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AZERBAIJAN: Official denies "unprofessional work" over re-registration denials and delays

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

Seven months after compulsory re-registration of all Azerbaijan's religious communities began (except in Nakhichevan) and three months after the end of the submission deadline, the State Committee for Work with Religious Organisations has admitted that fewer than half the 534 registered communities have been re-registered. Yet an official denied to Forum 18 News Service its work is "unprofessional". Mosques forcibly closed by the state – including Fatima Zahra mosque in Baku - have been told their applications are invalid. Baku's Baptists, Seventh-day Adventists, Jehovah's Witnesses, and International Fellowship have also been denied re-registration, Forum 18 has learnt. In the wake of its rejection, Baku's Baptist church was four times visited by police in March, claiming that it was acting "illegally". The International Fellowship – an English-language Protestant church – is now having visas for foreign personnel denied and one has already had to leave.

Religious communities of a wide variety of faiths in Azerbaijan have expressed to Forum 18 News Service their frustration, irritation and fear over the controversial and highly bureaucratic compulsory re-registration process. "They torture us with their bureaucratic demands," the leader of one community who asked not to be identified complained to Forum 18. More than seven months after re-registration applications began arriving at the State Committee for Work with Religious Organisations in the capital Baku, and more than three months after the submission deadline expired, Committee officials have admitted that fewer than half the applications from existing registered communities have been processed and approved. Some other communities have been told – on what they insist to Forum 18 are arbitrary grounds – that their applications are being rejected.

Hundreds of other communities which did not have registration are also waiting for their first-time applications to be processed. Forum 18 knows of one Baptist church - in the town of Aliabad, in the north-western region of Zakatala - which has been obstructed from lodging an application for more than 15 years. The local state notary arbitrarily refuses to notarise the founders' signatures on the application, meaning that the application cannot get beyond the first stage (see F18News 21 December 2009 http://www.forum18.org/Archive.php?article_id=1389).

State Committee spokesperson Gunduz Ismailov confirmed to the local news agency APA on 6 April that only 252 of the 534 communities which had registration under the old Religion Law have successfully achieved re-registration. He admitted that some 700 other communities are awaiting re-registration, or registration for the first time.

The compulsory re-registration (the third since Azerbaijan gained independence in 1991) was mandated by the harsh revisions to the Religion Law which came into force in May 2009. Article 12 of the revised Law implies that unregistered religious activity is illegal – in violation of Azerbaijan's international human rights commitments. Furthermore, Muslim communities can only get registration if they are part of the state-backed Caucasian Muslim Board (see F18News 3 June 2009 http://www.forum18.org/Archive.php?article_id=1305).

However, the Department for Work with Religious Organisations in Nakhichevan - an exclave wedged between Armenia, Iran and Turkey which is an autonomous republic of Azerbaijan – insisted to Forum 18 in December 2009 that no re-registration requirement exists there (see F18News 21 December 2009 http://www.forum18.org/Archive.php?article_id=1389).

Why is registration needed?

While law-makers who adopted the new Religion Law and State Committee officials failed to explain why they insist that registration is necessary before religious communities can function, some religious communities have defended their right to function whether or not they have state registration.

"Our people don't even apply for registration," one reader of the works of the late Turkish Muslim theologian Said Nursi told Forum 18 on 7 April. He pointed out that Article 18 of Azerbaijan's Constitution guarantees freedom of conscience and freedom of worship making no reference to any requirement for state registration.

Nursi readers have in recent years been subjected to police raids, fines and literature confiscations (see F18News 25 February 2010 http://www.forum18.org/Archive.php?article_id=1414).

Taking a similar stance are members of the Council of Churches Baptists in Azerbaijan. Like their counterparts elsewhere, they reject state registration in principle, arguing that it leads to state interference in their internal church life.

State Committee official denies "unprofessional work"

The official who on 7 April answered Ismailov's telephone at the State Committee – who would not give his name – dismissed suggestions that the failure to re-register more than half the registered religious communities over a seven month period was the fault of State Committee officials. "It is not a question of our unprofessional work," he insisted to Forum 18. "We've had lots of work to do and so many applications came in."

The official denied the frequent complaint from religious communities that lots of bureaucracy was involved in lodging applications. "Anyone who lodges an application will get re-registration." Asked in particular why the Baptist church in Aliabad has been trying to register in vain for more than 15 years, the official put the phone down.

Despite widespread dissatisfaction among religious communities, Forum 18 has found that few of them are prepared to voice their concerns on the record for fear of jeopardising their chances – however slim - of achieving re-registration. Without re-registration, communities would be at risk of police raids and other harassment.

Refusals to consider re-registration applications

State Committee officials have told some religious communities bluntly that their re-registration applications will not be considered. These include the communities of mosques closed and confiscated by the authorities in 2008 and 2009, such as the Fatima Zahra mosque in Baku's Yeni Guneshli district and the Juma Mosque in Shahsevenler district of Azerbaijan's second city Gyanja [Gāncā], the only Sunni Muslim mosque in the city.

The Fatima Zahra mosque, the only mosque for a residential district of some 70,000 people, was closed by police in summer 2009 and is threatened with demolition (see F18News 26 January 2010 http://www.forum18.org/Archive.php?article_id=1398).

Tofiq Razizade, leader of the Fatima Zahra mosque community, told Forum 18 that it lodged its re-registration application in November 2009 after the enforced closure. However, the State Committee responded in February 2010 that the application is invalid and will depend on the outcome of a Supreme Court hearing over the building's possible demolition, now due to take place on 14 April.

"We're not a new community – we were registered in 1995 and re-registered in 1997," Razizade told Forum 18 from Baku on 6 April. "We didn't get re-registration in 2002 only because the State Committee objected to the name of the mosque. We have a letter of recommendation from Sheikh-ul-Islam Pashazade from the Muslim Board. We told the State Committee that we don't want anything from them except to be allowed to pray."

Vidadi Abbasov of the Sunni Muslim community in Gyanja told Forum 18 that in the wake of the closure of their mosque by the authorities during the Muslim holy month of Ramadan in September 2009, it was told it cannot lodge a re-registration application. The community lodged an application before its enforced closure, but officials insist this is not valid (see F18News 18 September 2009 http://www.forum18.org/Archive.php?article_id=1350).

"All we want is to be allowed to reopen our mosque or to be given a new mosque to pray in," Abbasov told Forum 18 from Gyanja on 7 April. He insists that the current registration under the old Religion Law has not been annulled through the courts.

Also rejected outright with no explanation was the re-registration application of the Baku International Fellowship, an English-language Protestant community largely made up of expatriates. The Fellowship gained registration only with difficulty in April 2003 (see F18News 1 November 2005 http://www.forum18.org/Archive.php?article_id=680).

David Fortune, the Fellowship's Canadian pastor, notes that the re-registration application was submitted before the 1 January 2010 deadline. "We continue to try and submit our application," he told Forum 18 from Baku on 7 April. Fortune points to the knock-on effect on the congregation, with the Migration Department now rejecting visas for its foreign staff. One staff member has already had to leave Azerbaijan this year.

"The only reason given for this rejection was that we had 'no basis for being in the country'," Fortune told Forum 18. "We don't understand this since we still have the old registration. Someone at the Migration Department said that they were still giving visa for religious workers but they could not comment on a specific case such as ours." The State Committee has refused to help church members resolve the visa problem with the Migration Department.

Other rejections "not final"

Three other religious communities publicly identified by Ismailov of the State Committee in his 6 April interview as having been denied re-registration are the Baku Baptist congregation, the Baku Seventh-day Adventist congregation and the Baku Jehovah's Witness congregation. Baptist and Adventist congregations have existed in Baku for more than a century, though Jehovah's Witnesses have worshipped there only more recently.

The State Committee wrote to Baku's Baptist congregation on 19 February, though the letter only arrived on 19 March, the head of the Baptist Union Ilya Zenchenko told Forum 18 from Baku on 6 April. The letter told the church that its application was being refused as only two of the original ten legal founders of the community were the same and that the community had added the word "Church" to its official name.

"Some of the people who were the official founders a decade ago are now old and unwell and we want to include younger active people," Pastor Zenchenko explained to Forum 18. "We're not an organisation of ten people but a church." He complained that the State Committee never warned the church that it had to use the same founders as before, a complaint Forum 18 has heard from a number of other faiths.

Pastor Zenchenko insisted to Forum 18 that he still believes the problems can be resolved and the State Committee will register the congregation. However, he points out that in March, their church was visited by police from Narimanov District's 16th police station four times. "They insisted that we were acting illegally because we had not been re-registered," Zenchenko told Forum 18. "They're supposed to be guardians of the law, but we had to explain that until a court liquidates us our registration remains valid."

Forum 18 has also learnt that the State Committee wrote a similar rejection letter to Baku's Adventist church on 19 February, though the church did not receive it until 1 April. Committee officials told the Adventists that now their application has been rejected it will have to apply for registration as a new community. Forum 18 understands that the community will apply for registration as a new community.

Jehovah's Witnesses confirmed to Forum 18 that the State Committee had written regarding the fact that their Baku community could not be re-registered because of allegedly technical problems in the application. "But this doesn't mean that we're automatically deregistered – it wasn't a final decision. We're still in negotiation with the State Committee," Jehovah's Witnesses told Forum 18 on 7 April. They point out that a court order to liquidate a religious community is needed before the existing legal status is removed.

Who has got re-registration?

While the Muslim Board was the first to be re-registered, the Russian Orthodox diocese was second. Others among the 252 communities which had gained re-registration by 6 April were mosques, Baku's Hare Krishna community, six different Jewish communities, two Molokan communities (in Baku and Sumgait) and Baku's New Life Protestant church.

In addition to the 252 re-registered communities, Baku's Baha'i community told Forum 18 on 7 April that it had just been told it can come to collect its re-registration certificate from the State Committee on 8 April.

Many others still wait

Forum 18 has learnt that many mosques, almost all the other currently registered Christian communities, as well as communities of other faiths, are still waiting for a response to their re-registration applications. "We applied for re-registration back in September 2009 as one of the first," the leader of one community who asked not to be identified told Forum 18 on 7 April. "When we go to ask they say there are more than 700 others waiting, so you'll have to wait some more. But how can this be when we were among the first to apply?"

Pastor Rasim Hasanov, who heads the Evangelical Alliance, which brings together many Protestant congregations, complains that the only Protestant church to have achieved re-registration is New Life Church. "Many others have presented their applications," he told Forum 18 from Baku on 7 April. "What our Evangelical Alliance wants is for all Christian churches to be granted registration by the government and receive their certificate, and to be able to freely worship our God."

Pastor Hasanov's own church - the Temple of the Lord, an Assemblies of God congregation – has been seeking registration in vain since 2006 (see F18News 6 November 2008 http://www.forum18.org/Archive.php?article_id=1214).

Among Christian communities, Pastor Zenchenko of the Baptist Union said it is still waiting to receive any response over its communities in Sumgait and Gyanja, as is the Adventist church over its congregation in Gyanja. Baku's Catholic parish and Lutheran congregation are likewise still waiting for re-registration, as is the one currently registered Georgian Orthodox parish in Gakh in north-western Azerbaijan near the border with Georgia.

The head of Azerbaijan's Catholic community, Fr Vladimir Fekete, told Forum 18 from Baku on 7 April that earlier that day his

assistant had been summoned to the State Committee, where officials had presented in writing its latest demands to "bring our statute into line with the law". "We are discussing their demands and asking for light from the Holy Spirit as to how to proceed," he told Forum 18.

Svetlana Stepanova, president in Azerbaijan of the New Apostolic Church, told Forum 18 on 7 April that her congregation in Baku was only able to apply for re-registration in February 2010, as it was waiting for a letter from its counterpart in Germany which oversees work in Azerbaijan. "We have twice amended our statute as the State Committee demanded and we are about to resubmit it," she told Forum 18. "They told us that until they are happy with that we should not submit the rest of the documents they need to have, even though we have them ready."

Despite the re-registration of the Caucasian Muslim Board and the Russian Orthodox diocese, both of them national bodies able to function throughout Azerbaijan, State Committee officials have told other communities seeking to register a national body that no such category exists and therefore they cannot be registered. Forum 18 knows of several such national bodies for different faiths whose re-registration or registration applications are languishing with no response. (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>.

If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY