

21 April 2023

## AZERBAIJAN: Fined for religious celebration, then arrested

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

*At least seven Shia Muslims faced court cases for taking their children to a celebration in a shopping centre of the anniversary of the birth of Fatima, the daughter of the Islamic prophet Mohammad. Four were fined two months' average wage. One of those fined, Mail Karimov, was arrested at the court and is among hundreds of Shia Muslims in jail under investigation on drugs charges which human rights defenders say are fabricated. The criminal trial of Shia Imam Sardar Babayev continues in Baku.*

In late January and early February, a Baku court heard cases against at least seven Shia Muslims for taking their children to a celebration in a shopping centre of a key religious festival, the anniversary of the birth of Fatima Zahra, the daughter of the Islamic prophet Mohammad. After police brought the cases, at least four of the men were each fined the equivalent of about two months' average wage. The four appear not to have appealed against their fines.

The four denied that any organised religious event had taken place. The court decision in the case of one of the Muslims, Tabriz Qulubayli, notes his defence: "He takes his children for a walk and entertainment on religious holidays" (see below).

The court sent back to police the case against a fifth Muslim as the record of an offence had not been completed correctly. Forum 18 has been unable to find out if the cases against the other two Muslims led to any punishment (see below).

Telephones at the 2nd Police Station of Khazar District – which brought the cases against the Muslims – went unanswered each time Forum 18 called (see below).

The woman who answered the phone at the Baku City Office of the State Committee for Work with Religious Organisations on 20 April put the phone down after Forum 18 asked to speak to the head, Anar Kazimov. Subsequent calls went unanswered (see below).

One of those fined, 40-year-old Mail Karimov, was arrested at the court on 2 February, the day the fine was handed down. Another Baku court ordered him held the same day for four-months as police investigate him on drug-related criminal charges. His family found out he had been arrested only two days later (see below).

Exiled human rights defender Arif Yunus put the number of devout Shia Muslims the regime arrested between January and mid-April at 370. "The regime has had cameras in all mosques since 2009 to identify the most active believers and the police and secret police have lists of prominent and respected believers, like Karimov," Yunus told Forum 18. "So when the order to arrest people comes, they know who to go for" (see below).

The criminal trial on treason charges of Shia Imam Sardar Babayev – who has been under arrest since in October 2021 – began in Baku in March and continues (see below).

The Supreme Court in Baku is due to hear on 8 June the appeal by Jehovah's Witness conscientious objector Seymour Mammadov against his conviction for refusing compulsory military service on grounds of conscience. He was initially jailed, but the sentence was changed on appeal to a one-year suspended sentence. The regime has repeatedly refused to honour its commitment to the Council of Europe to introduce an alternative to compulsory military service by January 2003 (see below).

The European Court of Human Rights (ECtHR) in Strasbourg has been in contact with the regime about one of the cases lodged by Imam Babayev about his long pre-trial detention, as well as on three cases where individuals were jailed or fined for holding religious meetings (see below).

In January, a Muslim from Oguz lodged a case to the ECtHR about a police raid on his home during a meeting for worship and subsequent fine. In February, 11 Muslims from Quba lodged a case to the ECtHR about a raid on a meeting for worship and subsequent fines (see below).

The ECtHR is still considering nine earlier cases from Azerbaijan related to violations of the right to freedom of religion or belief, lodged between 2014 and 2022 (see full list below).

## Fined for children's presence at Muslim celebration

The anniversary of the birth of Fatima Zahra, the daughter of the Islamic prophet Mohammad, a key festival especially for Shia Muslims, was marked this year on 13 January. That day, Shia Muslims went with their young children to the Zagulba shopping centre in Buzovna. The shopping centre is located on the Absheron peninsula east of Baku in the city's Khazar District.

The date coincided with the eighth anniversary of the founding of the Muslim Unity Movement. The charter of the movement describes one of its aims as "the protection and development of national and moral Islamic values in society" and particularly concentrates on young people.

The regime has jailed numerous Muslim Unity Movement members. The movement's leader, prisoner of conscience Taleh Bagirov (also known as Bagirzade), is serving a 20-year sentence handed down in January 2017 ([https://www.forum18.org/archive.php?article\\_id=2254](https://www.forum18.org/archive.php?article_id=2254)). He is being held in the high-security Qobustan prison, 40 kms (25 miles) south west of Baku.

On 14 January 2023, officers of the 2nd Police Station of Khazar District – including Lieutenant Javanshir Asgarov – drew up records of an offence against at least seven Muslim men. The cases were then handed to Khazar District Court.

The men were all accused of violating Administrative Code Article 515.0.3. This punishes "clergy and members of religious associations holding special meetings for children and young people, as well as the organising or holding by religious bodies of organised labour, literary, or other clubs and groups unassociated with holding religious ceremonies".

"In Baku, a group of parents involved children in the performance of religious rituals illegally," the Interior Ministry told the local media on 14 January. "On 13 January, the local police received information about a group of people in the village of Buzovna involving their minor children in the performance of religious rituals. An investigation is currently underway." It added that "legal measures" would be taken against those who "illegally involve minors in the performance of religious rituals".

Telephones at the 2nd Police Station of Khazar District went unanswered each time Forum 18 called on 20 April.

On 26 January, Judge Huseyn Huseynli of Khazar District Court sent back to police the case against one of the men as the record of an offence had not been correctly completed, according to the decision seen by Forum 18. It does not appear that the case was returned to court.

Between 26 January and 2 February, various Judges heard the other cases, according to the decisions seen by Forum 18. On 31 January, Aga-Ali Yahyayev (in his absence) was given the minimum fine of 1,500 Manats (two months' average wage for those in formal work). In separate hearings on 1 February, Tabriz Qulubayli and Zamin Abdullayev were also fined 1,500 Manats each. On 2 February, Mail Karimov was also fined 1,500 Manats.

The court decision in Abdullayev's case records his denial of any wrongdoing: "On 13 January 2023, his friend wrote to him and informed him that there is entertainment for children in Zagulba shopping centre located in the village of Buzovna," the court decision notes. "He took his two children and went to that party, and they played there. He had no intention of attending any religious gathering."

The court decision in Qulubayli's case notes his denial that he or his children attended any religious gathering: "He takes his children for a walk and entertainment on religious holidays."

Forum 18 was unable to find out if the court punished the two other Muslim men, Rasif Chiragov and Khosrov Azizov.

None of the men appear to have appealed against the court decisions to Baku Appeal Court.

The woman who answered the phone at the Baku City Office of the State Committee for Work with Religious Organisations on 20 April put the phone down after Forum 18 asked to speak to the head, Anar Kazimov. Subsequent calls went unanswered.

## Arrest

On 2 February, the day Khazar District Court fined him, officers of Sabunchu District Police's 14th Station arrested Mail Kamal oglu Karimov (born 1983). His family found out about his arrest only two days later, according to the list of political prisoners (<https://www.ipd-az.org/ru/political-prisoners-for-19-april-2023/>) issued on 19 April by human rights defenders Leila Yunus and Elshan Hasanov.

Also on 2 February, Baku's Sabunchu District Court ordered Karimov held in pre-trial detention for four months. Police are investigating him on charges of large-scale drug trading under Criminal Code Article 234.4.3.

During a 7 February search of Karimov's home, police tried to plant "religious leaflets of a provocative nature or with photographs of Ayatollah Khomeini and other Iranian leaders", the political prisoners list notes.

Police have arrested numerous other individuals they regard as being connected to or sympathetic to Iran (<https://eurasianet.org/mass-arrests-of-religious-shias-reported-in-azerbaijan>), whose leaders the Azerbaijani regime has taken to calling the "mullocratic regime".

Exiled human rights defender Arif Yunus put the number of devout Shia Muslims the regime arrested between January and mid-April at 370. "The regime has had cameras in all mosques since 2009 to identify the most active believers and the police and secret police have lists of prominent and respected believers, like Karimov," Yunus told Forum 18 on 21 April. "So when the order to arrest people comes, they know who to go for."

Mosques are only allowed to function if they are under the control 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)), although this is nowhere stated in published law. The state now appoints and removes all imams ([https://www.forum18.org/archive.php?article\\_id=2749](https://www.forum18.org/archive.php?article_id=2749)).

Yunus noted that earlier the regime arrested Sunni Muslims, but now Shia Muslims are being targeted. "Earlier the regime often brought administrative cases. Now there is mass repression of believers and criminal cases." He said that while the regime accuses those they have arrested of ties to Iran, almost all are being investigated on drugs-related charges.

Supreme Court to hear conscientious objector's appeal on 8 June

Jehovah's Witness conscientious objector Seymur Afqan oglu Mammadov (born 16 August 2000) lodged an appeal to the Supreme Court in Baku on 14 February against his conviction for refusing compulsory military service on grounds of conscience. Judge Ilkin Rajabov is due to hear Mammadov's appeal on the morning of 8 June, the Supreme Court website notes.

On 22 September 2022, Goranboy District Court convicted Mammadov under Criminal Code Article 321.1 ("Evasion without lawful grounds of call-up to military service or of mobilisation, with the purpose of evading serving in the military, is punishable by imprisonment for up to two years [in peacetime]"). The court jailed him for nine months ([https://www.forum18.org/archive.php?article\\_id=2776](https://www.forum18.org/archive.php?article_id=2776)).

Mammadov was arrested in the courtroom at the end of the trial and was taken to Investigation Prison No. 2 in Ganca. "It was a very unexpected decision, especially given the recent [ECtHR] decisions against Azerbaijan," Jehovah's Witnesses told Forum 18 from Baku in September 2022.

Mammadov appealed to Ganca Appeal Court. At the final hearing on 12 December 2022, the prosecutor stated that he supported the decision of Goranboy District Court but, given Mammadov's age and positive character references, he requested a two-year suspended sentence. The court partially satisfied the appeal and replaced the nine-month jail term with a one-year suspended sentence ([https://www.forum18.org/archive.php?article\\_id=2796](https://www.forum18.org/archive.php?article_id=2796)). Mammadov was released in the courtroom immediately after the hearing.

Mammadov's conviction gives him a criminal record in addition to the suspended sentence.

If the Supreme Court rejects Mammadov's appeal, he would be able to bring a case to the European Court of Human Rights (ECtHR) in Strasbourg. The court has found in favour of other convicted Jehovah's Witness conscientious objectors, most recently in October 2021, when it ordered the regime to pay compensation ([https://www.forum18.org/archive.php?article\\_id=2796](https://www.forum18.org/archive.php?article_id=2796)) to two young men convicted earlier for refusing compulsory military service on grounds of conscience.

The regime promised the Council of Europe that it would introduce a civilian alternative to compulsory military service by January 2003. It did not honour this commitment ([https://www.forum18.org/archive.php?article\\_id=2796](https://www.forum18.org/archive.php?article_id=2796)). United Nations (UN) human rights bodies, as well as the Council of Europe's Venice Commission and its European Commission against Racism and Intolerance (ECRI), have repeatedly criticised Azerbaijan's failure to introduce a civilian alternative to compulsory military service ([https://www.forum18.org/archive.php?article\\_id=2429](https://www.forum18.org/archive.php?article_id=2429)).

ECtHR communicates case as new trial begins

The trial of Shia Muslim Imam Sardar Akif oglu Babayev (born 12 March 1974) began on the morning of 9 March under Judge Akhmed Quliyev at Baku's Serious Crimes Court, an individual familiar with his case told Forum 18 from Baku. Imam Babayev is on trial under Criminal Code Article 274 ("High treason"). He rejects the charges, saying the accusations against him are baseless, his lawyer Javad Javadov told Forum 18 on 3 March, before the trial began.

The State Security Service (SSS) secret police arrested Imam Babayev in October 2021 on treason charges. The SSS has held him

since then at its Investigation Prison in Baku. Baku's Sabail District Court has repeatedly extended his pre-trial detention, including in September 2022 ([https://www.forum18.org/archive.php?article\\_id=2776](https://www.forum18.org/archive.php?article_id=2776)). Baku Appeal Court rejected Babayev's appeal against the further extension of his detention.

On 14 April 2023, once his trial had already begun, Sabail District Court extended Imam Babayev's pre-trial detention again, this time until 19 September.

Human rights defender Elshan Hasanov described the treason case against Imam Babayev as "clearly fabricated". "No one believes Sardar Babayev is an Iranian spy," exiled human rights defender Arif Yunus told Forum 18 in February 2022 ([https://www.forum18.org/archive.php?article\\_id=2718](https://www.forum18.org/archive.php?article_id=2718)).

From 2017 until his release in February 2020, Imam Babayev served a three-year jail term ([https://www.forum18.org/archive.php?article\\_id=2557](https://www.forum18.org/archive.php?article_id=2557)) for leading mosque prayers after gaining Islamic education outside Azerbaijan.

The telephone of the SSS secret police Press Office in Baku went unanswered each time Forum 18 called on 20 April 2023.

Babayev's lawyer Javadov lodged a case to the European Court of Human Rights (ECtHR) in Strasbourg on 23 March 2022 (Application No. 19549/22) about the continued holding of his client in pre-trial detention, which had then lasted six months.

The ECtHR "Communicated [the case] to the Government without request for observations" on 19 January 2023, according to ECtHR records. "This procedure applies to cases where there is well-established case-law," the ECtHR told Forum 18 from Strasbourg on 21 April. "In those cases, the Court will not require any observations from the Government, who are to be given an opportunity only to submit such observations, if they so wish, on the admissibility and merits of the complaints."

The address of the SSS secret police Investigation Prison where Imam Babayev is being held is:

Dövlət Təhlükəsizliyi Xidməti

İstintaq Təcridxanası

Parlament Prospekti 14

Baku AZ-1009

Azerbaijan

ECtHR asks regime questions in three cases

The European Court of Human Rights (ECtHR) in Strasbourg has asked the regime questions in three other freedom of religion or belief related cases from Azerbaijan.

On 13 March 2023, the ECtHR asked the regime questions (<https://hudoc.echr.coe.int/eng?i=001-224171>) in the case of Mammadov and Others v. Azerbaijan (Application No. 30498/17).

Police raided a religious meeting in a Baku home by Muslim readers of Said Nursi's works in April 2014. In October 2015, a Baku court jailed Ismayil Mammadov, Eldeniz Hajiyev, Shahin Hasanov and Zakariyya Mammadov. Their April 2016 appeal hearing reduced their sentences but did not overturn them ([https://www.forum18.org/archive.php?article\\_id=2173](https://www.forum18.org/archive.php?article_id=2173)). They lodged a case to the ECtHR on 10 April 2017 about their jailing.

The ECtHR asked the regime and the applicants whether they had a fair hearing in the determination of the criminal charges against them and whether the domestic courts established the existence of all the elements of the criminal offences of which the applicants were convicted and provide adequate and relevant reasons for their decisions.

On 20 March 2023, the ECtHR asked the regime questions about two other cases, Hajiyev v. Azerbaijan (<https://hudoc.echr.coe.int/eng?i=001-224215>) (Application No. 21807/18) and Abdullayev v. Azerbaijan (<https://hudoc.echr.coe.int/eng?i=001-224215>) (Application No. 38997/22).

A Baku court fined Eldeniz Hajiyev under Administrative Code Article 515.0.2 ("Violating legislation on holding religious meetings, marches, and other religious ceremonies") to punish him for a March 2017 meeting for worship without state permission. He lodged a case to the ECtHR on 27 April 2018.

A Baku court fined Muslim Nursi reader Salman Abdullayev ([https://www.forum18.org/archive.php?article\\_id=2795](https://www.forum18.org/archive.php?article_id=2795)) 1,500 Manats

(two months' average wage for those in formal work) under Administrative Code Article 515.0.2 ("Violating legislation on holding religious meetings, marches, and other religious ceremonies") to punish him for a September 2021 meeting for worship in his home without state permission. He lodged a case to the ECtHR on 21 July 2022.

The ECtHR asked the regime and the applicants in both cases whether they were deprived of their liberty in breach of the European Convention on Human Rights. It asked to see copies of the detention records, as well as any other documents relating to their detention. It also asked whether the applicants had a fair hearing.

In both cases, the ECtHR also asked whether there was interference with the applicants' freedom of religion within the meaning of the Convention and, if so, whether that interference was prescribed by law and necessary, as required by the Convention.

ECtHR: 12 new cases lodged in 2023

On 26 January, the ECtHR registered the case lodged by a Muslim, Elnur Aliyev (Application No. 8190/23). On 1 August 2022, police and an official of the office in Sheki of the State Committee for Work with Religious Organisations raided his home in the town of Oguz in northern Azerbaijan, where several people had met for a Muslim meeting for worship. Officers searched his home. On 1 September 2022, Oguz District Court fined him the minimum fine of 1,500 Manats (about two months' average wage) under Administrative Code Article 515.0.2 ("Violating legislation on holding religious meetings, marches, and other religious ceremonies"). Sheki Appeal Court rejected his appeal ([https://www.forum18.org/archive.php?article\\_id=2794](https://www.forum18.org/archive.php?article_id=2794)) later in the month.

On 23 February, the ECtHR registered 11 cases by Muslims from Quba, fined after a police raid on a meeting for worship in the home of Elnur Afandiyev. In separate hearings on 10 October 2022, Quba District Court found all the men guilty under Administrative Code Article 515.0.2 and punished each one with the minimum fine of 1,500 Manats. Sumgait Appeal Court rejected the men's appeals ([https://www.forum18.org/archive.php?article\\_id=2794](https://www.forum18.org/archive.php?article_id=2794)) in November 2022.

The ECtHR cases were lodged by Afandiyev (Application No. 12483/23); Nurlan Mirzayev (Application No. 12417/23); Ayaz Agayev (Application No. 12447/23); Amil Gubarov (Application No. 12454/23); Sahib Novruzov (Application No. 12471/23); Babak Ibrahimov (Application No. 12478/23); Shahmar Hajiyevev (Application No. 12484/23); Ismayil Balakishiyev (Application No. 12486/23); Shamkhal Orujev (Application No. 12496/23); Telman Almasov (Application No. 12499/23); and Jafar Madatov (Application No. 12508/23).

Now 21 known cases awaiting ECtHR decisions

The ECtHR in Strasbourg has already completed 63 cases from Azerbaijan submitted since 2004 related to violations of freedom of religion or belief ([https://www.forum18.org/archive.php?article\\_id=2665](https://www.forum18.org/archive.php?article_id=2665)) and inter-related rights.

Of these 63 completed cases:

- 19 ended in findings of violations and awards of compensation;
- 20 were closed after Azerbaijan admitted violations and offered compensation in a "unilateral declaration";
- 13 were friendly settlements, where the regime agreed to pay compensation (in 1 case it also admitted violations);
- 11 were dismissed or withdrawn (one following the death of the applicant).

In 40 of the 63 concluded cases the ECtHR found that the regime had violated human rights related to the exercise of freedom of religion or belief or the ECtHR accepted the regime's admission that it had violated these rights. The regime has paid the compensation awarded by the ECtHR to the victims. However, the regime has not changed laws (as it is required to do) to prevent a recurrence of such violations.

With the 12 new cases lodged in 2023, 21 ECtHR cases related to the regime's violations of freedom of religion or belief are known to remain. The cases – submitted between 2014 and 2023 – cover a wide range of violations. All 21 were lodged by Muslims. Some cases cover more than one violation, such as police seizing religious literature during a raid on a meeting for worship.

In approximate reverse chronological order of violation they are:

- Jailed for exercising freedom of religion or belief (1 case involving 1 individual applicant)
- State censorship of religious literature (1 case involving 1 individual applicant)
- Raid on and punishments for meetings for worship (12 case involving 12 individual applicants)

- Jailed for leading prayers or religious meetings (3 cases involving 5 individual applicants)
- Unlawful house search (1 case involving 1 individual applicant)

Details of all 21 cases are given below.

ECtHR: Jailed for exercising freedom of religion or belief

Babayev v. Azerbaijan (Application No. 19549/22)

The State Security Service (SSS) secret police arrested Shia Muslim Imam Sardar Babayev in October 2021. Prosecutors were investigating him on treason charges, accusing him of cooperating with and taking instructions from an Iranian intelligence agency, and acting against Azerbaijan. Imam Babayev rejects the allegations against him, arguing that they are politically motivated. His lawyer Javadov objected to the continued pre-trial detention.

The ECtHR "Communicated [the case] to the Government without request for observations" on 19 January 2023 (see above).

ECtHR: State censorship of religious literature

Miriyev v. Azerbaijan (Application No. 1717/20).

In February 2018, the State Committee for Work with Religious Organisations on theological grounds banned the publication and distribution of the book ([https://www.forum18.org/archive.php?article\\_id=2351](https://www.forum18.org/archive.php?article_id=2351)) "Things Not Existing in Islam" by Muslim theologian Elshad Miri (also known as Miriyev). Repeated legal appeals against the ban failed ([https://www.forum18.org/archive.php?article\\_id=2485](https://www.forum18.org/archive.php?article_id=2485)). After failing on 20 December 2019 in the Supreme Court to overturn the ban, Miri lodged a case in the ECtHR ([https://www.forum18.org/archive.php?article\\_id=2490](https://www.forum18.org/archive.php?article_id=2490)).

The ECtHR has not yet asked the regime questions about the case.

ECtHR: Raids on and punishments for meetings for worship

1) Aliyev v. Azerbaijan (Application No. 8190/23).

On 1 September 2022, Oguz District Court fined Elnur Aliyev 1,500 Manats under Administrative Code Article 515.0.2 ("Violating legislation on holding religious meetings, marches, and other religious ceremonies") after police raided a Muslim meeting for worship in his home. Sheki Appeal Court rejected his appeal later in the month (see above).

The ECtHR has not yet asked the regime questions about the case.

2), 3), 4), 5), 6), 7), 8), 9), 10), 11), 12) Afandiyev v. Azerbaijan (Application No. 12483/23); Mirzayev v. Azerbaijan (Application No. 12417/23); Agayev v. Azerbaijan (Application No. 12447/23); Gubатов v. Azerbaijan (Application No. 12454/23); Novruzov v. Azerbaijan (Application No. 12471/23); Ibrahimov v. Azerbaijan (Application No. 12478/23); Hajiyev v. Azerbaijan (Application No. 12484/23); Balakishiyev v. Azerbaijan (Application No. 12486/23); Orujev v. Azerbaijan (Application No. 12496/23); Almasov v. Azerbaijan (Application No. 12499/23); and Madatov v. Azerbaijan (Application No. 12508/23).

Following a police raid on a Muslim meeting for worship in the home of Elnur Afandiyev, on 10 October 2022 Quba District Court found him as well as Nurlan Mirzayev, Ayaz Agayev, Amil Gubatov, Sahib Novruzov, Babak Ibrahimov, Shahmar Hajiyev, Ismayil Balakishiyev, Shamkhal Orujev, Telman Almasov and Jafar Madatov guilty under Administrative Code Article 515.0.2 and fined each 1,500 Manats. Sumgait Appeal Court rejected the men's appeals in November 2022 (see above).

The ECtHR has not yet asked the regime questions about the case.

13) Abdullayev v. Azerbaijan (Application No. 38997/22 (<https://hudoc.echr.coe.int/eng?i=001-224215>)).

A Baku court fined Muslim Nursi reader Salman Abdullayev under Administrative Code Article 515.0.2 ("Violating legislation on holding religious meetings, marches, and other religious ceremonies") to punish him for a September 2021 meeting for worship in his home without state permission. He lodged a case to the ECtHR on 21 July 2022.

The ECtHR asked the regime questions (<https://hudoc.echr.coe.int/eng?i=001-224215>) about the case on 20 March 2023 (see above).

14) Hajiyev v. Azerbaijan (Application No. 21807/18 (<https://hudoc.echr.coe.int/eng?i=001-224215>)).

A Baku court fined Eldeniz Hajiyeu under Administrative Code Article 515.0.2 ("Violating legislation on holding religious meetings, marches, and other religious ceremonies") to punish him for a March 2017 meeting for worship without state permission. He lodged a case to the ECtHR on 27 April 2018.

The ECtHR asked the regime questions (<https://hudoc.echr.coe.int/eng?i=001-224215>) about the case on 20 March 2023 (see above).

15) Rafiyev v. Azerbaijan (Application No. 81028/17 (<https://hudoc.echr.coe.int/eng?i=001-186530>)).

In March 2017, police raided a home in Quba where Muslims who study Said Nursi's works were meeting and seized religious literature. Almost all of those present were fined in March 2017, including Vuqar Rafiyev ([https://www.forum18.org/archive.php?article\\_id=2294](https://www.forum18.org/archive.php?article_id=2294)).

The ECtHR asked the regime questions (<https://hudoc.echr.coe.int/eng?i=001-186530>) about the case on 6 September 2018.

ECtHR: Jailed for leading prayers or religious meetings

1) Babayev v. Azerbaijan (Application No. 34015/17 (<https://hudoc.echr.coe.int/eng?i=001-186531>)).

Police arrested Shia Muslim Imam Sardar Babayev in February 2017 for leading prayers in a mosque having gained his religious education outside Azerbaijan ([https://www.forum18.org/archive.php?article\\_id=2295](https://www.forum18.org/archive.php?article_id=2295)).

The ECtHR asked the regime questions (<https://hudoc.echr.coe.int/eng?i=001-186531>) about the case on 4 September 2018.

"The government gave its comments, they were sent to us and we in turn gave our comments," his lawyer Javad Javadov told Forum 18 in March 2020 ([https://www.forum18.org/archive.php?article\\_id=2557](https://www.forum18.org/archive.php?article_id=2557)). He said they are now waiting for the ECtHR to give its judgment.

2) Babayev v. Azerbaijan (Application No. 26896/18). After a court jailed Imam Sardar Babayev in July 2017 for three years, his lawyer lodged this second case ([https://www.forum18.org/archive.php?article\\_id=2353](https://www.forum18.org/archive.php?article_id=2353)) to challenge the conviction for leading prayers.

The ECtHR asked the regime questions (<https://hudoc.echr.coe.int/eng?i=001-217506>) about the case on 3 May 2022.

3) Mammadov and Others v. Azerbaijan (Application No. 30498/17 (<https://hudoc.echr.coe.int/eng?i=001-224171>)).

Police raided a religious meeting in a Baku home by Muslim readers of Said Nursi's works in April 2014. In October 2015, a Baku court jailed Ismayil Mammadov, Eldeniz Hajiyeu, Shahin Hasanov and Zakariyya Mammadov. Their April 2016 appeal hearing reduced their sentences but did not overturn them ([https://www.forum18.org/archive.php?article\\_id=2173](https://www.forum18.org/archive.php?article_id=2173)). They lodged a case to the ECtHR on 10 April 2017 about their jailing.

The ECtHR asked the regime questions (<https://hudoc.echr.coe.int/eng?i=001-224171>) about the case on 13 March 2023 (see above).

ECtHR: Unlawful house search

Miragayev v. Azerbaijan (Application No. 29550/14 (<https://hudoc.echr.coe.int/eng?i=001-187776>)).

In May 2012 police and the then-National Security Ministry (NSM) secret police raided Zeka Miragayev's Baku home ([https://www.forum18.org/archive.php?article\\_id=1719](https://www.forum18.org/archive.php?article_id=1719)). Police confiscated 30 copies of the Koran, 24 other books (including some by Said Nursi), a computer, and a small sum of money. After repeated failures of legal challenges to the raid and confiscations ([https://www.forum18.org/archive.php?article\\_id=1820](https://www.forum18.org/archive.php?article_id=1820)), the ECtHR application concerns the unlawful search of the applicant's flat. Miragayev also notes that he was not duly notified of a hearing before the Supreme Court.

The ECtHR asked the regime questions (<https://hudoc.echr.coe.int/eng?i=001-187776>) about the case on 24 October 2018. (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))

Follow us on Twitter @Forum\_18 ([https://twitter.com/forum\\_18](https://twitter.com/forum_18))

Follow us on Facebook @Forum18NewsService (<https://www.facebook.com/Forum18NewsService>)

Follow us on Telegram @Forum18NewsService (<https://t.me/s/forum18newsservice>)

All Forum 18 material may be referred to, quoted from, or republished in full, if Forum 18 is credited as the source.

All photographs that are not Forum 18's copyright are attributed to the copyright owner. If you reuse any photographs from Forum 18's website, you must seek permission for any reuse from the copyright owner or abide by the copyright terms the copyright owner has chosen.

© Forum 18 News Service. All rights reserved. ISSN 1504-2855.

---

If you need to contact F18News, please email us at:  
f18news @ editor.forum18.org

Forum 18  
Postboks 6603  
Rodeløkka  
N-0502 Oslo  
NORWAY