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## AZERBAIJAN: State appointment of all imams now in law

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

*On 11 March, President Ilham Aliyev signed further Religion Law amendments handing responsibility for naming prayer leaders in all mosques from the Caucasian Muslim Board to the State Committee for Work with Religious Organisations. A State Committee official says "it has not yet been decided which [State Committee] Department will name imams". Told that Forum 18 was unaware of any Muslims demanding that the state name imams, the official responded: "How do you know?" Commentator Kanan Rovshanoglu says the amendments "mean that religious activity will increasingly be concentrated in the hands of the state". The UN Human Rights Committee issued two further rulings that Azerbaijan violated the rights of Jehovah's Witnesses to freedom of religion or belief.*

On 11 March, President Ilham Aliyev signed into law further amendments to the much-amended Religion Law handing responsibility for naming prayer leaders in all mosques from the Caucasian Muslim Board to the State Committee for Work with Religious Organisations. The State Committee already oversees all Muslim educational establishments, censors religious literature of all faiths and approves or bans the building or renovation of any place of worship.

The same day, President Aliyev also signed a Decree implementing the amendments. He has not signed any Decree to update the much-amended 2001 State Committee Regulation, setting out the tasks of the State Committee (see below).

"After the legal changes," Kanan Rovshanoglu, a journalist and commentator on religious issues, told Forum 18, "the State Committee names new imams supposedly taking into account the recommendations of the Board. But I believe this is a mere formality. The State Committee will conduct the nominations alone. In Azerbaijan, all mosques are controlled by the state." However, he questions how far ordinary Muslims will accept the state-nominated imams (see below).

"The latest legal amendments mean that religious activity will increasingly be concentrated in the hands of the state," Rovshanoglu adds. "The government believes the Caucasian Muslim Board is not in a position to control the religious sphere." He says this is why the government has brought Islamic education and teaching, and now the nomination and re-appointment of all imams, under its direct control (see below).

An official of the State Committee's Department for Work with Religious Organisations told Forum 18 that "it has not yet been decided which [State Committee] Department will name imams". Told that Forum 18 was unaware of any Muslims who were demanding that the state take control of naming all imams, the official responded: "How do you know?" He refused to discuss anything else (see below).

The new amendments signed into law also give the State Committee the leading role in re-appointment of all imams every five years, with only the "involvement" of the Caucasian Muslim Board. This is a reversal of the State Committee and Muslim Board roles when the state mandated re-appointment of all imams in June 2021 amendments to the Religion Law (see below).

The amendments re-designate the Caucasian Muslim Board not as the "organisational" centre but the "religious" centre for Azerbaijan's mosques. The regime does not allow independent mosques to exist (see below).

Another amendment removes the possibility for non-Muslim communities to have a "religious centre" or headquarter body. However, this term is poorly defined in the current Religion Law and the implications of the change remain unclear (see below).

"The State Committee is collecting all the power it can over the Muslim community," exiled human rights defender Arif Yunus told Forum 18 in February (see below).

The latest Religion Law amendments were announced only on 27 January, when they were discussed in the Milli Majlis (Parliament) Public Associations and Religious Organisations Committee. The Milli Majlis approved them in the third reading on 25 February (see below).

The text of the amendments as signed by the President appear to differ from the text handed to Parliament in late January only with

the addition of one comma (see below).

The state-controlled Caucasian Muslim Board ([https://www.forum18.org/archive.php?article\\_id=2429](https://www.forum18.org/archive.php?article_id=2429)) appeared to accept the stripping of further responsibilities from it. The Board "calls on believers and clergy to unequivocally comply with all provisions of the Law in case of adoption of new amendments" to the Religion Law, it declared in a 27 January statement (see below).

Not all parliamentary deputies supported the amendments. "This change is unconstitutional," the Deputy Chair of the Committee on Legal Policy and State Building, Qudrat Hasanquliyev, told the Milli Majlis during the second reading on 15 February. "By making such blatant unconstitutional changes, we are expressing an unconstitutional attitude," he declared, as quoted by the APA news agency. "There is no need to change such laws and damage religion-state relations in the country."

The Milli Majlis report of the proceedings noted that Hasanquliyev had spoken on the Religion Law amendments, but gave no indication about what he had said.

Forum 18 was unable to reach Public Associations and Religious Organisations Committee Chair Fazail Ibrahimli or other Committee members on 9 February. Staff of the Committee refused to discuss anything with Forum 18. Another Milli Majlis deputy, Siyavush Novruzov, former Chair of the Committee who now chairs the Regional Affairs Committee, declined to comment on the amendments. "I haven't read them," he told Forum 18 in February (see below).

Gunduz Ismayilov, a Deputy Chair of the State Committee, addressed the 27 January Milli Majlis Committee about the amendments and was present during the first reading on 1 February. An aide to Ismayilov refused to put Forum 18 through to him on 9 February (see below).

On 16 June 2021, President Ilham Aliyev signed into law earlier Religion Law amendments ([https://www.forum18.org/archive.php?article\\_id=2666](https://www.forum18.org/archive.php?article_id=2666)) which introduced a new requirement for the State Committee for Work with Religious Organisations to approve the appointment of all non-Islamic religious leaders.

Meanwhile, the United Nations Human Rights Committee made public two further rulings in November and December 2021 finding that Azerbaijan had violated the rights of Jehovah's Witnesses to freedom of religion or belief. This brings to five the number of Committee findings against the regime for violating freedom of religion or belief related to Jehovah's Witnesses (see below).

The UN Human Rights Committee instructed the regime to give the four Jehovah's Witness women compensation for the fines imposed on them and court costs. However, Jehovah's Witnesses told Forum 18 that the government is yet to do so. Nor has it changed any laws to prevent further similar violations occurring (see below).

Which State Committee department will now name imams?

An official of the State Committee's Department for Work with Religious Organisations, who did not give his name, told Forum 18 from Baku on 11 March that "it has not yet been decided which [State Committee] Department will name imams".

State funds spent on the growing network of officials employed by the State Committee to control the exercise of the right to religion or belief continue to increase. State funding is now more than three times the level of eight years ago ([https://www.forum18.org/archive.php?article\\_id=2717](https://www.forum18.org/archive.php?article_id=2717)).

Under a 3 December 2021 Presidential Decree, state funds allocated to the State Committee for its own activities in 2022 amount to 4,014,799 Manats (21 million Norwegian Kroner, 2 million Euros or 2.4 million US Dollars).

The State Committee employs a growing number of staff (174 at the latest count) to control the exercise of the right to freedom of religion or belief, both at its headquarters and its regional branches.

Nakhichevan Autonomous Republic, an exclave of Azerbaijan, has its own State Agency for Work with Religious Organisations with its own staff.

Ever-increasing state control of Islam

While the regime keeps all religious communities under control, it has been particularly tightening its control over mosques in recent years. Almost all the remaining Sunni mosques were closed, including in Baku and Ganca.

In 2018, the State Committee took over control of higher Islamic education from the state-controlled Caucasian Muslim Board ([https://www.forum18.org/archive.php?article\\_id=2429](https://www.forum18.org/archive.php?article_id=2429)). The Azerbaijan Theological Institute, established by a Presidential Decree of 9 February 2018, is the only higher educational establishment the regime allows to operate.

The regime closed Baku Islamic University ([https://www.forum18.org/archive.php?article\\_id=2717](https://www.forum18.org/archive.php?article_id=2717)), operated by the Caucasian

Muslim Board, later in 2018. The state does not recognise as valid the 3,500 diplomas the University awarded between its foundation in 1989 and its closure.

The first graduates of Azerbaijan Theological Institute are due to complete their studies in 2022 and the state will then appoint them to lead mosques.

Since Religion Law amendments in December 2015 ([https://www.forum18.org/archive.php?article\\_id=2429](https://www.forum18.org/archive.php?article_id=2429)), Article 21 has banned both Azerbaijani citizens who had studied abroad and non-Azerbaijani citizens from conducting Islamic rituals. (From 2018 the State Committee could give foreign-educated clergy permission to conduct Islamic rituals.)

A new Criminal Code Article 168-1 ("Violation of the procedure for religious propaganda and religious ceremonies") was also introduced at the same time ([https://www.forum18.org/archive.php?article\\_id=2134](https://www.forum18.org/archive.php?article_id=2134)).

Imam Sardar Babayev was the first and only person known to have been punished under Article 168-1. He was jailed between February 2017 and February 2020 ([https://www.forum18.org/archive.php?article\\_id=2350](https://www.forum18.org/archive.php?article_id=2350)).

Imam Babayev was among five prominent Shia preachers detained on 19 October 2021. He is now facing further criminal prosecution ([https://www.forum18.org/archive.php?article\\_id=2718](https://www.forum18.org/archive.php?article_id=2718)). The other four were freed after questioning, one after several hours and three after a week. Another Shia preacher was detained and questioned on 29 October 2021.

A court jailed a Muslim from Lokbatan for two weeks ([https://www.forum18.org/archive.php?article\\_id=2718](https://www.forum18.org/archive.php?article_id=2718)) in November 2021 after police halted a protest against the replacement of an imam.

"The latest legal amendments mean that religious activity will increasingly be concentrated in the hands of the state," Kanan Rovshanoglu, a journalist and commentator on religious issues, told Forum 18 from Baku on 12 March 2022. "The government believes the Caucasian Muslim Board is not in a position to control the religious sphere." He says this is why the government has brought Islamic education and teaching, and now the nomination and re-appointment of all imams, under its direct control.

"However, it is doubtful whether communities and local believers will accept state-appointed imams," Rovshanoglu noted. "Because in many mosques, communities do not want to accept state-appointed imams, though this does not occur so often."

Rovshanoglu notes that the State Committee created the Foundation for the Promotion of Moral Values (in 2017) and the Institute of Theology (in 2018) to increase state control. "As in the Constitution, religion is separate from the state, the State Committee engages in religious activity not directly but via the Foundation."

Amendments prepared as usual in secret, no legal review sought

As with the June 2021 Religion Law amendments ([https://www.forum18.org/archive.php?article\\_id=2666](https://www.forum18.org/archive.php?article_id=2666)) and those in earlier years, the regime prepared the latest Religion Law ([https://www.forum18.org/archive.php?article\\_id=2429](https://www.forum18.org/archive.php?article_id=2429)) amendments in secrecy and with no public consultation.

The regime did not seek a review of these amendments ([https://www.forum18.org/archive.php?article\\_id=2653](https://www.forum18.org/archive.php?article_id=2653)) from either the Council of Europe's Venice Commission or the Organisation for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights. The two inter-governmental organisations, often together, provide reviews of laws and draft laws on request.

Inter-governmental organisations have repeatedly criticised the regime's restrictions on freedom of religion and belief and other human rights ([https://www.forum18.org/archive.php?article\\_id=2429](https://www.forum18.org/archive.php?article_id=2429)). Both the Council of Europe's Venice Commission and the OSCE have drawn extensively on their highly critical October 2012 Joint Opinion on the Religion Law ([https://www.legislationline.org/download/action/download/id/4150/file/214\\_FOR\\_AZE\\_15%20Oct%202012\\_en.pdf](https://www.legislationline.org/download/action/download/id/4150/file/214_FOR_AZE_15%20Oct%202012_en.pdf)) in the OSCE/Venice Commission Joint Guidelines on the Legal Personality of Religion or Belief Communities (<https://www.osce.org/odihr/139046>).

Parliament, President approve amendments almost unchanged

No election in Azerbaijan – including February 2020 Milli Majlis (Parliament) elections - has ever been found to be free and fair (<https://www.osce.org/odihr/elections/azerbaijan>) by Organisation for Security and Co-operation in Europe (OSCE) election observers.

The latest Religion Law amendments were announced only on 27 January ([https://www.forum18.org/archive.php?article\\_id=2717](https://www.forum18.org/archive.php?article_id=2717)), when they were discussed in the Milli Majlis Public Associations and Religious Organisations Committee. The text of the amendments was then published on the Milli Majlis website.

The 27 January Milli Majlis Committee meeting, chaired by Committee chair Fazail Ibrahimli, was also addressed by Gunduz Ismayilov, a Deputy Chair of the State Committee. The head and another official of the State Building, Administrative and Military Legislation Department were also present.

Among Milli Majlis Committee members present for the discussion was Javanshir Pashazade, younger brother of the head of the state-controlled Caucasian Muslim Board ([https://www.forum18.org/archive.php?article\\_id=2429](https://www.forum18.org/archive.php?article_id=2429)) Sheikh-ul-Islam Allahshukur Pashazade.

"The deputies said the amendments would serve to improve activities in this area," the Milli Majlis claimed about the 27 January Committee discussion ([https://www.forum18.org/archive.php?article\\_id=2717](https://www.forum18.org/archive.php?article_id=2717)), "and spoke about their importance in terms of state-religion relations."

Forum 18 was unable to reach Committee Chair Ibrahimli or other Committee members on 9 February. Phones of aides went unanswered or, in the case of Malik Hasanov, his aide said he was out of the country. Staff of the Committee refused to discuss anything with Forum 18 ([https://www.forum18.org/archive.php?article\\_id=2717](https://www.forum18.org/archive.php?article_id=2717)).

Siyavush Novruzov, former Chair of the Public Associations and Religious Organisations Committee who now chairs the Regional Affairs Committee, declined to comment on the amendments. "I'm no longer chair of that Committee," he told Forum 18 from Baku on 9 February ([https://www.forum18.org/archive.php?article\\_id=2717](https://www.forum18.org/archive.php?article_id=2717)). Asked whether he would vote for them on second reading, he responded: "I haven't read them. I will decide then." Phones of other deputies went unanswered the same day.

After the Milli Majlis Committee approved the amendments, they were sent for consideration by the full parliament. They were adopted in their first reading on 1 February ([https://www.forum18.org/archive.php?article\\_id=2717](https://www.forum18.org/archive.php?article_id=2717)). Ismayilov of the State Committee was also present for the first reading.

The Public Associations and Religious Organisations Committee held a meeting on 9 February to prepare for the second reading of the amendments. The full Milli Majlis approved the amendments in their second reading on 15 February and in their third reading on 25 February. They were then sent to President Aliyev for signature.

President Aliyev signed the amendments into law on 11 March, according to the presidential website. The final published text appeared to differ from the version sent to Parliament at the end of January only by the addition of one comma.

The same day, President Aliyev also signed a Decree implementing the amendments. This gave the Cabinet of Ministers two months to implement any necessary changes. He has not signed any Decree to update the much-amended 2001 State Committee Regulation, setting out the tasks of the State Committee.

In an interview with news website Report on 4 February, Ismayilov of the State Committee claimed that the Milli Majlis had initiated the amendments ([https://www.forum18.org/archive.php?article\\_id=2717](https://www.forum18.org/archive.php?article_id=2717)).

An aide to Ismayilov at the State Committee put the phone down on 9 February ([https://www.forum18.org/archive.php?article\\_id=2717](https://www.forum18.org/archive.php?article_id=2717)) after Forum 18 asked to speak to him about the amendments.

State directly controls all mosque leader appointments

The further amendments to the much-amended Religion Law hand responsibility for naming prayer leaders in all mosques from the state-controlled Caucasian Muslim Board ([https://www.forum18.org/archive.php?article\\_id=2429](https://www.forum18.org/archive.php?article_id=2429)) to the State Committee for Work with Religious Organisations. The State Committee then informs the Board of who it has appointed.

Under Article 8 of the Religion Law up till now, the Board named imams and then informed the State Committee of their appointment.

Gunduz Ismayilov, a Deputy Chair of the State Committee, defended the proposed role of the state in naming imams. "It is true that according to our Constitution, religion is separate from the state and Azerbaijan is a secular state," he told Report in his 4 February interview ([https://www.forum18.org/archive.php?article\\_id=2717](https://www.forum18.org/archive.php?article_id=2717)). "However, the appointment of a cleric by a state body does not contradict the principles of secularism and secularism."

Ismayilov claimed that setting out the provisions of Sharia law and naming imams are different. "The state does not interfere in the Sharia and doctrines by appointing a cleric," he claimed. He cited the state appointment of imams in Turkey. "Muslim clerics have been appointed by the Presidency of Religious Affairs (Diyanet) since Ataturk. Mosque imams are civil servants in Turkey."

Told on 11 March that Forum 18 was unaware of any Muslims who were demanding that the state take control of naming all imams, the official of the State Committee's Department for Work with Religious Organisations in Baku responded: "How do you know?" He refused to discuss anything else.

The amendments to Article 8 of the Religion Law also give the State Committee the leading role in re-appointing all imams every five years, with only the "involvement" of the Caucasian Muslim Board. This is a reversal of the State Committee and Muslim Board roles when the state mandated re-appointment of imams in June 2021 amendments to the Religion Law ([https://www.forum18.org/archive.php?article\\_id=2666](https://www.forum18.org/archive.php?article_id=2666)).

Another amendment to Article 8 of the Religion Law re-designates the state-controlled Caucasian Muslim Board ([https://www.forum18.org/archive.php?article\\_id=2429](https://www.forum18.org/archive.php?article_id=2429)) not as the "organisational" centre but the "religious" centre for Azerbaijan's mosques. This means in effect that the Board no longer has any power over how individual mosques are run, with all decisions taken by the State Committee.

The State Committee already controls all Muslim educational establishments, imposes state censorship of all religious literature of any kind, and approves or bans the building or renovation of any place of worship ([https://www.forum18.org/archive.php?article\\_id=2429](https://www.forum18.org/archive.php?article_id=2429)). "The State Committee is collecting all the power it can over the Muslim community," exiled historian and human rights defender Arif Yunus told Forum 18 from the Netherlands on 8 February.

Rovshanoglu told Qafqazinfo news website on 28 January that the state takeover of the Board's powers ([https://www.forum18.org/archive.php?article\\_id=2429](https://www.forum18.org/archive.php?article_id=2429)) has been underway for several years and pointed to the State Committee's 2018 decision to take direct control over Islamic education. "From now on, the Caucasian Muslim Board will be a public organisation that only issues religious fatwas and significant calendar items."

Caucasian Muslim Board appeared to accept stripping of further responsibilities

The state-controlled Caucasian Muslim Board ([https://www.forum18.org/archive.php?article\\_id=2429](https://www.forum18.org/archive.php?article_id=2429)) appeared to accept the stripping of further responsibilities from it. The Board "calls on believers and clergy to unequivocally comply with all provisions of the Law in case of adoption of new amendments" to the Religion Law, it declared in a 27 January statement on its website as the amendments reached the Milli Majlis.

"As a religious centre," the statement added, "the CMB, in cooperation with the relevant executive body of the state [State Committee], is always closely involved in the implementation of state policy in the religious and spiritual sphere and will continue to contribute to ensuring a high level of religion-state relations."

Gunduz Ismayilov, a Deputy Chair of the State Committee ([https://www.forum18.org/archive.php?article\\_id=2429](https://www.forum18.org/archive.php?article_id=2429)), welcomed the Board's 27 January statement accepting the stripping of responsibilities from it. "With this statement, the Caucasian Muslim Board demonstrated its commitment to our statehood and national interests," he told Report in his 4 February interview.

No official of the Caucasian Muslim Board was available to discuss with Forum 18 on 14 March the impact of the new amendments now signed into law.

No "religious centres" for non-Muslim communities

An amendment to Article 12 of the Religion Law, which covers how communities apply for registration, removes any role for "religious centres" or headquarter bodies in registration applications by individual communities.

Under Article 12, registered individual religious communities are allowed to operate only at their legal address.

As previously ([https://www.forum18.org/archive.php?article\\_id=2429](https://www.forum18.org/archive.php?article_id=2429)), communities seeking state registration have to prepare a statute approved at a members' meeting, and collect the full details of their 50 adult founders, "indicating their citizenship, place of residence and date of birth, copies of identity documents, basics of religious education, including religious information on the history of the community, the forms and methods of its activities, traditions, attitudes to the family, marriage and education, and restrictions on the rights and responsibilities of members of the community". The communities then submit their application with all this information directly to the State Committee.

The amendment to Article 12 also removes any specific mention of "religious centres" when it sets out how religious organisations apply for state registration. This appears to remove the possibility for non-Muslim communities to have a "religious centre" or headquarter body. However, this term is poorly defined in the current Religion Law and the implications of the change remain unclear.

The Russian Orthodox Church has only one registered organisation – its Baku diocese – which has seven constituent parishes. Russian Orthodox clergy in Baku declined to discuss with Forum 18 on 9 February ([https://www.forum18.org/archive.php?article\\_id=2717](https://www.forum18.org/archive.php?article_id=2717)) whether the amendments might affect the functioning of their parishes.

Jeyhun Mammadov, a Milli Majlis deputy who is on the Public Associations and Religious Organisations Committee, claimed to

SIA news website on 28 January ([https://www.forum18.org/archive.php?article\\_id=2717](https://www.forum18.org/archive.php?article_id=2717)) that the requirement that religious communities send their applications directly to the State Committee "will speed up the registration process".

Despite this claim, the State Committee has repeatedly rejected or ignored registration applications ([https://www.forum18.org/archive.php?article\\_id=2429](https://www.forum18.org/archive.php?article_id=2429)) from religious communities it does not like. Independent mosques, Protestant Christian communities and Jehovah's Witness communities are among those whose applications have failed.

A Jehovah's Witness community in Azerbaijan's second city Ganca applied for state registration in July 2010. In May 2016 the State Committee rejected the application with objections "that were not legally valid in our view", Jehovah's Witnesses told Forum 18 on 10 February 2022 ([https://www.forum18.org/archive.php?article\\_id=2717](https://www.forum18.org/archive.php?article_id=2717)). A Jehovah's Witness community in the northern town of Qakh applied for state registration more recently. Both communities are still waiting for registration.

UN Committee: Punishments "for engaging in religious discussions" a human rights violation

In two 2021 decisions, the United Nations (UN) Human Rights Committee found that the regime had violated the rights of four Jehovah's Witness women given large fines for discussing their faith with others. It instructed that they be compensated.

The two new decisions bring to five the number of Committee findings against the regime ([https://www.forum18.org/archive.php?article\\_id=2647](https://www.forum18.org/archive.php?article_id=2647)) for violating freedom of religion or belief related to Jehovah's Witnesses.

On 18 November 2021, the UN Human Rights Committee made public its finding in the case of two Jehovah's Witness women punished for sharing their faith with others (CCPR/C/131/D/2952/2017 ([https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2F131%2FD%2F2952%2F2017&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2F131%2FD%2F2952%2F2017&Lang=en)), adopted on 16 March 2021). The two women had brought their case to the UN Human Rights Committee in February 2017.

Police in the northern Zakatala District detained two sisters, Matanat Gurbanova and Saadat Muradhasilova, in November 2014 after they had a discussion on religion in the home of a local woman at her invitation. Police abused them, confiscated their literature and told them to read the Koran. In May 2015, Zakatala District Court fined each of them 1,500 Manats, the equivalent then of more than three months' average wages for those in work. Sheki Appeal Court rejected their appeals in July 2015.

Gurbanova could only afford to pay 50 Manats towards the fine. In March 2017, Zakatala District Court replaced the remainder of her fine with a sentence of 200 hours of public service, which she completed.

The regime claimed that the restrictions on exercising freedom of religion or belief are "necessary". "Many of the 'views' of Jehovah's Witnesses," it told the UN Human Rights Committee, "contain disparaging statements directed against Christian and Jewish communities, who form an integral part of society in Azerbaijan. It was therefore necessary to protect individuals of other religions and beliefs from insulting expressions by Jehovah's Witnesses outside of their place of worship."

Gurbanova and Muradhasilova contested this, telling the UN Committee that the regime's "assertion that the views of Jehovah's Witnesses feature disparaging expressions directed at Christian and Jewish communities is false and is not supported by any evidence".

The UN Committee found that Azerbaijan violated Gurbanova and Muradhasilova's rights when it "arbitrarily arrested and detained" the two women. It added that "the actions of the police lacked appropriateness, predictability and regard for due process guarantees".

The UN Committee instructed Azerbaijan "to make full reparation" to Gurbanova and Muradhasilova, including "adequate compensation, including reimbursement for the portion of the fine paid by Ms. Gurbanova, cancellation of the fines for both [of the two women], and reimbursement for court fees related to the cases". It said "the Committee wishes to receive from the State party, within 180 days, information about the measures taken to give effect to the Committee's Views".

On 21 December 2021, the UN Human Rights Committee made public its finding in the case of two further Jehovah's Witness women punished for sharing their faith with others (CCPR/C/133/D/3061/2017 (<https://daccess-ods.un.org/tmp/5876472.59235382.html>), adopted on 18 October 2021). The two women had brought their case to the UN Human Rights Committee in July 2017.

Police in a village in the north-western Goranboy District detained Jaarey Suleymanova (who since her marriage goes by the name Jeyran Azizova) and Gulnaz Israfilova in November 2016, the day after they had a discussion on religion in the home of a local woman at her invitation. The following day, the District Court fined each of them 2,000 Manats, the equivalent then of more than four months' average wages for those in work. Ganca Appeal Court rejected their appeals in January 2017.

Suleymanova and Israfilova described the court hearing at which they were fined to the UN Committee as a "biased show trial". They complained that the Judge had repeatedly called their religious community a "sect". The regime labelled the women's "activity

as propaganda simply because it disagreed with the beliefs that [they] espoused. It is not the State party's role to evaluate the legitimacy of religious beliefs."

"By using such pejorative terms, the District Court demonstrated its bias against the [two women's] religion," Suleymanova and Israfilova maintained. The regime rejected this. "The court proceedings were fair," it claimed.

In its decision, the UN Committee noted that the Judge "did not act in an impartial way". The Committee found that "the administrative penalty was aimed at [punishing Suleymanova and Israfilova] for their actions and deterring them from future similar actions" and referred to "the punitive and deterrent purpose, general character and significant severity" of the fines.

The UN Committee concluded that "by convicting and fining [Suleymanova and Israfilova] for engaging in religious discussions, the State party violated their rights". It instructed the regime to make "adequate compensation, including reimbursement for the fines imposed and for court fees related to the cases".

In both cases, the UN Committee reminded the regime of its "obligation to take all steps necessary to prevent similar violations from occurring in the future, including by reviewing its domestic legislation, regulations and/or practices".

Jehovah's Witnesses note that the regime has not yet fulfilled the UN Committee's call for compensation and for legal changes to prevent the violations recurring. "The government has not yet paid any compensation, nor has it implemented any legislation to prevent further violations of the women's rights to practise their religion," Jehovah's Witnesses told Forum 18 from Baku. They added that lawyers are still discussing these cases with government representatives. "We hope they resolve the issues soon."

The European Court of Human Rights (ECtHR) in Strasbourg has repeatedly found that Azerbaijan has violated rights to freedom of religion or belief and awarded compensation to the victims. Six further cases are still with the ECtHR ([https://www.forum18.org/archive.php?article\\_id=2695](https://www.forum18.org/archive.php?article_id=2695)). (END)

More reports on freedom of thought, conscience and belief in Azerbaijan (<https://www.forum18.org/archive.php?country=23>)

For background information, see Forum 18's Azerbaijan religious freedom survey ([https://www.forum18.org/archive.php?article\\_id=2429](https://www.forum18.org/archive.php?article_id=2429))

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments ([https://www.forum18.org/archive.php?article\\_id=1351](https://www.forum18.org/archive.php?article_id=1351))

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