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AZERBAIJAN: Another Mosque forcibly transferred to new leadership

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

Anar Kazimov, of the State Committee for Work with Religious Organisations, warned the leaders of a Sunni Mosque in Qobustan in Azerbaijan's capital Baku that if the leadership did not liquidate itself, hand back documents for the Mosque and allow the Mosque leadership to be replaced, the State Committee would go to court to enforce its liquidation. "Anar sounded threatening," one original community member told Forum 18 News Service. "He said they could easily find 50 new people to constitute the new leadership. They obviously wanted people closer to the authorities." The Mosque leadership complied reluctantly. Kazimov refused to discuss with Forum 18 why the authorities have yet again forcibly transferred a Sunni Muslim mosque to new, Shia-led leadership. Police have refused to explain why they raided the Mosque and seized religious literature weeks after the enforced transfer. In January a Jehovah's Witness was fined more than three months' average wage for discussing his faith on the street, the latest in a series of heavy fines for exercising the right to freedom of religion.

Yet another Sunni Muslim mosque has been forcibly transferred at the state's behest to new leadership "closer to the authorities", members of the ousted mosque community complained to Forum 18 News Service. The enforced transfer of the mosque in Qobustan on the southern edge of the capital Baku appears to be part of a long-running campaign to close down Sunni Muslim mosques or transfer them to Shia Muslim control loyal to the Azerbaijani authorities. A State Committee for Work with Religious Organisations official involved refused to discuss the transfer with Forum 18, while police who subsequently conducted a four-hour raid also refused to comment.

Meanwhile, police continue to detain Jehovah's Witnesses who hold religious meetings, speak to others about their faith or offer religious literature without state permission. Some are given fines of three to four months' average wages (see below).

In the most serious such case, on 17 February two female Jehovah's Witnesses were ordered held for three months in Baku's National Security Ministry (NSM) secret police investigation prison. They are being investigated on criminal charges that carry a maximum five-year prison term (see F18News 23 February 2015 http://www.forum18.org/archive.php?article_id=2041).

Yaqt Aliyeva, spokesperson for the State Committee for Work with Religious Organisations, refused absolutely to discuss anything with Forum 18 on 19 February. Asked about various cases, she responded: "What's it to do with you?" before putting the phone down. All subsequent calls went unanswered.

Earlier enforced mosque transfers

As has happened with the Qobustan Mosque, another Sunni mosque, in Mushfiqabad near Baku, was transferred to new control in spring 2014. Unnamed officials of the State Committee said in March 2014 that the old community which ran the mosque had "dissolved itself". Muslims close to the community denied this to Forum 18. The mosque is no longer specifically Sunni (see F18News 28 May 2014 http://www.forum18.org/archive.php?article_id=1962).

Other Sunni mosques in Baku - such as the Abu Bekr Mosque and the Martyrs' Mosque, also known as the Turkish Mosque, near parliament - have been closed by the authorities on various pretexts since 2008. The only Sunni Muslim mosque in Azerbaijan's second city Gyanja [Gäncä] was also forcibly closed in 2009 (see F18News 18 September 2009 http://www.forum18.org/archive.php?article_id=1350).

The authorities in Baku's Old City have attempted to close the Lezgin Mosque - which also follows Sunni worship - but the community has so far been able to resist such attempts (see F18News 18 November 2014 http://www.forum18.org/archive.php?article_id=2016).

Registration compulsory - if you can get it

Religious communities have repeatedly complained of arbitrary registration and re-registration denials. Azerbaijan insists that state

permission is needed for people to meet together to exercise freedom of religion or belief, in defiance of its international human rights obligations. Lack of state registration can lead to police raids, confiscations of religious literature, fines and even criminal prosecutions (see Forum 18's Azerbaijan religious freedom survey http://www.forum18.org/archive.php?article_id=1690).

The State Committee – which is supposed to register religious communities – has persistently refused to process registration applications by communities it does not like. Particular targets of obstruction to registration or re-registration attempts are Sunni Muslim communities, other Muslim communities outside the control of the state-backed Caucasian Muslim Board, Protestant churches and Jehovah's Witness communities.

Baku's Jehovah's Witness community lodged its re-registration application in 2009, but the State Committee repeatedly rejected it. Their community in Gyanja lodged an application on 8 June 2011. The State Committee has not processed this application.

Sabina Allahverdiyeva, a lawyer who worked in the State Committee's Legal and Registration Department in 2009 and now heads it, totally refused to discuss why so many re-registration applications lodged by so many different religious communities have been ignored or rejected. "I have no right to give any information by telephone," she told Forum 18 in December 2014 (see F18News 1 December 2014 http://www.forum18.org/archive.php?article_id=2019).

Latest enforced mosque transfer

The state authorities appear to have disliked the community at the Juma (Friday) Mosque in Qobustan in Baku's Qaradag District. The Sunni Mosque was built by the imam in the 1990s on his own land. It was originally named in honour of Umar ibn Al-Khattab, the second caliph. However, as many Shias are critical of Umar, the mosque came under pressure to change the name and it subsequently called itself by the more neutral Juma Mosque.

The Mosque was originally registered by the Justice Ministry, re-registered by the Justice Ministry and re-registered again by the State Committee after the new state entity was established in 2001. However, the State Committee did not approve the community's 2009 re-registration application.

In January 2015, the State Committee official for Baku, Anar Kazimov, telephoned Mosque leaders and warned them that if the leadership did not liquidate itself, hand back documents for the Mosque and allow the Mosque leadership to be replaced, the State Committee would go to court to enforce its liquidation, original community members complained to Forum 18 on 11 February. "Anar sounded threatening," one community member told Forum 18. "He said they could easily find 50 new people to constitute the new leadership. They obviously wanted people closer to the authorities."

The community leadership chose to comply with the instruction, realising that little would be gained by trying to challenge it, community members told Forum 18. On 20 January the community officially removed the long-standing imam who had originally founded the Mosque. Prayers continued at the Mosque.

Kazimov, the State Committee official for Baku, refused absolutely to discuss anything with Forum 18 on 19 February.

More than 500 worshippers regularly attend Friday prayers at the Mosque, original community members told Forum 18. "The Mosque is too full for all to fit inside, so some pray in the garden outside."

When the Mosque held prayers on 28 July 2014 for the end of Ramadan, one day before the date that the state-backed Muslim Board had designated as the end of Ramadan, authorities threatened to fine the leaders, community members told Forum 18.

The state also refused to authorise the ousted imam's son to work in the Mosque as an imam, original community members lamented to Forum 18. "He studied in an Islamic University in Saudi Arabia and the authorities don't want him," one explained.

Since July 2009, the Religion Law has banned men who have gained their religious education abroad from working as imams, a restriction which is not applied to other faiths (see Forum 18's Azerbaijan religious freedom survey http://www.forum18.org/archive.php?article_id=1690).

Police raid

On the afternoon of 10 February, about three weeks after the enforced state-backed transfer of leadership, police raided the Qobustan Juma Mosque. "Officers of the police and possibly the NSM [secret police] spent about four hours checking every room in the building," members of the original community complained to Forum 18. "They took 178 religious books without giving any record of any confiscation. These were books on the Koran – there was no radicalism and nothing political there."

No one at the Qaradag Police's 11th department would explain to Forum 18 on 19 February why the Mosque was raided. Officers referred Forum 18 to Police Chief Latif Jahangirov. However, he was not in the office or his phone went unanswered each time Forum 18 called between 19 and 24 February.

Present during the 10 February raid, according to community members was the head of the Qaradag District Narcotics Department, Elman (last name unknown). Community members speculated that he might have been present to facilitate the planting of drugs in the Mosque. Forum 18 reached him on 24 February but he declined to discuss the raid, eventually claiming that it was a wrong number.

Two Baku detentions, one large fine

On 21 January, two Jehovah's Witnesses were detained in Baku for distributing religious literature, the Interior Ministry noted on its website the same day. Mahluqa Akhmadova and Ismayil Bagirov – residents of Lokbatan – were detained by Qaradag District Protection Department. "Those arrested had with them ten religious books banned from distribution in Azerbaijan," the Ministry said. "The literature was confiscated and the man and woman were taken to the 10th police station." There records of an offence under Administrative Code Article 299.0.2 were drawn up.

Article 299.0.2 punishes "violating legislation on holding religious meetings, marches, and other religious ceremonies". Punishment on individuals is a fine of between 1,500 and 2,000 Manats. This is more than three to four times what the state says is the average monthly wage (see Forum 18's Azerbaijan religious freedom survey http://www.forum18.org/archive.php?article_id=1690).

The detentions came the same day that a visiting Jehovah's Witness delegation met Mubariz Qurbanli and Gunduz Ismayilov, Chair and Deputy Chair of the State Committee, according to the State Committee website. The delegation consisted of Russian Jehovah's Witness Vasili Kalin – a Soviet prisoner of conscience in 1983 – and Marc Hansen from Brussels.

The cases against Akhmadova and Bagirov were handed to Qaradag District Court. After several delayed hearings, on 12 February Judge Rashad Mammadov closed the case against Akhmadova, according to the court website. By contrast, on 29 January, Judge Fuad Huseynov fined Bagirov 1,500 Manats (11,000 Norwegian Kroner, 1,300 Euros or 1,500 US Dollars). Bagirov lodged an appeal to Baku Appeal Court where, on 24 February, Judge Faiq Qasimov was due to hear the case.

The telephone of Captain Rahil Ismayilov, head of the 10th Police Station, was engaged or went unanswered each time Forum 18 called on 24 February.

Fined for religious activity away from registered address

Jehovah's Witness and Baku resident Rahima Huseynova was found guilty for talking about her faith with others at Baku's Sabunchu District Court on 26 December 2014 under Article 299.0.4. This punishes "religious activity not within a religious association's registered address" with fines for individuals of between 1,500 and 2,000 Manats (see Forum 18's Azerbaijan religious freedom survey http://www.forum18.org/archive.php?article_id=1690).

Huseynova was fined 1,500 Manats. She appealed against the fine. However, on 29 January 2015, Judge Qadim Babayev of Baku Appeal Court rejected her appeal, according to the court website.

Raids, massive fines by post

Numerous raids and fines on Jehovah's Witnesses exercising their right to freedom of religion or belief occurred in 2014 (see F18News 7 August 2014 http://www.forum18.org/archive.php?article_id=1983).

On 12 October 2014, police raided a religious meeting in the Gyanja home of Saladdin Mammadov, Jehovah's Witnesses told Forum 18. About ten officers of the city's Nizami District Police entered his home without permission. "An elderly woman fainted because of the stress," they noted. Officers searched the home and ordered that all 21 present go to the police station. Once there, officers seized all their personal religious literature, including copies of the Bible, but later returned most of the literature.

Two days later, police posted decisions to Mammadov, Sadagat Abbasova and Rashad Niftaliyev ordering each of them to pay a fine of 2,000 Manats for violating Administrative Code Article 299.0.2. On 27 October 2014, the three filed appeals against the fines in the city's Nizami District Court. On 6 November 2014, the court upheld all the convictions and fines.

On 17 November 2014, the three lodged further appeals to Gyanja Appeal Court. However, the Court rejected all three appeals, Mammadov's on 27 November 2014, Abbasova's on 28 November 2014 and Niftaliyev's on 1 December 2014, according to court decisions seen by Forum 18. The Court rejected the defendants' insistence that their right to exercise freedom of religion or belief is upheld by international human rights documents Azerbaijan has signed up to, including the European Convention for the Protection of Human Rights and Fundamental Freedoms. (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>.

See also Norwegian Helsinki Committee/Forum 18 report on freedom of religion or belief in Azerbaijan at: http://nhc.no/content/uploads/2018/07/Rapport2_15_Aserbajdsjan_web.pdf

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.

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