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AZERBAIJAN: Raids continue, liquidation case adjourned

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

Muslim and Christian meetings in Azerbaijan continue to face raids involving the ordinary police, NSM secret police, and officials of the State Committee for Work with Religious Organisations, Forum 18 News Service has learnt. A Baptist pastor working in Neftechala and two Muslims holding a religious meeting in Sumgait were fined in separate cases in February. The Baptist Pastor, Telman Aliyev, has not been told how much he is being fined, and the State Committee has stated that he cannot carry out religious activity in his church. Police and NSM secret police officers who raided Mehman Halilov's private home in Shamakhi in early March seized books by Muslim theologian Said Nursi. They are now with the State Committee for an "expert analysis", after which their fate will be decided. Halilov's home was raided because he is claimed to have distributed the books. The Interior Ministry's announcement increased the number of books seized, and a police officer denied that the raid took place. "I don't know and no-one here knows", he told Forum 18. Meanwhile, the State Committee's legal case to close Baku's Greater Grace Church has been adjourned until 29 March.

Muslim and Christian meetings continue to face raids involving the ordinary police, National Security Ministry (NSM) secret police, and officials of the State Committee for Work with Religious Organisations, Forum 18 News Service has learnt. A Baptist pastor working in the southern town of Neftechala and two Muslims holding a religious meeting in Sumgait [Sumqayit], a city north of Azerbaijan's capital Baku, were fined in separate cases in February. Police and NSM secret police officers who raided a private home in Shamakhi [Shemakha] in early March seized books by the late Turkish Muslim theologian Said Nursi. They are now with the State Committee for an "expert analysis".

Meanwhile, the first hearing in a suit by the State Committee to close down a Baku-based Protestant Church, Greater Grace, took place today (15 March). This is thought to be the first attempt to compulsorily close a religious community through the courts since compulsory re-registration was imposed by the harsh 2009 Religion Law. If successful the Church will lose the legal right to exist. The case resumes on 29 March, the court told Forum 18.

All officials of the State Committee in Baku refused to answer Forum 18's questions as to why meetings of religious believers face raids, fines and literature confiscations. They referred Forum 18 to State Committee spokesperson Saleh Aslanov. Finally reached on 13 March, he refused to answer any questions by phone.

Forum 18 submitted written questions the same day, asking why Police and the NSM secret police raided a Muslim's home in Shamakhi on 2 March, why the State Committee is checking books and discs confiscated during the raid, why a State Committee official took part in a raid in Sumgait on a Muslim meeting which led to two individuals being fined, why a Baptist pastor was fined in Neftechala, and one of his books was not returned by the State Committee after undergoing its censorship. No response had reached Forum 18 by the end of the working day in Baku on 15 March.

Church liquidation case adjourned

Today (15 March) the State Committee began in court moves to remove legal status from Baku's Greater Grace Church, the first such move since the harsh 2009 Religion Law was adopted. If the State Committee is successful, the Church will lose the legal right to exist (see F18News 13 March 2012 http://www.forum18.org/Archive.php?article_id=1677).

Judge Tahira Asadova held the first full hearing in the case at Baku's Administrative Economic Court No. 1 on the afternoon of 15 March. The case was then adjourned until 29 March, the woman who answered the Judge's telephone told Forum 18 after the hearing had concluded. She confirmed that the State Committee had been represented in court by Sabina Allahverdieva of its Legal and Registration Department. It was she who, on behalf of the State Committee, had signed the 20 December 2011 suit to the Court seeking liquidation. This document has been seen by Forum 18.

During the short 15 March hearing, Judge Asadova studied the document from the Church's Pastor authorising the Church's lawyer Chingiz to act on behalf of the Church. She also sought documentation that Fuad Tariverdi is the Church's Pastor, instructing that this should be brought to the next hearing, the lawyer told Forum 18 from Baku after the hearing. Allahverdieva of the State Committee insisted that the Church's leader is listed as Hasan Kerimov. However, on questioning it emerged that Kerimov was the

head of Baku's Sabail District whose name was listed on the registration document alongside the Justice Ministry in 1993.

On behalf of the Church, the lawyer complained that the State Committee had brought the liquidation suit without ever raising any question about the Church's legal status either verbally or in writing. "We stated that any approach by the State Committee before recourse to the court could have allowed this issue to be resolved without the need to go to court," the lawyer told Forum 18. "We stated that we are ready to resolve this peacefully outside the framework of the court."

When Judge Asadova put this to Allahverdieva of the State Committee, she rejected this, according to the lawyer. Allahverdieva insisted that the Church was functioning illegally and "had to be liquidated". When the lawyer responded that the Church still functions under its Justice Ministry registration dating back to 1993 which has never been annulled, Judge Asadova said these issues would be discussed at the next hearing when the essence of the case will be examined.

The Church has previously pointed out that the procedure being followed is not legal, but this illegality has not been questioned by the Judge (see F18News 13 March 2012 http://www.forum18.org/Archive.php?article_id=1677).

Baptist Pastor Ilya Zenchenko – who attended the Court to show his solidarity with Greater Grace Church – told Forum 18 from Baku after the hearing that a monitor from the Office in Baku of the Organisation for Security and Co-operation in Europe (OSCE) had also attended the hearing, taking notes.

Criminal case launched then dropped..

Elsewhere, Baptist Pastor Telman Aliyev was fined on 6 February, nearly two months after a December 2011 police and local State Committee raid on his church when they were meeting for worship. The authorities raided his church's building in Neftechala, a town south-east of Salyan in southern Azerbaijan, he told Forum 18 from Baku on 12 March. The Pastor – who lives in Baku – travels down to Neftechala regularly to lead services.

Officials declared the Church "closed" and sealed its building (though it was later unsealed), and confiscated all the books they could find. They also asked for the full addresses of all Church members, and what ethnicity they are (see F18News 22 December 2011 http://www.forum18.org/Archive.php?article_id=1651).

Prosecutors told Pastor Aliyev a criminal case had been opened against him after the 11 December 2011 raid, under Criminal Code Article 168 ("Infringing the rights of citizens under the guise of conducting religious rituals"). Prosecutors told him that he was violating this Article by preaching at a location away from his home town. Under Article 168, Pastor Aliyev faced possible imprisonment for up to three years or a large fine. Fines under this Article were significantly increased in December 2011 (see F18News 15 December 2011 http://www.forum18.org/Archive.php?article_id=1648).

However, in late January 2012 Pastor Aliyev was summoned to the Prosecutor's Office to be told that the State Committee had ruled that all but one of the Christian books confiscated from the church in Neftechala were not against the law. They were returned. One copy of a Russian-language translation of a book *The Resurrection Factor* by the American author Josh McDowell had been rejected because the State Committee said it had not given permission for its import. Prosecutors told him the criminal case had been dropped.

..but unknown fine imposed

However, on 6 February two police officers took Pastor Aliyev under guard to Neftechala Town Court, where he was accused of violating Administrative Code Article 299.0.4, which punishes religious activity at an address other than a religious organisation's registered address.

Pastor Aliyev was shown a letter from the State Committee in Baku to the local Prosecutor's Office saying that, as the Pastor lives in Baku, he does not have the right to conduct religious activity in Neftechala, he told Forum 18. The Judge – who did not give his name – fined him, but did not tell him the size of the fine. The Judge told him he had twenty days to resolve the dispute with the State Committee. However, Pastor Aliyev told the Judge he did not consider himself guilty of breaking the law and would not sign the document or pay the fine.

Pastor Aliyev told Forum 18 he has had no contact with the State Committee, has not paid the fine, and continues to lead worship in his congregation.

The prescribed fines for individuals who violate any part of Article 299 are between 1,500 and 2,000 Manats (11,071 to 14,762 Norwegian Kroner, 1,463 to 1,950 Euros or 1,909 to 2,545 US Dollars) (see F18News 7 January 2011 http://www.forum18.org/Archive.php?article_id=1527).

Church has existed since 1953 – but no registration since 1999

The Neftechala Baptist congregation has existed since 1953, and in 1966 the Soviet Council for Religious Affairs confirmed their building as the Church's place of worship. Registration was lost in 1999, following attempts to re-register the Church during one of the five times since 1992 that communities have been forced to re-register. After 1999, the Church's re-registration attempt was blocked by the State Committee (see F18News 3 November 2005 http://www.forum18.org/Archive.php?article_id=681). The Church applied again for re-registration in 2009, but is still waiting – like very many other communities of all faiths – for the State Committee to deal with its application.

Raid, religious books seized

Meanwhile, on 2 March in Shamakhi District west of Baku, about 15 officers of the District Police and the NSM secret police raided the home of local Muslim Mehman Halilov, who reads the works of the late Turkish Muslim theologian Said Nursi. Several officers were in plain clothes, including those from the secret police.

Officers seized copies of Nursi's collection of sermons *Risale-i Nur* (Messages of Light), friends of Halilov told Forum 18 on 3 March. Officers brought a search warrant issued by Shamakhi District Court on 1 March, which they showed him. This claimed that Halilov had been distributing the books. However, the officers refused to give him a copy of the search warrant, his friends complained to Forum 18.

Officers seized 154 books and 134 discs, telling Halilov that they would be sent to the State Committee for an "expert analysis". Only once the State Committee had issued this would a decision be taken on any further action, officers told him.

"I don't know and no-one here knows"

In its 2 March announcement of the raid, the Interior Ministry put the number of confiscated books at 300, as well as the 134 discs, two computers and a computer memory stick. The Ministry did not mention which faith Halilov belongs to, describing it as "one of the banned religious movements".

The duty officer at Shamakhi District Police – who did not give his name - initially denied to Forum 18 on 12 March that any raid on Halilov's home and confiscation of his religious books had taken place. Told that the Interior Ministry had reported the raid and confiscation on its website the same day, the duty officer responded: "I don't know and no-one here knows." He then put the phone down.

Other raids, fines

The Interior Ministry website records other recent raids on religious believers, though without specifying which religious community they belong to.

On 13 February, officers from Sumgait's 4th Police Department and at least one official of the State Committee raided a religious meeting held in a furniture shop owned by Fazil Allahverdiev, the website recorded the following day. Among the twelve people attending was Alimadat Kazimov, a Baku-based scientific worker at Azerbaijan's Academy of Sciences. All were taken to the 4th Police Department, where ten were released after being given official warnings. Cases were prepared against Allahverdiev and Kazimov under Administrative Code Article 299, the Interior Ministry said.

On 14 February, Judge Ilyas Mahmudov of Sumgait City Court found each guilty of violating Article 299.0.2 ("Infringement of the regulations on organising religious meetings or events"), his assistant told Forum 18 from the court on 13 March. The Judge fined each one 200 Manats (1,476 Norwegian Kroner, 195 Euros or 254 US Dollars). However, he chose to reduce the fine to 100 Manats each because he recognised that they did not have the money to pay the full fine. The Judge's assistant told Forum 18 the two had paid the fines.

It is unclear why the fines were far below the level specified in the December 2010 Administrative Code amendments. This prescribed fines for individuals who violate any part of Article 299 are between 1,500 and 2,000 Manats (see F18News 7 January 2011 http://www.forum18.org/Archive.php?article_id=1527).

Judge Mahmudov was not available each time Forum 18 called the court.

The officer who answered the phone of the head of the Sumgait Police 4th Department – who did not give his name - told Forum 18 on 13 March that those detained were Muslims. However, he declined to discuss why meeting had been raided and why warnings and fines had been issued.

On 15 February the Interior Ministry website recorded raids by police and the NSM secret police on two homes in the northern Balakan District. Religious books were confiscated.

On 20 January, Police in the north-eastern Gusar [Qusar] District raided a home of what were described as members of a "radical

sect", the Interior Ministry website noted the same day. Religious books and DVDs were confiscated. (END)

For more background information see Forum 18's Azerbaijan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1690.

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://education.nationalgeographic.com/education/mapping/outline-map/?map=Azerbaijan>.

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