

13 June 2011

AZERBAIJAN: "I'm the permission and the warrant"

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

The state religious affairs official who led the police raid yesterday (12 June) on a Baptist congregation in Sumgait during Sunday morning worship explained away the lack of a warrant. "I'm the permission and the warrant," local Baptists quoted him as telling them. Also raided the same day was a Jehovah's Witness meeting in Gyanja, fellow Jehovah's Witnesses told Forum 18 News Service. Both were raided because they do not have the compulsory state registration and in both cases fines are expected. An official of the State Committee for Work with Religious Organisations defended its officials' participation in the raids, claiming they were "in accordance with the law". The raids came two days after Parliament approved yet further restrictive amendments to the Religion Law.

Yesterday (12 June), police and local officials of the State Committee for Work with Religious Organisations raided a Baptist Sunday morning service in Sumgait [Sumqayit] near the capital Baku and a Jehovah's Witness meeting in the north-western city of Gyanja [Gäncä], members of these communities told Forum 18 News Service. When Baptist congregation members asked to see a warrant for the raid and search, the religious affairs official responded: "I'm the permission and the warrant."

Following both raids, fines under the Code of Administrative Offences for meeting for religious worship without state registration are expected. The raids – the latest in a series of raids on religious communities – came two days after Azerbaijan's Milli Mejlis (Parliament) adopted further restrictive amendments to the Religion Law.

A spokesperson for the State Committee defended the raids. "Law-enforcement officers conducted these operations, which were in accordance with the law," the spokesperson – who would not give his name – told Forum 18 from Baku on 13 June. "Our representatives participated in the operation, also in accordance with the law." Asked how raiding worship services was in accordance with religious freedom commitments enshrined in Azerbaijan's Constitution and the country's international human rights commitments, the spokesperson angrily put the phone down.

Restrictive new amendments to go to President

The controversial restrictive new amendments to the Religion Law – the 13th time the Religion Law is being amended since its original adoption in 1992 – were approved by the Milli Mejlis in one reading on 10 June, the local media reported. The amendments now go to President Ilham Aliyev to be signed into law. It remains unclear if deputies made any amendments to the text which had received preliminary approval in the Milli Mejlis Human Rights Committee on 31 May.

The amendments raise the required number of adult founders for a religious community from 10 to 50, introduce new controls on religious education, and increase the controls that the state requires religious headquarter bodies or centres to have over all communities under their jurisdiction. The amendments especially apply this to the state-backed Caucasian Muslim Board, to which all Muslim communities must belong (see F18News 6 June 2011 http://www.forum18.org/Archive.php?article_id=1576).

Even before their adoption by the Milli Mejlis, the amendments aroused concern among religious communities. In particular, those which lodged re-registration applications in 2009 but which are still waiting for a response fear the new requirement for 50 adult founders will allow the State Committee to reject their current applications. They will then need to start the burdensome process of gathering founders, extensive documentation, notarising it and submitting it all over again (see F18News 8 June 2011 http://www.forum18.org/Archive.php?article_id=1578).

Sumgait raid

About 100 Baptists were present at their Sunday morning worship service in Sumgait on 12 June when about 20 police officers and men in civilian clothes broke into their service, Baptists told Forum 18 from Sumgait. "We had been praying together for about half an hour when they burst in. We asked them to wait till the end of the service, then we told everyone present that it was up to each individual's conscience whether they gave their name as the police were demanding."

However, as police had blocked all the exits to the church building, the adult Baptists were forced to give their identity details as

they left. Police filmed congregation members against their will on mobile phones, then brought in a camera to carry on with the filming.

Police searched the church premises and took away all the religious books they could find, with the exception of Bibles in Azeri and Russian. "They did take New Testaments in both languages though – they didn't seem to know this is part of the Bible," church members told Forum 18.

The Interior Ministry website report of the raid the following day noted that 4,645 booklets, 9,229 individual books, 152 religious textbooks and 2,470 religious invitations were taken. It said the religious literature has been handed to the State Committee for it to assess whether they are legal.

"They told us we would get the books back in a month's time if they are all right," one church member told Forum 18. "But it seems to us they've been confiscated." The church member said it took police several hours to draw up the list of confiscated items.

Azerbaijan imposes tight censorship on religious literature of all faiths. On occasion Christian books confiscated from non-Orthodox communities have been handed to the Russian Orthodox Church (see F18News 12 April 2011 http://www.forum18.org/Archive.php?article_id=1561).

No names, no warrant

Those raiding the Sumgait Baptist church refused to give their names. Church members told Forum 18 that the raid seems to have been led by the State Committee official (presumably Neman Akhadov, its representative for Sumgait and Absheron). "Police officers spoke mildly, insisting they were merely following orders from others," one church member told Forum 18.

When congregation members asked to see a warrant for the raid and search, the religious affairs official responded: "I'm the permission and the warrant."

Akhadov's phones went unanswered or were switched off each time Forum 18 called on 12 and 13 June.

Forum 18 reached Elsavar (last name unknown), head of the local Police Criminal Investigation Department who was present during the raid, on 12 June, but he said he was not able to speak then. His phone went unanswered or was switched off each time Forum 18 called back.

Questioned, informed would be fined

Three church members, including the pastor Pavel Byakov, were taken to Sumgait's 2nd police department, where they were questioned for several hours. Church members told Forum 18 that Byakov was told that the church's meetings were illegal because it is not registered. Officers told him he would be fined 100 Manats (691 Norwegian Kroner, 88 Euros or 127 US Dollars) under Article 299 of the Code of Administrative Offences.

Article 299 ("violation of the procedure for creating or running religious organisations") punishes a wide range of "offences", including meeting for worship without state permission. In December 2010, sharp increases in fines were introduced for all violations of Article 299, as well as fines for religious activity under Article 300 of the Code (see F18News 7 January 2011 http://www.forum18.org/Archive.php?article_id=1527).

Byakov explained to the police that the church (a member congregation of the Baptist Council of Churches) has no intention of applying for state registration, as it does not believe it needs it and because it regards enforced state registration as an unwarranted intrusion into the church's internal affairs. He asked what the police would do when they continue to meet. Officers told him the next fine would be 150 Manats.

"Pastor Byakov does not believe he has done anything wrong, so will not pay the fine," one Baptist present when the congregation was raided told Forum 18. "We have been meeting for worship in the same building for more than 20 years and intend to carry on doing so."

Police raid in Gyanja

Later that same morning, 12 June, police officers from Gyanja's Nizami District raided the private home in the city of Jehovah's Witness Yegana Gahramanova, the Interior Ministry website noted the following day. "Police were led by Firdovsi Kerimov, the local official of the State Committee," Jehovah's Witnesses told Forum 18 on 13 June. "Indeed, he arrived first and told those present they couldn't leave until the police had arrived."

Police divided the 37 people present into two groups, taking some to the Nizami District police station and some to the Kapaz District police station. They were questioned for some hours, with the last ones not being freed until 10.30 pm. Gahramanova, as

well as two local Jehovah's Witnesses Rashad Niftaliyev and Rana Sadiqova, and Teymur Valiev from Baku were threatened with punishment under Article 299 of the Code of Administrative Offences. All the rest were given verbal warnings.

Kerimov, the Gyanja representative of the State Committee, refused absolutely to discuss the raid. "I have nothing to speak to you about," he told Forum 18 angrily on 13 June and put the phone down.

The telephone of Nizami District police chief Agahuseyn Mammadov went unanswered each time Forum 18 called on 13 June. The duty officer put the phone down as soon as Forum 18 asked the same day why officers raided a religious meeting in a private home.

The Nizami District police and Kerimov conducted a similar raid on Gahramanova's home in December 2010. Six Jehovah's Witnesses were subsequently taken to court, including Gahramanova, Niftaliyev and Valiev. Three were fined, one was officially warned and two (both Georgian citizens) were deported (see F18News 7 January 2011 http://www.forum18.org/Archive.php?article_id=1527).

Earlier raids

Police and the local religious affairs official raided three Protestant churches in Sumgait within a three day period in mid-May. Religious books were confiscated. Two members of one of the raided congregations – a husband and wife - were each fined about two weeks' average wages (see F18News 18 May 2011 http://www.forum18.org/Archive.php?article_id=1571).

Other religious communities in Gyanja as well as the Jehovah's Witnesses have been raided. In March three were banned from continuing to meet for worship because they are not registered. At least one - Star of the East Pentecostal Church – had a visit from the police and riot police to prevent them from worshipping (see F18News 8 April 2011 http://www.forum18.org/Archive.php?article_id=1560).

Many mosques – including the only Sunni mosque in Gyanja - have been closed down under various pretexts in recent years, most of them of the minority Sunni community (see F18News 13 May 2011 http://www.forum18.org/Archive.php?article_id=1570).

State Committee rejects criticism

Police raids on religious communities, the highly restrictive Religion Law, and the slow and cumbersome compulsory re-registration process were severely criticised in a report by the Council of Europe's European Commission against Racism and Intolerance (ECRI), made public on 31 May (see F18News 8 June 2011 http://www.forum18.org/Archive.php?article_id=1578).

The State Committee rejected the report's findings in an 8 June statement posted to its website. "In a word, the report does not reflect the real situation in the country and bears a superficial character," it claimed. The State Committee insisted that police only raid religious communities if there is law-breaking. It denied that the re-registration process was being used to target disfavoured religious communities. It claimed that amendments to the Religion Law had "simplified" registration procedure.

In its statement, the State Committee stressed that the 2009 re-registration process is not yet complete and that the State Committee has not yet taken any religious communities to court to liquidate them. It also stressed that until religious communities get re-registration, their old registration certificate remains valid.

While one religious community representative told Forum 18 that these reminders were a source of hope, other members of religious communities pointed to repeated raids on religious communities which do not want or cannot get registration as illustrating the authorities' real attitudes. (END)

For more background information see Forum 18's Azerbaijan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1192.

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.

A printer-friendly map of Azerbaijan is available at <http://education.nationalgeographic.com/education/mapping/outline-map/?map=Azerbaijan>.

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