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AZERBAIJAN: "No-one was raided"

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

At least 20 police officers – including the local police chief – took part in a raid on a Seventh-day Adventist Church in Gyanja in Azerbaijan on 12 May, Forum 18 News Service has learned. The local head of the State Committee for Work with Religious Organisations took part in the raid, but denied this to Forum 18. Police initially searched for foreigners in the congregation, and when they found none then started checking whether all the approximately 50 children present had written permission to be present from both their parents. After questioning church members and children for several hours, police warned those they questioned that prosecutions would follow with fines. At least one congregation member has been heavily fined, without going through a court trial. The raid came two weeks after the home of a Jehovah's Witness in Sumgait was also raided and religious literature confiscated. Sumgait Police told Forum 18 that "no-one was raided". Baptists have also been stopped while sharing their faith, and a court in the capital Baku has handed down a verdict liquidating Greater Grace Protestant Church. The Church will appeal against this, the first enforced liquidation of a religious community since a harsh Religion Law was adopted.

At least 20 police officers – including the local police chief – took part in a raid on the Saturday service of the Seventh-day Adventist Church in Azerbaijan's second city Gyanja [Gäncä] on 12 May, Protestants who asked not to be identified for fear of state reprisals told Forum 18 News Service. Also present was the local head of the State Committee for Work with Religious Organisations, Firdovsi Kerimov. He refused to discuss the raid with Forum 18. At least one congregation member was heavily fined. The raid came two weeks after the home of a Jehovah's Witness in Sumgait was also raided and religious literature confiscated.

The State Committee for Work with Religious Organisations in the capital Baku also had no comment on the raids. Saleh Aslanov, spokesperson for the State Committee, repeatedly insists to Forum 18 that it does not answer questions by telephone.

Hunting foreigners and children

The raid began on Gyanja's Adventist congregation – which meets in the church in the city's Kapaz District - soon after it had begun its Saturday morning service on 12 May. Police officers initially searched for any foreign citizens who might have been present, by examining the identity documents of all those attending, Protestants told Forum 18. When they found no foreigners, police then began checking whether all the approximately 50 children present had written permission to be present from both their parents.

The 2009 Religion Law does not specifically require children to have written permission to be present at religious meetings. But officials often insist – especially with religious communities the state or officials dislike – that both parents must give written permission for their children to attend religious services and events. Similarly, the presence of foreigners at religious worship is not an offence. However, should they conduct any religious activity, within the vague and undefined definitions of the Religion Law, without state permission they risk punishment and deportation. This can take place without due legal process (see Forum 18's Azerbaijan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1690).

Police officers found 14 of the children at the Adventist service without the written permission they insist is necessary. Protestants told Forum 18 that the children and their parents were attending the Church for the first time. (As a precaution against such raids, many parents of children at religious meetings often give written permission for this.) Protestants added that the police also refused to accept the written permission other children carried, insisting that parents must have the written permission they give notarised before it was valid.

Officers questioned church members and their children for several hours. They then drew up an official record and warned those they questioned that prosecutions would follow, with fines, because children were present without proper written parental permission.

Other religious communities in Gyanja have been raided and banned from meeting for worship since the Religion Law came into force. In March 2011, State Committee local representative Kerimov warned the Star of the East Pentecostal Church and a Baptist congregation, as well as the New Apostolic Church not to meet for worship as they do not have state registration. Ordinary police and riot police raided Star of the East Church on 20 March to reinforce the warning and prevent Sunday worship from going ahead.

The only Sunni Muslim mosque in the city has also been closed down, and its members placed under surveillance by the authorities (see F18News 8 April 2011 http://www.forum18.org/Archive.php?article_id=1560).

No court trial, but large fine

At least one Adventist church member was summoned by police several days after the raid. He was told that he was guilty of violating Article 299.0.3 of the Code of Administrative Offences. This punishes "clergy and religious associations holding special religious meetings for children and young people, as well as the holding by religious bodies of literature circles or other specialised groups". Fines for individuals are between 1,500 Manats (11,420 Norwegian Kroner, 1,500 Euros, or 1,910 US Dollars) and 2,000 Manats (15,225 Norwegian Kroner, 2,000 Euros, or 2,550 US Dollars).

The church member was ordered to pay a fine of 1,700 Manats (12,940 Norwegian Kroner, 1,700 Euros, or 2,165 US Dollars) through a bank in order to avoid being taken to court. Those prosecuted by the state for exercising their freedom of religion or belief normally lose cases, so the fine has now been paid.

The minimum monthly wage has been 93.50 Manats (685 Norwegian Kroner, 90 Euros, or 119 US Dollars) from 1 December 2011.

The duty officer at Kapaz District Police denied that the Adventist Church had been raided. "No such incident took place," the officer – who did not give his name – told Forum 18 from Gyanja on 17 May. The telephone of Kapaz District Police Chief Agahuseyn Mammadov went unanswered each time Forum 18 called on 17 and 18 May.

Local State Committee head Kerimov initially denied that it was he, when Forum 18 rang him on 17 May. Then asked why the Adventist Church had been raided and why he had taken part in the raid, he told Forum 18: "I wasn't there. What happened?" He then put the phone down.

Sumgait private home raided

On 27 April, police in Sumgait north of Baku raided the private home of local Jehovah's Witness Indira Abbasova, the Interior Ministry noted on its website the same day. It said that as a result of "operational-investigative measures", it was established that she engaged in "propaganda of a banned, radical religious sect". The Interior Ministry said officers searched her flat and confiscated 150 banned religious books and 10 discs.

It did not say where the confiscated literature had been taken, but it is usually sent to the State Committee for Work with Religious Organisations in Baku.

"Much literature was confiscated from her house, and the police threatened she would be fined under Article 299 ["Violation of the procedure for creating or running religious organisations"] or 300 ["Violation of legislation on freedom of religion"] of the Code of Administrative Offences," Jehovah's Witnesses who asked not to be identified told Forum 18. They added that no trial or fine has yet taken place.

Both Administrative Code Articles are wide ranging in the "offences" they ban, including violations of the strict religious literature censorship regime, and carry heavy fines (see F18News Azerbaijan religious freedom survey http://www.forum18.org/Archive.php?article_id=1690).

The duty officer at Sumgait Police said he was not familiar with the incident. "But no-one was raided," he insisted to Forum 18 on 18 May. "It seems banned religious books were simply seized to be checked." He said that only the police chief, Ismayilov, could speak on the incident and he was out of the office.

Forum 18 was unable to reach local State Committee official Neman Akhadov, its representative for Sumgait and Absheron. His phone was engaged on 18 May each time Forum 18 called.

Stopped for sharing faith

Police in the northern town of Kusar [Qusar] stopped three local Baptists on 17 May, fellow Council of Churches Baptists told Forum 18 the following day. They say police stopped the three as they were sharing their faith with others and offering literature on the street. Officers confiscated the car they were using to transport the books and the literature they had with them, telling them the Prosecutor would decide what should happen to it. After taking their personal details, Police returned their identity documents and let them go, telling them to report to the Prosecutor the following day.

The three – all ethnic Lezgins – are members of a congregation whose Harvest Festival service in a private home was broken up by police in October 2010. Four church members were jailed for five days for holding the service (see F18News 1 November 2010 http://www.forum18.org/Archive.php?article_id=1505).

An officer of the Kusan Police Investigation Department denied that any such incident had occurred. "No one was detained, no car was seized. Police don't have the right to seize cars, only the courts," the officer – who would not give his name – told Forum 18 on 18 May. "Maybe it was the Traffic Police." Told that the three had been detained by the ordinary police, the officer then responded: "I don't know, I wasn't on duty yesterday."

Formal verdict liquidating religious community

On 14 May, Baku's Administrative Economic Court No. 1 finally handed down the written verdict – seen by Forum 18 - ordering the liquidation of Greater Grace Protestant Church. Now the Church has the written decision it can prepare its appeal to Baku Appeal Court, church members told Forum 18.

Judge Tahira Asadova on 25 April upheld the State Committee's court action to liquidate the Church, as it had not gained the compulsory state re-registration. This is the first known enforced liquidation of a religious community since Azerbaijan's harsh Religion Law was adopted in 2009 (see F18News 26 April 2012 http://www.forum18.org/Archive.php?article_id=1694).

Gyanja's Adventist community, which was raided on 12 May, is also among the many hundreds of religious communities which applied for the compulsory re-registration ahead of the Religion Law's deadline at the end of 2009. Without such state permission to exist, all activity of any kind is illegal under the Religion Law. Large numbers of these applications have been rejected or ignored, including many mosques within and outside the Muslim Board, all Adventist communities, as well as other communities such as almost all other Protestant and all Jehovah's Witness communities. The registration process is complex, with much opportunity for arbitrary rejections of applications without any reason being given (see Forum 18's Azerbaijan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1690).

State Committee Chair Hidayat Orujev claimed to the local media, on 5 May, that the Committee had registered eight communities – six Muslim and two non-Muslim – since the beginning of 2012. However, only four new Muslim communities were added on 1 May to the list of registered religious communities on the State Committee website, the first communities added to the published list since November 2011. The four new registrations bring the total to 574. Of these, 554 are Muslim (which the Religion Law requires must be controlled by the state-backed Caucasian Muslim Board) and 20 are of other faiths (see F18News 26 April 2012 http://www.forum18.org/Archive.php?article_id=1694).

Two religious communities – Baku's Cathedral of Praise Protestant Church and Baku's Jehovah's Witness community – challenged in court the State Committee's refusal to re-register them. The Jehovah's Witnesses lost their case. But Cathedral of Praise won its case, with the Supreme Court specifying that the State Committee should re-register it (see F18News 1 November 2011 http://www.forum18.org/Archive.php?article_id=1632).

However, the State Committee has not yet done this. "We are waiting for the Supreme Court decision to be carried out," one church member told Forum 18. (END)

For more background information see Forum 18's Azerbaijan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1690.

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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