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AZERBAIJAN: Expelling Muslims from Mosque "unpleasant," court executor says

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

The official responsible for carrying out a court order to expel Muslims from the 1,000 year old Juma mosque, which the authorities want to turn into a carpet museum, has told Forum 18 News Service that the task will be unpleasant, but that he will carry out the expulsion. Ambassador Steinar Gil of the Royal Norwegian Embassy has condemned the decision, saying it "violates the letter and the spirit of international conventions Azerbaijan has signed up to", adding that he found it hard to determine what the authorities hope to achieve by expelling the community. Ambassador Gil also pointed out that the Juma Mosque is led by Imam Ilgar Ibrahimoglu, who is disliked by the authorities and has been given a suspended five-year jail sentence for his human rights and religious freedom work for Christians and Muslims. The Imam today (26 April) told Forum 18 that he has resumed his human rights and religious freedom activity.

The official who is likely to be handed the responsibility of expelling the Juma mosque community from its historic mosque in the Old City of the capital Baku has agreed that the task will not be pleasant, but has told Forum 18 News Service he will have to fulfil the Appeal Court decision. "The ruling has not been handed to us yet, but when it reaches us we will have to take measures to carry it out," Nuridin Mustafaev, court executor for Baku's Sabail district, told Forum 18 from the city on 26 April. "The court is the court and we don't discuss the rulings they hand down." He declined to say how he will expel the Muslims, but rejected the term "expulsion" for what is likely to happen to them, preferring to talk about their "removal".

"The authorities can now expel us at any moment," the imam of the Shia Muslim mosque, Ilgar Ibrahimoglu Allahverdiev, told Forum 18 from Baku on 26 April. "Indeed, the latest ruling means they have the duty to do so immediately." However, he maintained that they will be afraid to do so as they will fear the repercussions from around the world. "We have bought flowers to be ready if they do come," he added. "We will not meet any violence with violence. We will defend our rights peacefully."

On 22 April the Appeal Court panel of judges chaired by Maisa Huseynova upheld the ruling of the Sabail district court of 1 March that the community of the Juma mosque should immediately be evicted from the mosque it has been using for the past twelve years. The lawsuit was filed by the historical and architectural reserve Ichari Sahar, which wants to turn the mosque back into a carpet museum as it was during the later Soviet period. It argued that the mosque is an "architectural monument" and therefore the community is occupying it illegally.

However, community members reject the demand. "We don't regard it as an architectural monument but as a place of worship," Ibrahimoglu told Forum 18. "The Juma mosque was built by religious believers as a place of prayer – even before Islam came here people used to pray on the site." He insisted that the court decision was a violation of the rights of the mosque community, Azerbaijani laws and the constitution. "It was a political decision."

Also condemning the latest court ruling was Ambassador Steinar Gil of the Royal Norwegian Embassy in Baku, who was present in court for the hearing. "The result was not what we were hoping for," he told Forum 18 from Baku on 26 April. "At previous hearings there were indications the conclusion might be different." He said the decision to expel the community "violates the letter and the spirit of international conventions Azerbaijan has signed up to", adding that he found it hard to determine what the authorities hope to achieve by expelling the community.

Ibrahimoglu pointed to what he regards as the failure of the Ichari Sahar authorities to protect other monuments in the Old City, where many historic buildings have been knocked down and rebuilt in recent years. "All over the Old City regulations are being violated," he maintained. "Apart from our mosque, not one of the more than twenty historic mosques in the Old City is functioning. None of them are respected as historical monuments."

By contrast, he continued, the Juma mosque community has renovated its historic building more than once in the past twelve years, solely at the cost of the believers. "We respect the building we pray in," Ibrahimoglu told Forum 18. Ambassador Gil confirmed to Forum 18 that he believes the building – which is close to his embassy – is being well cared-for by the community.

Ambassador Gil pointed to the various objections the authorities have given in recent months to the mosque community, that it has refused to come under the jurisdiction of the Caucasian Muslim Board, that it has failed to gain re-registration with the State Committee for Work with Religious Organisations, and that it is led by Ibrahimoglu, who is disliked by the authorities and who was given a suspended five-year sentence on 2 April in retaliation for his human rights and religious freedom work (see F18News 5 April 2004 http://www.forum18.org/Archive.php?article_id=294). Ibrahimoglu has worked for the religious freedom of both Muslims and Christians.

Ambassador Gil believes all three accusations are beyond the authority of the government. "Why is it so important to have all the Muslims under one umbrella?" he asked. "They have no right to demand this." He noted that the mosque has applied for re-registration, but the State Committee has failed to process the application. He dismissed attempts by the government to try to select or impose their own leaders on individual religious communities.

Ibrahimoglu told Forum 18 that the community is following a two-track strategy to hold onto its place of worship, preparing an appeal to the Supreme Court and at the same time seeking to challenge the moves against it in the European Court of Human Rights in Strasbourg, to which Azerbaijan is subject as a member of the Council of Europe.

He added that since his release from prison after four months' detention he has resumed leading prayers in the mosque. He told Forum 18 he is preparing his own appeal against his suspended sentence and says the restrictions on his freedom of movement and activity imposed by the court will not come into force until his appeal is heard. He said he has accepted an invitation to attend a democratisation conference being held by the Organisation for Security and Cooperation in Europe in Warsaw in mid-May. "This will be a good test of whether they will try to restrict me," he declared.

He said he has resumed his human rights and religious freedom activity and is planning to publish a new religious freedom journal, which he hopes will appear every couple of months.

For more background information see Forum 18's latest religious freedom survey at

http://www.forum18.org/Archive.php?article_id=92

A printer-friendly map of Azerbaijan is available at

<http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=azerba>

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