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AZERBAIJAN: As arrests continue, Muslims fail to regain their mosque

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

On 11 August, the same day that the Supreme Court rejected the appeal by Baku's Juma Mosque community to overturn last March's eviction order, a court sentenced community member Azad Narimanoglu Isayev to seven days' detention for "resisting the police". The community's imam Ilgar Ibrahimoglu Allahverdiev told Forum 18 News Service that 83 mosque members have now been summoned to the police under various pretexts since the community was forcibly evicted from the mosque on 30 June. Human rights activist Saadat Bananyarli condemned the Supreme Court verdict. "The verdict is not legitimate because the judges are not independent," she told Forum 18.

The community of the Juma (Friday) mosque in Baku's Old City has failed in its final attempt in the Azerbaijani courts to challenge the court-ordered seizure of its place of worship. On 11 August the Supreme Court rejected the community's appeal against the eviction order. "It took the Supreme Court only five minutes to issue such a verdict," the community's imam Ilgar Ibrahimoglu Allahverdiev told Forum 18 News Service from Baku in the wake of the hearing. The verdict will not be issued in writing for up to twenty days, but the community has already taken its case to the European Court of Human Rights in Strasbourg. Ibrahimoglu also complained of "new repressions", including the seven-day sentence imposed on community activist Azad Narimanoglu Isayev and continuing harassment of other members.

In March, Sabail district court ruled in favour of Baku city authorities' petition to oust the Juma Mosque community, citing what it said was the community's lack of any rental agreement or government registration, and arguing that the 1,000-year-old mosque was a historical site. A Baku appeals court upheld the eviction on 22 April. Police forcibly evicted Ibrahimoglu and his community on 30 June and handed the mosque over to an unrelated Muslim organisation, the Caucasian Muslim Board, which imposed its own imam (see F18News 7 July 2004 http://www.forum18.org/Archive.php?article_id=357).

Ibrahimoglu told Forum 18 that the community can no longer meet together for worship. "It is too risky for us to meet all together," he told Forum 18 on 12 August. "I have had to tell the believers to pray in their homes."

Among the human rights activists to come to the defence of the community are Saadat Bananyarli, chair of the Azerbaijani group of the International Society for Human Rights, and Eldar Zeynalov, head of the Human Rights Centre of Azerbaijan. Bananyarli told Forum 18 that she was not surprised by the Supreme Court verdict. "The verdict is not legitimate because the judges are not independent," she declared from Baku on 12 August. She said she believed it was wrong for a court to take a place of worship away from one religious community and hand it over to another.

Zeynalov highlighted this week's admission by the interior minister Ramil Usubov that the mosque's refusal to submit to the jurisdiction of the Caucasian Muslim Board justified the police expulsion of the community. "But if religion is separate from the state, such purely internal disputes within religious organisations should not be resolved with the help of the police," Zeynalov told Forum 18 from Baku on 12 August. "This is proof of what has long been stated: that all the legal hearings over the right of ownership over the mosque and accusations of political activity in the mosque have been a cover for the desire of the Caucasian Muslim Board to establish a monopoly over Muslim communities."

He said the real reason for the attacks on Ibrahimoglu's community was that it opposed the "commercialisation" of religion, conducting rites for Muslims without charge. "Azerbaijan's official mosques, which take fees for rites, reacted very badly to this," Zeynalov told Forum 18.

He likened the use of various accusations against the community – including that it had housed weapons in the mosque – to the smear tactics used in Nazi Germany by Joseph Goebbels. He also recalled the arrest several years ago of a group of alleged conspirators at the then-independent Juma Mosque in Azerbaijan's second city Gyanja after documents were planted on them, lamenting that no foreign embassies took an interest in their case.

Ibrahimoglu's colleague Isayev, a lawyer and member of the council of the Azerbaijani chapter of the International Religious Liberty

Association, was detained on 10 August and held until the evening. He was summoned by the police again on 11 August "for a few minutes", but was not released. Ibrahimoglu believes that Isayev's detention is a way for the authorities to put pressure on himself. "When Isayev started to demand that his lawyer should come to him, just like in the old Soviet times he was sentenced by a court under the code of administrative offences to seven days in prison under the pretext of resisting the police," Ibrahimoglu reported. "I'm very much concerned about his fate." Isayev is being held at the 37th police station of Baku's Khatai district.

Summoned to the prosecutor's office on 12 August was Ibrahimoglu's assistant, Shahin Hasanov. When he arrived with his lawyer, officials kept him for only ten minutes before dismissing him. "If he hadn't been with his lawyer I don't know what would have happened to him." Police were again reportedly looking for Hasanov after he left the prosecutor's office.

In the afternoon of 8 August Surkhai Mamedov, the new imam imposed on the mosque by the Caucasian Muslim Board, claimed on local television that he had been beaten up the previous evening outside his Baku home. He strongly hinted that the two attackers, one of whom was masked, were Ibrahimoglu's supporters by declaring that he had recognised one of them from the mosque. Ibrahimoglu rejected this accusation, pointing out that he has always insisted that his community work to regain the mosque they have occupied for the past twelve years exclusively by legal and peaceful means. He also questioned the veracity of Mamedov's claim to have been beaten.

Nevertheless, police immediately detained four Juma mosque members at the 9th police station of Sabail district, not releasing them until 7 pm that evening. The following day they were taken to the Khatai district police station, but were again freed.

Later on 8 August, the Sabail district police raided the home of Ibrahimoglu's assistant imam, Adil Huseinov. Not finding him at home they seized his flat, declaring that they would not leave until he came, when they would take him with them. Huseinov had been detained on 4 July as he prayed in the mosque and was taken to the Sabail District Police Department, where he was held overnight (see F18News 5 July 2004 http://www.forum18.org/Archive.php?article_id=355). He later lodged a formal complaint to the court and the prosecutor's office over what he claims was maltreatment at the police station.

Huseinov then received a telephone call from lieutenant colonel Kamal Velishov, who had allegedly maltreated him during his earlier detention at Sabail police station, summoning him to discuss his complaints. Huseinov declared that he would come to the police department with his lawyer, but on 8 August police raided his home. When Huseinov went to the police station with his lawyer on 9 August, he was held for only a few minutes before being sent home.

"I also worry very much about the fate of my other colleagues in religious freedom movement," Ibrahimoglu told Forum 18. "Since 30 June alone, 83 mosque members have been summoned to the police under various pretexts. Police are also visiting mosque members at their homes under the pretext of checking identity documents."

On 10 August the Federation of Azerbaijani Human Rights Organisations issued a statement of support for the Juma mosque community. It condemned "libellous statements in the pro-government press" that weapons to be used for "anti-state objectives" had been stored in the mosque. It also condemned the earlier imprisonment of Ibrahimoglu, the forcible eviction of the community from the mosque, and accusations that it was members of the community who beat up Mamedov. "This all serves to create a negative image of the community," the Federation complained. "The community's methods of protest and self-expression have always been and still are entirely peaceful."

Ibrahimoglu says he is determined his community will continue to reject violence. "We try to clearly explain to the believers how important it is now to manifest fortitude, not to succumb to any provocations and to struggle for our religious freedoms."

For more background information see Forum 18's Azerbaijan 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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