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AZERBAIJAN: New excuses for mosque closure, new raid on Jehovah's Witnesses

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

Azerbaijan continues to obstruct religious worship, Forum 18 News Service has found. Police in the capital Baku have put forward new claims as to why the Abu-Bekr mosque cannot be reopened. The latest police claims, for which no evidence has been produced, are that there is a threat of terrorist attack, that local people object to the mosque, and that it was built illegally. However, Deputy Police Chief Alekper Ismailov claimed to Forum 18 that the authorities do not want to keep the mosque closed. A nationwide "temporary" ban on praying outside mosques also remains in force. Separately, Baku police have also raided a legal Jehovah's Witness meeting for worship, confiscated legally imported literature, and detained two people for five hours as part of a "passport check." Police Chief Firuddin Jamalov initially claimed to Forum 18 that "it was not us", but in the face of evidence changed his claim to "this is not the subject of a phone conversation." Meanwhile, the trial of Baptist pastor Hamid Shabanov is due to resume in Zakatala on 17 November.

Azerbaijan's authorities are continuing to obstruct Muslim and Jehovah's Witness religious worship, Forum 18 News Service has found. Police in the capital Baku's Sabunchu District raided a Jehovah's Witness meeting in a private home on 5 November, Jehovah's Witnesses told Forum 18. Also, police in Baku's Narimanov District have put forward several fresh claims as to why they allege that the Abu-Bekr mosque – closed since a grenade attack on 17 August – cannot reopen. The mosque community's attempt to have the enforced closure overturned resumes in court on 19 November, the community's lawyer Javanshir Suleymanov told Forum 18 on 13 November.

A nationwide "temporary" ban on praying outside mosques, imposed in August 2008 also remains in force (see F18News 17 October 2008 http://www.forum18.org/Archive.php?article_id=1205). "No one has seen this ban in writing," one Muslim complained to Forum 18 on 12 November.

Meanwhile, Baptist pastor Hamid Shabanov, who leads a congregation in the village of Aliabad in Zakatala [Zaqatala] District of north-western Azerbaijan, is due back in court on 17 November, his family confirmed to Forum 18 from Aliabad on 13 November. Shabanov is on trial for allegedly possessing an illegal pistol, a charge he and his congregation vehemently reject. They argue that police initiated the long-running case to punish him for leading his congregation. Pastor Shabanov spent twenty weeks in prison, but was transferred to house arrest on 5 November (see F18News 6 November 2008 http://www.forum18.org/Archive.php?article_id=1214).

The woman who answered the telephone of Yagut Alieva, the spokesperson for the State Committee for Work with Religious Organisations, told Forum 18 on 13 November that Alieva was out and put the phone down, in line with the State Committee's normal behaviour when questioned. Forum 18 was thus unable to find out why Muslim worship is being restricted, why the Baptist congregation in Aliabad has face years of harassment including the prosecution of two of its pastors and why Jehovah's Witness meetings have repeatedly been raided.

On 27 October 2008, the Abu-Bekr mosque community won a court case challenging the mosque's continued closure. The police, the Interior Ministry, the Prosecutor's Office, the National Security Ministry (NSM) secret police, and the State Committee for Work with Religious Organisations have all avoided saying which agency is responsible. However, despite the mosque community's 27 October court victory, Narimanov District Police told Forum 18 that the Muslims "don't have the right" to reopen their mosque (see F18News 29 October 2008 http://www.forum18.org/Archive.php?article_id=1211). Judge Asif Allahverdiev subsequently cancelled his decision, following police objections. Hearings have dragged on since then (see F18News 3 November 2008 http://www.forum18.org/Archive.php?article_id=1212).

Alekper Ismailov, Deputy Police Chief of Baku's Narimanov District, who has been heavily involved in the continuing enforced closure of the Abu Bekr mosque and represented the police in court on 12 November, rejected any suggestion that the authorities want to keep the mosque closed. "Not so, not so," he told Forum 18 from Baku on 13 November. He insisted that mosque remains closed merely because the investigation into the 17 August grenade attack that left two people dead and many more wounded is still underway. However, Ismailov repeatedly refused to say whether or not the forensic examination at the mosque has been completed,

as the mosque community insists. "The diagnosis is not yet complete," he kept repeating.

Ismailov stressed that the issue is still in Narimanov District Court, where the next hearing is scheduled for 19 November. The latest claim by the authorities as to why the mosque must remain closed is the threat of terrorist attack, but Ismailov refused to answer questions on this.

The Deputy Police Chief then repeated what had been claimed in the 12 November court hearing, that local residents are opposed to the mosque's reopening. Asked what this had to do with the suit by the mosque community to have the building reopened, Ismailov failed to respond. He also refused to say why the authorities are also now claiming that the mosque was built illegally and that the legal address for the mosque community is illegal. He declined to answer any further questions and put the phone down.

Suleymanov, the mosque community's lawyer, pours scorn on the police arguments. He told Forum 18 that the mosque community is registered as a religious organisation at the nearby home of the imam, Gamet Suleymanov (no relation). He noted that "thousands" of organisations of many kinds have a registered legal address at one location and conduct activity elsewhere. Also, when he had asked the police for evidence that a new attack is planned, they could provide no evidence for their claim.

The lawyer says he does not have the documentation relating to the building of the mosque in 2001, as the NSM secret police has confiscated all the paperwork. The community is therefore unable to prove whether the mosque was built legally or not. However, he questions why this issue is suddenly being raised more than six years after the mosque opened. Suleymanov stressed that the case to reopen the mosque has been brought by the community. "If the authorities have claims against the mosque, let them bring a suit themselves," he told Forum 18. "They have not done so."

Suleymanov also expressed frustration over the failure of the court to reach a decision. "It will be interesting to see how many months or years such legal hearings will drag on."

Meanwhile, on 5 November, five officers from the 13th police station of Sabunchu District of north-eastern Baku raided the home of Tamara Danilchenko, while 12 people were present for a religious meeting, Jehovah's Witnesses told Forum 18 on 11 November. Accompanying the police officers were several people in civilian clothes who, the Jehovah's Witnesses report, later turned out to be from the police Criminal Investigation Department.

Asked by Kirill Stepanov, one of the Jehovah's Witnesses, why they had come, the police claimed it was a passport regime check. Asked whether the police were checking all the neighbours also, the police responded that it was a "selective" check. Asked to identify themselves, the officers merely said they were from the 13th police station and mentioned only the name of the Police Chief, Firuddin Jamalov. "They did not give their own names and showed no identification," Jehovah's Witnesses told Forum 18. "Even in conversation they made an effort not to call each other by name."

The police asked those present to show their identity documents and wrote down names, addresses and dates of birth. They took 23 books and 10 videocassettes to check if they were approved by the State Committee for Work with Religious Organisations. "Though it was explained that all the literature had previously been examined by that Committee, the police still decided to take one sample of each and said that if the Committee states that it is allowable literature then they would return it."

All religious literature in Azerbaijan is subject to prior compulsory censorship by the State Committee, with permission often being withheld (see F18News 6 August 2008 http://www.forum18.org/Archive.php?article_id=1168).

The police then demanded that Danilchenko and Stepanov go with them to the police station, saying that they just needed to complete the paperwork on the books and that it would take 15 minutes. However, the two were held at the police station for more than 5 hours.

Police maintained that Stepanov and Danilchenko had violated Article 299.0.2 of the Administrative Code, which punishes "infringement of the regulations on organising religious meetings". The police told the two Jehovah's Witnesses that by law they do not have the right to meet in apartments. Stepanov explained that Article 21 of the Religion Law guarantees this right, besides which the religious community is registered and this matter is stipulated in the charter of the organisation. However, the police still claimed that this was a violation of the law.

Officers told them they would draw up a statement, and that they should both sign it and pay a fine. However, Stepanov and Danilchenko refused to sign this protocol. The police told them that in future the community should inform the authorities that meetings are being held at this address. Jehovah's Witnesses told Forum 18 the victims intend to lodge complaints with the Prosecutor's Office.

Asked on 13 November about the raid, Police Chief Jamalov initially claimed to Forum 18 that "it was not us". Given the details of the raid and detention of the two Jehovah's Witnesses and the attempt to fine them, he then insisted that "this is not the subject of a phone conversation" and put the phone down.

Jehovah's Witnesses throughout Azerbaijan have faced severe pressure over the past year, with raids in Zakatala, Baku, Gyanja [Gäncä] and the western town of Mingachevir [Mingacevir] near Gyanja. Officials often use the excuse that the communities are not registered (see F18News 18 September 2008 http://www.forum18.org/Archive.php?article_id=1188).

Jehovah's Witnesses told Forum 18 they have eight court cases before domestic courts over the deportation of foreigners, police raids on religious meetings and the censorship of religious literature. Four of these court cases are currently before the Supreme Court, one at the Constitutional Court and three before lower courts. "But unfortunately we must come to the conclusion that the court decisions up till now mostly been biased and unfair," the Jehovah's Witnesses complained.

They said that if necessary they are ready to take these cases to the European Court of Human Rights in Strasbourg. (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=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 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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