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AZERBAIJAN: Ramadan mosque bans, JW jailed, Church ban upheld

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

An official in Azerbaijan's second city Gyanja has admitted to Forum 18 News Service that only one of the city's six permitted mosques is allowed by the state to hold iftar meals at the end of each day's Ramadan fast. Ruslan Kardashov, whose role includes overseeing religious communities, also repeatedly refused to discuss local Muslims' complaints about a ban on the mosques holding Ahya night prayers. Also, one Jehovah's Witness from Gyanja spent three days in prison and another received an official warning in July, for being unable to pay massive fines imposed for exercising their freedom of religion or belief. Elsewhere, a Jehovah's Witness conscientious objector was forcibly conscripted into the army, but was allowed home after two weeks. And an appeal against state liquidation by Baku's Greater Grace Protestant Church has failed.

An official in Azerbaijan's second city Gyanja [Gäncä] has admitted that only one of the city's six permitted mosques has been allowed to hold iftar meals at the end of each day's Ramadan fast. But he claimed to Forum 18 News Service that this was because the mosques did not have proper conditions. He refused to discuss a ban on Ahya night prayers in mosques, which local Muslims have complained were also prevented. The Muslim holy month of Ramadan began on 21 July and is expected to end in Azerbaijan on 19 or 20 August.

Meanwhile, one Jehovah's Witness from Gyanja spent three days in prison and another received an official warning in July, after being unable to pay massive fines imposed in late 2011 for exercising their freedom of religion or belief. Elsewhere, a Jehovah's Witness conscientious objector was forcibly conscripted into the army, but was allowed home after two weeks. And the Greater Grace Protestant Church in the capital Baku has failed in its appeal against a court decision to liquidate the Church.

No iftar meals or night prayers

Local media – including the qafqazinfo.az website and the opposition Musavat newspaper - claimed in early August that the Head of Gyanja's City Administration, Elmar Valiyev, had banned local mosques from holding iftar meals at the end of each day's Ramadan fast, or the associated night prayers. They noted that local Muslims had complained about this.

But Ruslan Kardashov, Head of Gyanja City Administration's Department for Work with Public Organisations and Political Parties, denied this to Forum 18. "This is not true - no one can ban these," he insisted on 9 August. "Don't believe such reports – some people want to pour dirt on us."

However, Kardashov – whose role includes overseeing religious communities - repeatedly refused to discuss local Muslims' complaints about a ban on the mosques holding the night prayers.

Kardashov also admitted that five of the city's six mosques currently allowed to function had been told that they could not host iftar meals, because they do not have the "necessary conditions" for preparing and serving food. The one mosque allowed to hold iftar meals, he said, was one of the two mosques restricted to women.

"We told people to go to the ceremonial hall, or organise the iftar in their homes," Kardashov told Forum 18, claiming that the City Administration had arranged the use of one ceremonial hall for the meals. He also denied that the City Administration had received any complaints.

"Nothing to do with reality"?

On 2 August, officials of the central State Committee for Work with Religious Organisations in Baku said it had "thoroughly investigated" reports in the local media of the bans, and found they "have nothing to do with reality", according to a statement posted on the State Committee website. It stressed that Gyanja City Administration and the State Committee had organised iftar meals and prayers at a ceremonial hall in the city.

The State Committee's representative for western Azerbaijan, which includes Gyanja, declined to speak to Forum 18. Reached on 9 August, Firdovsi Kerimov put the phone down as soon as Forum 18 introduced itself.

Mugaddes Paizov, head of the International Relations Department of the state-backed Caucasian Muslim Board in Baku, to which all mosques are compelled by law to belong, also denied that anyone had banned mosques in Gyanja from holding iftar meals or night prayers. "This is disinformation," he insisted to Forum 18 on 9 August. "No one can ban these, not least in Gyanja. Our clerics would have told us if this had happened." He insisted all mosques can be open and offer the iftar meal. "People can come and eat and pray."

"The building was only given to them temporarily"

Kardashov of Gyanja City Administration defended the closure just days before Ramadan began in 2009 of the city's only Sunni Muslim mosque, and raids and official warnings on community members who try to pray together in private homes (see F18News 13 April 2012 http://www.forum18.org/Archive.php?article_id=1689).

"The building was only given to them temporarily," Kardashov insisted to Forum 18. "A room has been made available for Sunnis at the city's Shah Abbas mosque."

Kardashov also denied that any other places of worship in the city had been forcibly closed down, including a Pentecostal Church, a Baptist Church and a New Apostolic Church. Also, the city's Seventh-day Adventist Church was raided during worship in May (see F18News 18 May 2012 http://www.forum18.org/Archive.php?article_id=1703).

He also declined to discuss the fines and warnings handed down by local courts to members of the Sunni Muslim community, other local Muslims, Protestant Christians and Jehovah's Witnesses.

Kardashov defended the confiscation of religious books from residents of Gyanja (see F18News 12 April 2011 http://www.forum18.org/Archive.php?article_id=1561). "All books must undergo expert analysis," he insisted. "It's the law."

Three days' imprisonment

Gyanja-based Jehovah's Witnesses Asim Mammadov and Rashad Niftaliyev were taken to court in July after being unable to pay the massive fines imposed in late 2011 to punish them for meeting for worship without the compulsory state registration. "These were such large fines that they were simply unable to pay them in full," Jehovah's Witnesses told Forum 18.

On 5 July, Gyanja's Kapaz District Court – where they had originally been fined – found Niftaliyev guilty of violating Article 313-1.1 of the Code of Administrative Offences, which punishes "failure to fulfil an official's order in connection with a court decision" by individuals with a fine or imprisonment of up to ten days. However, instead of imprisoning Niftaliyev Judge Emin Aliyev issued him with a formal warning.

Mammadov was summoned to the same Court on 18 July, where the same Judge Aliyev found him guilty under the same Article and sentenced him to three days' imprisonment. Mammadov was taken directly to the prison that afternoon. He was not freed until 21 July, Jehovah's Witnesses told Forum 18.

Judge Aliyev of Kapaz District Court refused absolutely to discuss why he handed down the prison term and the warning to the two Jehovah's Witnesses. "I don't know who you are," he told Forum 18 from the court on 10 August. "I don't know what authority you have to ask these questions. If the two men have complaints against the court decisions, they can appeal." He then put the phone down.

Mammadov and Niftaliyev were among six Gyanja Jehovah's Witnesses given massive fines in November 2011 to punish them for meeting for worship without registration. One of them had the fine reduced on appeal, but the fines on the others – including Mammadov and Niftaliyev – were left unchanged (see F18News 14 December 2011 http://www.forum18.org/Archive.php?article_id=1647).

Conscientious objector's two weeks in army

Meanwhile, Jehovah's Witness Amid Zohrabov, from Lokbatan near Baku, was forcibly conscripted into the army when he was summoned on 23 July by the local Conscription Office, Jehovah's Witnesses complained to Forum 18. Members of this religious community worldwide are pacifist and refuse to do any form of military service. Zohrabov was transported to Unit No. 707 in Gazakh Region in north-west Azerbaijan. However, his parents wrote a complaint to the commanding officer of the Unit. He was freed on 7 August and is now back at home.

"We believe Amid was freed as a result of the complaint," Jehovah's Witnesses told Forum 18. "He complained of the cold and the poor food while he was there." However, they welcome the fact that he was released.

Zohrabov was first called up in 2007. He immediately told the Conscription Office of his conscientious objection to military service and his readiness to do a fully civilian alternative service. "The Conscription Office accepted this and didn't insist that he had to go to the army," Jehovah's Witnesses noted.

However, in May 2012 Zohrabov was again called up. He was summoned to the Conscription Office on 19 July and then again on 23 July, when he was forcibly sent to the Unit.

Azerbaijan has no alternative to military service, which all young men are obliged to do. Some conscientious objectors have been imprisoned for refusing compulsory service (see Forum 18's Azerbaijan religious freedom survey http://www.forum18.org/Archive.php?article_id=1690).

Appeal against ban fails

Baku's Greater Grace Protestant Church has failed in its bid to overturn the lower court decision to liquidate it and ban its activity. A panel of three judges at Baku Appeal Court, headed by Judge Seriyev Seyidova, rejected the Church's appeal on 31 July, the court website notes.

Court liquidation would forcibly close the Church. All unregistered exercise of freedom of religion or belief is – against international human rights standards – illegal under the Religion Law.

Church members told Forum 18 they are already preparing a further appeal to Azerbaijan's Supreme Court. They insist they will take their case to the European Court of Human Rights in Strasbourg if necessary.

The Church has had state registration with the Justice Ministry since 1993. The State Committee, which is now in charge of registering religious communities, lodged a liquidation suit in December 2011, arguing that the Church should be liquidated for failing to gain re-registration with it in 2009. On 25 April 2012, Administrative Economic Court No. 1 upheld the State Committee's suit. Baku Appeal Court began hearing the Church's appeal on 17 July (see F18News 20 July 2012 http://www.forum18.org/Archive.php?article_id=1723).

The Church insists that the liquidation suit brought by the State Committee should have been rejected, as one state body should not be able to seek the cancellation of registration by a different state body. It also points out the near-impossibility for Protestant communities to gain re-registration from the State Committee.

Many Protestant communities are among hundreds of religious communities, including mosques as well as Jehovah's Witness communities, whose re-registration applications were lodged before the Religion Law's deadline of the end of 2009. These have been either rejected or not answered. The State Committee is known to have approved only six registration or re-registration applications since the beginning of 2012. (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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