campaign to have her son freed has been fruitless.

Azerbaijan's authorities remain highly suspicious of unregistered religious communities. Many Protestant, Jehovah's Witness and other minority communities have been raided by police. In one high-profile case, Baptist pastor Zaur Balaev was imprisoned on

trumped-up charges and only freed in March. A Jehovah's Witness prisoner who objected to military service on religious grounds, Samir Huseynov, was freed in May despite his appeal against his jail sentence being refused (see F18News 19 March 2008 http://www.forum18.org/Archive.php?article_id=1102).

In defiance of international religious freedom commitments, Azerbaijan's Religion Law insists that only Muslim communities subject to the state-loyal Caucasus Muslim Board are allowed to gain state registration. The authorities repress Muslim groups that function independently of the Board, which is led by Sheikh-ul-Islam Allahshukur Pashazade.

In 2004 police forcibly expelled from Baku's Juma Mosque an independent community led by imam Ilgar Ibrahimoglu Allaverdiev (see F18News 5 April 2004 http://www.forum18.org/Archive.php?article_id=294).

Freed under a previous presidential amnesty in January 2006 was a Sunni imam Kazim Aliyev, who led the Sunni mosque in Azerbaijan's second city Gyanja [Gäncä]. The mosque community insisted to Forum 18 that the charges against him of organising an armed uprising were trumped-up. On his release the authorities refused to allow him to return to serve the Gyanja mosque (see F18News 10 March 2006 http://www.forum18.org/Archive.php?article_id=741). (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.

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 survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at http://www.forum18.org/Archive.php?article_id=806.

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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