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AZERBAIJAN: Police killings, shooting and mass arrests as Muslims pray

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

Fourteen Muslim Unity Movement members – including leader former prisoner of conscience and recently tortured Imam Taleh Bagirov – were detained in Nardaran, near Azerbaijan's capital Baku, on 26 November as the authorities raided the village firing weapons freely during prayers. According to officials, at least seven people were killed - five men in the village and two police officers – with others in the village being wounded. The authorities have repeatedly promised to return the bodies of those killed to their families for burial, but have not yet done so. The 14 detained Shia Muslims are now in two-months' pre-trial detention and face criminal charges which carry a life sentence. Muslim Unity Movement members in at least three other places have also been arrested. Etibar Najafov, Chief Adviser on Multiculturalism, Ethnic and Religious Affairs in the Presidential Administration, told Forum 18 that "they've done wrong things – they violated established rules". But he struggled to explain what rules they had broken. Asked if the Muslim Unity Movement had killed or proposed killing anyone, he replied "No". Also, changes to the Religion Law (which have not been published) to further restrict freedom of religion or belief may reach the Milli Majlis on 4 December.

Fourteen members of the Muslim Unity Movement – including its leader former prisoner of conscience and recently tortured Imam Taleh Bagirov – were detained in the village of Nardaran, near Azerbaijan's capital Baku, on 26 November as the authorities raided the village firing weapons freely during prayers. According to the official account, at least seven people were killed - five men in the village and two police officers – with others in the village being wounded. The authorities have repeatedly promised to return the bodies of those killed to their families for burial, but have not yet done so. Officials have struggled to explain, or refused to explain, the grounds for the raid firing weapons and arrests to Forum 18 News Service.

Also, Mubariz Qurbanli, head of the State Committee for Work with Religious Organisations has commented on proposed changes to the Religion Law further restricting freedom of religion or belief that the Law needs "serious harshening". The changes, which have not been made public, may reach the Milli Majlis on 4 December (see below).

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The village of Nardaran has a population of about 8,000 and is located on the northern shore of the Absheron peninsula 25 kms (15 miles) north of Baku. It is known as a stronghold of Shia Islam (see F18News 3 November 2005 http://www.forum18.org/archive.php?article_id=681). Villagers have protested at repressive 2009 Religion Law changes targeting Muslims (see F18News 30 June 2009 http://www.forum18.org/archive.php?article_id=1320). Former prisoner of conscience Bagirov, who is 31, has recently preached and held gatherings in the village, and has been detained and harassed by armed police (see F18News 29 September 2015 http://www.forum18.org/archive.php?article_id=2106).

Nardaran raid and killings ahead of commemoration

The 26 November Nardaran raid and arrests came just before the 40th day after the commemorations for the death of Imam Husein, killed at the battle of Karbala in 680 AD, marked this year on 2 December. The 40th day commemorations usually attract a crowd of tens of thousands of Shia Muslims to the shrine at Nardaran.

Police in Azerbaijan's second city Gyanja [Gäncä] detained Shia Muslims commemorating the anniversary of the death of Imam Husein (Ashura) on 23 October (see F18News 28 October 2015 http://www.forum18.org/archive.php?article_id=2114).

Alongside Bagirov (also known as Bagirzade), the other 13 arrested in Nardaran on 26 November and now in pre-trial imprisonment are: Abulfaz Bunyadov, Rasim Bunyadov, Abbas Tagizada, Abbas Quliyev, Jabbar Amiraslanoglu, Rasim Jabrayilov, Karbalayi Etibar (from the village of Bilgah), Bahruz Quliyev, 17-year-old Jihad Balahuseynoglu (who is injured), Alibala Valiyev, Ibrahim (surname unknown), Shahin Abdulaliyev (from the village of Mushfiqabad) and Ali Nuriyev.

Family members have expressed concern that they have no access to the prisoners and fear they might be being tortured – or even

that they might have died or been killed, one commentator told Forum 18. Torture of detainees and prisoners has often been credibly documented (see Forum 18's Azerbaijan religious freedom survey http://www.forum18.org/archive.php?article_id=2081)

Among those killed by the police in Nardaran were: Abbas Huseyn (Bagirov's driver who was from Gyanja), Sarvan Safarov (from the southern town of Masalli), and three Nardaran residents, Akbar Babayev, Rafael Bunyadov and Farahim Bunyadov. The authorities repeatedly promised to return the bodies to their families for burial, but had not done so by the end of 30 November.

A General Prosecutor's Office statement on the day of the raid claimed that the group was planning "a violent change to the constitutional system of government" to establish "a religious state governed by Sharia law". It claimed that the "armed criminal group" stockpiled ammunition and explosives. The statement identified Bagirov, as well as Elman Agayev (also known as Agazade), Zulfuqar Mikayilzade (also known as Mikayilov) and Abulfaz Bunyatov, as creators of the "illegal" movement.

Arrests followed in at least three other cities, with at least one prisoner transferred to prison in Baku (see below).

Suppressing Muslim Unity Movement, torture

The authorities seem determined to suppress the Muslim Unity Movement. It was established on 13 January, with Imam Bagirov chosen as its leader. At the time he was still serving his second prison term as a prisoner of conscience on drugs-related charges. His supporters insist these were fabricated to punish him for exercising the right to freedom of religion or belief. Imam Bagirov was freed in the early hours of 31 July after completing his sentence (see F18News 11 August 2015 http://www.forum18.org/archive.php?article_id=2088). After former prisoner of conscience Bagirov's late July release from prison, he accepted an invitation from Nardaran village elders to stay with the Bunyadov family for the winter.

The Muslim Unity Movement lodged an application to gain state registration as a non-governmental organisation (NGO), but the Justice Ministry denied this, despite the Movement's repeated "corrections" to its application, Imam Bagirov told Radio Free Europe's Azerbaijani Service on 9 November. NGOs whose activity is linked with religion or belief in some way have long been denied registration, as have many religious or belief communities (see Forum 18's Azerbaijan religious freedom survey http://www.forum18.org/archive.php?article_id=2081).

Police summoned Imam Bagirov to Baku's Yasamal District Police Station on 3 November. There the district police chief Isfandiyar Mehbaliyev "crudely" demanded that he write a statement explaining why he was gathering people together and planning to hold a procession. As the questioning of Imam Bagirov continued and time for the namaz prayers approached, he asked Mehbaliyev to be allowed to leave the police station. Mehbaliyev refused, so Bagirov began to pray in the police station. Angered by this, Mehbaliyev and other officers began to torture him by hitting him, injuring him particularly on the face and jaw. The torture of Imam Bagirov was just a week before the 11 and 12 November consideration of Azerbaijan's record under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) at the UN Committee Against Torture (see F18News 12 November 2015 http://www.forum18.org/archive.php?article_id=2120).

On 5 November Baku's Sabunchu District Police arrested Imam Elchin Qasimov (also known as Qasimli) in the village of Mashtaga, where he leads prayers in the Hazrat Abbas Mosque, and Sahib Habibov. Police objected to a sermon Qasimov gave protesting about the 3 November police torture of Imam Bagirov. Angered by his arrest, about 60 of Imam Qasimov's fellow-Muslims gathered that evening in front of Sabunchu District Police Station where he was being held. They called for his immediate release. Police arrested about 20 of them. On 6 November Sabunchu District Court sentenced 10 of them – including Imam Qasimov – to up to 30 days' imprisonment (see F18News 12 November 2015 http://www.forum18.org/archive.php?article_id=2120).

Police fired shots, arrested people as they prayed

When armed police raided Nardaran on 26 November, apparently aware of where Imam Bagirov was staying, they stormed the Bunyadov family house firing shots freely. "They fired at them during prayer," a local woman in the house told journalists that day in a video posted to Meydan TV website. "They were simply praying, worshipping God. They didn't hurt anyone."

The woman added: "During the prayer time we came up to them to beg for mercy." She said she too had nearly been shot by police. She said Imam Bagirov and another man identified as Haji Elchin were arrested "during prayer". Another added: "We didn't think our guest would be driven out of our house under gunfire."

Sadaqat Valiyeva, who said she was Abulfaz Bunyadov's aunt, said she was performing her ablutions before prayer at her home nearby when the house was stormed. She said in the video that she heard an explosion and then gunfire, and rushed to her brother's house. She saw officers put a ladder up against the wall of the house and climb over, as young villagers began to pelt the raiders with stones.

Valiyeva complained that police officers had blocked the road and threatened women, including her daughter, as they went to pray at the mosque.

The women showed what they said were blood stains and bullet marks both in the yard and inside the family home that the police attacked. "Look at the bloodstains," one exclaimed. "This is what our government has done." They show at least 11 small calibre bullet casings and plastic ties the women state were intended to handcuff the detainees.

She and other local women denied that villagers were violent Islamists. "We are neither ISIS nor Wahhabis," she declared on the video.

The wounded were taken to the hospital in nearby Sabunchu, but security officers did not allow relatives to see them. They also denied access to those who had been arrested.

"Special operation"

A joint 1 December statement by the Interior Ministry, General Prosecutor's Office and National Security Ministry (NSM) secret police put the number of Muslim Unity Movement members in pre-trial imprisonment then facing criminal investigation at 24. It added that at 8 am that day a "special operation" had begun in Nardaran to seize "illegally held firearms and explosives". The operation was under the direct supervision of President Ilham Aliyev. Local media said four more villagers were arrested on 1 December during the operation.

The authorities have frequently used charges of alleged possession of drugs and weapons to jail prisoners of conscience for exercising their freedom of religion or belief and other rights, including: Muslim teacher Said Dadashbeyli jailed in 2008 for 14 years (see F18News 28 May 2008 http://www.forum18.org/archive.php?article_id=1134); Baptist pastor Hamid Shabanov jailed in 2009 for two years (see F18News 12 February 2009 http://www.forum18.org/archive.php?article_id=1254); and Imam Bagirov (jailed for two years in 2013) and his driver Anar Melikov (jailed for 19 months in 2013) (see F18News 7 November 2013 http://www.forum18.org/archive.php?article_id=1894). In each case, their friends and relatives have vehemently denied that the prisoners of conscience possessed drugs or weapons, insisting that these were planted by police.

A wide-ranging state crackdown continues on people exercising human rights Azerbaijan's government has solemn international obligations to protect, including the arrest and jailing as prisoners of conscience of many lawyers, journalists, human rights defenders and public figures the government dislikes. The many prisoners of conscience include Muslims and Jehovah's Witnesses exercising their freedom of religion or belief, including a conscientious objector to military service (see eg. F18News 19 November 2015 http://www.forum18.org/archive.php?article_id=2123).

"They violated established rules" - but what rules?

Ehsan Zahidov, deputy head of the Interior Ministry press office, refused to explain why the authorities needed to enter Nardaran – and particularly the home where the arrests took place – firing weapons. "Everything is clearly set out in today's statement," he insisted to Forum 18 on 1 December. "Police seized weapons during the operation." Told that commentators with contacts in Nardaran say local people are likely to have had nothing more than old hunting guns, he responded: "You can believe or not believe our statement – that's your problem." He then put the phone down.

An official from the NSM secret police press office referred all enquiries to the General Prosecutor's Office. There, no one was prepared to discuss the operation and arrests with Forum 18 on 1 December. Nor was Aziz Seyidov, Baku City Prosecutor, or Jeyhun Shirinov, Baku's Sabunchu District Acting Prosecutor.

Etibar Najafov, Chief Adviser on Multiculturalism, Ethnic and Religious Affairs in the Presidential Administration, claimed that he was unable to say why the 26 November operation and arrests in Nardaran and their aftermath were needed.

Asked what laws members of the Muslim Unity Movement had broken that caused the authorities to raid while firing weapons, Najafov responded: "If they hadn't violated the law the operation wouldn't have been launched. They've done wrong things – they violated established rules." He struggled to explain what rules they had broken.

Asked if the Muslim Unity Movement had killed or proposed killing anyone, Najafov replied: "No."

Najafov insisted that all developments in the country need to be "under control".

Authorities cut off electricity, reject dialogue

After the 26 November raid, but before the 1 December "special operation", Nardaran's electricity supply was cut off on 27 November. The company claimed the reason was massive unpaid debts, but villagers dispute this claim. Phone contact was also cut.

Following the raid and arrests, villagers protested in the streets. Nardaran's village elders sought a dialogue with the authorities, but they rejected the offer, local media noted.

As police continued to block access to the village, the elders asked residents to clear the streets. Villagers remain highly upset that the authorities have not released the bodies of those shot dead so that burials can be held.

Meanwhile, state officials, the state-backed Caucasian Muslim Board, ruling party deputies and groups of Muslims condemned the Muslim Unity Movement and its followers in statements widely covered in the local media.

Gyanja arrests

Also on 26 November, Gyanja Police arrested two local people, Sabir Aliyev and Ruzi Ismayilov, police announced the same day. They said Aliyev was standing at a city crossroads "making public calls in favour of the Muslim Unity Movement", thus "violating social order". They allege that officers of Nizami District Police who searched him found a Makarov pistol, eight bullets, one magazine and 3.215 grams of heroin.

Ismayilov was arrested near Gyanja's Shah Abbas Mosque, police added. They claim he had gone there to call on his fellow Muslims to support protestors in Nardaran. They also alleged that as he was arrested, Ismayilov hit an officer on the head before trying to detonate a grenade. Officers allegedly seized from him an F-1 and an RGD-5 grenade, as well as 14 grams of heroin, police claimed.

A 30 November Interior Ministry statement said six people connected with the Muslim Unity Movement were arrested in Gyanja that day. It identified them as Mubariz Ibrahimov, Ramiz Sariyev, Rovshan Asadov, Anar Sultanov, Fuzuli Abbasov and Ramil Abbasov. Police confiscated religious literature from many of their homes and cars, including copies of a booklet by Imam Bagirov on the Muslim Unity Movement. Police also alleged that the six had various types of weapons, including guns, grenades and bullets.

No one at Gyanja City Police or Nizami District Police was prepared to discuss the arrests with Forum 18 on 1 December.

Lenkoran arrests

In the night of 26-27 November, police in the southern coastal city of Lenkoran tried to arrest the imam of the Hazrat Abbas Mosque, Elman Agayev (also known as Agazade), identified by the state as one of the co-founders of the Muslim Unity Movement. However, following his arrest hundreds of local people gathered outside the local administration demanding his release. Officers then freed him.

Officers arrested Agazade later and transferred him to prison in Baku, Turan news agency noted on 30 November. Several other people were also arrested, but no information was given as to whether they remain under arrest and, if so, where they are being held.

Mirjan Quliyev, head of Lenkoran Police, acknowledged to Forum 18 on 1 December that Agazade had been arrested but refused to discuss who else had been arrested or why.

Neftchala arrest

On 28 November, police in the southern coastal city of Neftchala arrested local Muslim Rasat Aliyev, local media noted. Aliyev – who was educated in Iran – was then sentenced to 10 days' imprisonment. Police did not link his arrest and sentencing to the Muslim Unity Movement, nor did they say what he had done.

Charges carry a life sentence

The 1 December official statement alleged that security officers had seized four automatic weapons, four pistols, three explosive devices, 10 Molotov cocktails, seven knives and other items in Nardaran on 26 November.

The 24 arrested Shia Muslims are being investigated under some or all of these Criminal Code Articles and possibly others, according to the 1 December joint statement: Article 120 ("Murder"), Article 214 ("Terrorism"), Article 220 ("Mass disorder"), Article 228 ("Illegal purchase, transfer, selling, storage, transportation and carrying of firearms, accessories to firearms, ammunition and explosives"), Article 233 ("Organisation of actions promoting infringement of the social order or active participation in such actions"), Article 278 ("Violent attempts to seize power"), Article 279 ("Creation of illegal armed formations or groups"), Article 281 ("Public appeals for violence directed against the state"), Article 283 ("Inciting national, racial or religious hatred"), and Article 315 ("Use of violence, resistance with the use of violence against a representative of authority in connection with performance of official duties by him, or the use of violence not dangerous to life or health concerning his close relatives, as well as threat of the use of such violence").

Article 278 carries a maximum prison sentence of life. Some of the Articles have been used previously against people exercising freedom of religion or belief, such as Article 315 (see eg. F18News 12 July 2007 http://www.forum18.org/archive.php?article_id=993).

At a Saturday hearing on 28 November, a Baku court (presumably Sabunchu District Court) ordered the 14 arrested in Nardaran to be held in pre-trial imprisonment for four months, local media reported. Forum 18 was unable to reach Sabunchu District Court on 1 December, as the court moved in November to a new building and telephone numbers were not available.

Officials told Trend news agency on 30 November that all 14 arrested in Nardaran are imprisoned at Baku's Main Directorate for the Struggle against Organised Crime. It is unknown when or where the other 10 were ordered held in pre-trial imprisonment. No relatives have been allowed to visit those detained.

Even harsher restrictions imminent

Following the Nardaran raid and arrests, and arrests elsewhere, Mubariz Qurbanli, head of the State Committee for Work with Religious Organisations, insisted that Mosques in Nardaran need to be state registered and imams from the state-backed Muslim Board need to be imposed. "Unfortunately our initiatives on the registration of the mosques functioning in Nardaran met with no adequate reaction," he told the local media on 30 November.

Qurbanli supported the restrictions on freedom of religion or belief the people of Nardaran protested at in 2009 (see F18News 18 June 2009 http://www.forum18.org/archive.php?article_id=1314) and on his 2014 appointment as State Committee head called for further restrictions on freedom of religion or belief (see F18News 22 September 2014 http://www.forum18.org/archive.php?article_id=1999).

After the Nardaran raid Qurbanli also condemned the use of flags "and other symbols" in religious communities. He added that legal restrictions on the exercise of freedom of religion or belief need to be tightened still further.

Siyavush Novruzov, a ruling party deputy and head of the newly-created Public Associations and Religious Organisations Committee of the Milli Majlis (parliament), established since the 1 November parliamentary elections, said Religion Law amendments would be considered on 4 December (see below).

The State Committee lists just seven mosques as having the compulsory state registration in Baku's Sabunchu District. None of these are in Nardaran.

In defiance of Azerbaijan's international human rights commitments, officials say the exercise of freedom of religion or belief by anyone apart from a registered religious community is illegal and subject to criminal or administrative punishment (see Forum 18's Azerbaijan religious freedom survey http://www.forum18.org/archive.php?article_id=2081).

State Committee claims Religion Law needs "serious harshening"

In announcing to the local media that the Religion Law amendments would be considered in the Milli Majlis on 4 December, parliamentary deputy Novruzov did not say what changes have been proposed. The draft amendments have not been made public.

State Committee head Qurbanli insisted to local media on 30 November that the Religion Law needed "serious harshening". In particular, he said the state should ban the gaining of basic religious education abroad, where students would learn "an ideology alien to us". He pointed out that many of those arrested in Nardaran and elsewhere had gained their education abroad.

Qurbanli also complained that when the namaz (prayer) in mosques has finished, worshippers often remain to hold "idle conversation". He said this "problem" needs to be "resolved". He also called for his own State Committee to monitor religious sites on the internet more closely and to block access to those that call for radicalism.

"I don't think it is in violation of our human rights commitments"

Presidential adviser Najafov insisted to Forum 18 that the Religion Law needs further changes. Asked why, he claimed that the need is linked to "changes in the political situation", but he refused to specify what he meant. Told that the existing Religion Law violates Azerbaijan's international human rights commitments, he claimed that "I don't think it is in violation of our human rights commitments."

The authorities routinely deny their human rights violations (see Forum 18's Azerbaijan religious freedom survey http://www.forum18.org/archive.php?article_id=2081)

Colleagues of Shahin Aliyev, head of the Legislation and Legal Expertise Department at the Presidential Administration, said both he and his deputy were away. "Only they can say if the Presidential Administration has already approved these amendments," an official of the Department told Forum 18 on 1 December.

The announcement of even more "legal" restrictions on exercising the right to freedom of religion or belief came less than a month after Qurbanli announced that his State Committee had prepared further amendments to the Religion Law. Those amendments allow

only "official clergy" to lead meetings for worship at places of worship, ban the use of religious flags at religious events, ban religious ceremonies in the street. Qurbanli said on 3 November that the amendments had already been submitted to the Cabinet of Ministers (see F18News 12 November 2015 http://www.forum18.org/archive.php?article_id=2120).

Since the latest Religion Law was adopted in 2009, as well as in previous versions, it has been repeatedly changed to make its provisions even more restrictive (see Forum 18's Azerbaijan religious freedom survey http://www.forum18.org/archive.php?article_id=2081). (END)

For more background information see Forum 18's Azerbaijan religious freedom survey at http://www.forum18.org/archive.php?article_id=2081.

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.

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