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AZERBAIJAN: Raids "as if we are terrorists" on Muslims

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

Three groups of followers of the approach to Islam of Said Nursi have been raided by police in Azerbaijan since the beginning of 2010. "Officers with automatic weapons raid our meetings as if we are terrorists," a Nursi follower complained to Forum 18 News Service. "But what troubles me the most is that when our books are confiscated they say they will check them and return them – yet they never do." Also, three members of one of the mosques forcibly closed in 2009 have been fined, in apparent retaliation for a large-scale commemoration of Ashura in December. Arif Yunusov of the Baku-based Institute of Peace and Democracy told Forum 18 that this represents an official attempt to crack down on the last uncontrolled sector of the population. "First they [the authorities] moved against opposition political parties, then against non-governmental organisations and journalists. Now all that is left are religious movements." He noted that "religion provides an umbrella for protest. So they have moved against groups they say are conducting unsanctioned meetings."

Three groups of followers of the approach to Islam of the late Turkish theologian Said Nursi have been raided by police in different parts of Azerbaijan since the beginning of January, a Nursi follower who asked not to be named has told Forum 18 News Service. Also, three members of one of the mosques forcibly closed in 2009 have been fined, in apparent retaliation for a large-scale commemoration of Ashura on 27 December. The crackdown is part of continuing state actions against Muslims and those of other faiths exercising their freedom of religion or belief outside state control.

Raids "as if we are terrorists"

"Officers with automatic weapons raid our meetings as if we are terrorists," the Nursi follower complained to Forum 18 on 26 January. "But what troubles me the most is that when our books are confiscated they say they will check them and return them – yet they never do." He said that in the past three years, since police first started confiscating such books, none have ever been returned.

The Nursi follower estimated that more than 8,000 of their books have been confiscated since 2007. Azerbaijan imposes severe censorship on religious literature (see F18News 24 February 2009 http://www.forum18.org/Archive.php?article_id=1259). The Nursi follower added that since 1995 more than 70 Nursi followers have been imprisoned for periods of up to 15 days (see eg. F18News 14 September 2009 http://www.forum18.org/Archive.php?article_id=1348).

Elchin Askerov, Deputy Chair of the State Committee for Work with Religious Organisations, defended the raids on Nursi followers and other religious groups in recent months including Jehovah's Witnesses (see eg. F18News 15 December 2009 http://www.forum18.org/Archive.php?article_id=1387). "They hold religious meetings without registration in private flats," he told Forum 18 from the capital Baku on 21 January. Asked what was wrong with that, he responded: "This is not allowed under our Religion Law."

Azerbaijan in 2009, against international human rights law, significantly increased "legal" restrictions on freedom of religion or belief for people of all faiths and none, and also passed laws specifically targeting Muslims exercising their freedom of religion or belief (see F18News 22 July 2009 http://www.forum18.org/Archive.php?article_id=1330).

Asked what would happen if a local religious community successfully challenged a punishment for unregistered religious activity at the European Court of Human Rights in Strasbourg, Askerov of the State Committee told Forum 18: "If the European Court rules that prohibiting unregistered religious activity is illegal, we will change the Law."

Askerov defended the compulsory prior religious censorship, which the State Committee operates under the Religion Law. Asked how this matches the statement in 1998 by the late President Heydar Aliyev that censorship had been abolished, Askerov responded: "He was talking only about the press."

Askerov told Forum 18 he did not think the works of Said Nursi are banned in Azerbaijan, but was not sure. "Maybe they haven't applied for permission for them or maybe the State Committee has not put them in the list of approved religious works." He referred Forum 18 to the Expert Analysis Department of the State Committee, but the head of the Department, Jeyhun Mamedov, was not in his office on 26 January.

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Latest police moves against Nursi followers

The first move in 2010 against Nursi followers was when police raided the home of Naila Ahmedova in the northern town of Khachmaz [Xacmaz] on 18 January. The Nursi follower told Forum 18 that she had just returned from the haj pilgrimage to Mecca. "Her relatives and friends came to visit her on her return – this is our tradition here," he pointed out. However, police came and raided the gathering. "She is being punished as though she is a terrorist," he complained. He said religious books were confiscated and she faces punishment under the Code of Administrative Offences, but has not yet been tried.

Forum 18 was unable to reach anyone at Khachmaz District Police on 26 January. However, the Deputy Police Chief Misir Imamaliev confirmed the raid to the Azeri Press Agency on 18 January and said "operational measures" were continuing.

Imamaliev also told the agency that police had launched a separate raid on another local Nursi follower. The home of Valida Gadirova had been raided in the village of Rahimoba on 17 January and "banned" religious books had been confiscated. He said she had been illegally teaching religion to children.

The telephone of Eynulla Nurullaev, the official of the State Committee in the northern town of Quba responsible for religious affairs in northern Azerbaijan, went unanswered each time Forum 18 called on 21 and 26 January.

The next move against Nursi followers came late at night on 22 January, when a police night patrol in the central region of Ujar stopped a car carrying three Nursi followers. "The three were returning home and the police were checking every vehicle," the Nursi follower told Forum 18. He said when police found Nursi books in the car they confiscated them and detained the three men. They were not freed until the following day. He lamented that once again the books were not returned.

Then on 24 January came the biggest raid so far this year, when more than 20 police officers raided a private home in the industrial city of Sumgait north of Baku. Nursi followers had gathered in Ilgar Pashaev's home to study Said Nursi's writings. All 76 were detained and taken to Sumgait city police station, the Nursi follower told Forum 18. He said police pressured them to write statements about why they were present and what they were doing. All but Pashaev's brother Gadir Pashaev were then freed.

Gadir Pashaev was brought to trial the following day under Article 299 of the Code of Administrative Offences, which punishes "violation of the procedure for religious activity". He was fined 15 Manats (110 Norwegian Kroner, 13 Euros or 19 US Dollars), even though the penalty for private individuals found guilty under this Article is 100 to 300 Manats. "This wasn't the correct penalty – they did it just for show."

Punishments for "illegal" religious activity under Article 299 were increased dramatically under harsh new legal amendments in spring 2009 (see F18News 3 June 2009 http://www.forum18.org/Archive.php?article_id=1305).

The Nursi follower Forum 18 spoke to insisted that the penalties imposed under Article 299 – such as for unregistered religious activity or religious activity away from a registered religious organisation's legal address – violate religious freedom commitments in Azerbaijan's Constitution.

The telephones of the head of Sumgait city police and the duty officers were engaged or went unanswered whenever Forum 18 called on 26 January.

Long-running campaign against Nursi followers

The latest official harassment of groups gathering to study the writings of Said Nursi follows many similar incidents in 2009. In the north-western Gakh [Qax] District in July, three Nursi followers were detained and punished the Code of Administrative Offences. Later in July, police in Gyanja [Gäncä], Azerbaijan's second city, detained 12 adherents after raiding a meeting in a private home. Three of them were then punished under the Code of Administrative Offences. In August police in Yevlakh [Yevlax] detained three adherents, who were each sentenced to between five and seven days' imprisonment (see F18News 14 September 2009 http://www.forum18.org/Archive.php?article_id=1348).

"First they moved against opposition political parties.."

A Baku-based analyst pointed out to Forum 18 that under government moves against the Nursi followers, "ordinary believers are suffering". Arif Yunusov of the Institute of Peace and Democracy, who has written widely on Islam in Azerbaijan, says the harassment of the Nursi movement, as well as of other Muslim movements, represents an official attempt to crack down on the last uncontrolled sector of the population. "In Azerbaijan the government is becoming more authoritarian," he told Forum 18 from Baku on 26 January. "First they moved against opposition political parties, then against non-governmental organisations and journalists. Now all that is left are religious movements."

Yunusov likens the position in Azerbaijan to that of Uzbekistan, where all independent organisations have been crushed. "Since

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2007 here, Islam has filled the vacuum and mosques have started to become political clubs. Religion provides an umbrella for protest. So they have moved against groups they say are conducting unapproved meetings."

He believes Sunni mosques and movements (such as followers of Nursi's approach) are the most active, which is why Sunni mosques have borne the brunt of state-ordered mosque closures in recent months.

Leaders of closed Baku mosque punished

Three members of one of the mosques forcibly closed in 2009 have been fined in apparent retaliation for going ahead with a large-scale commemoration of Ashura on 27 December. Tofik Razizade, the leader of the community of the Fatima Zahra mosque in the Yeni Guneshli district of Baku, told Forum 18 that he and two colleagues were fined on 24 January.

The Fatima Zahra mosque, the only mosque for a residential district of some 70,000 people, serves both Shias and Sunnis. Although unfinished, the mosque began to be used for regular worship in 2000. Despite being given the land by Baku's mayor, the mosque community was shocked in 2009 to be faced with a suit by the Surakhani District authorities to oust them from the site and recover the building. Police forcibly closed the mosque in summer 2009, provoking protests by community members. Other communities including the Georgian Orthodox Church have also had access to their places of worship forcibly restricted by the state (see F18News 22 December 2009 http://www.forum18.org/Archive.php?article_id=1390).

Razizade of the Fatima Zahra mosque told Forum 18 from Baku on 26 January 2010 that ahead of Ashura, the mosque community wrote to the local administration asking for help in allowing them to use the mosque for the commemoration. They received no reply. However, he said that when the authorities saw the crowd of some 4,000 people who arrived on 27 December, "they had to let us in". He said police told them they could pray the namaz in the mosque and would then have to leave.

On 23 January, police detained six mosque members, including Razizade. Three were freed the next day without charge but the other three – Haji Husein and Agshin Fateh as well as Razizade – were brought to court. They were accused of violating Article 296 ("petty hooliganism") and Article 310 ("wilful failure to obey the demands of the law or the police") of the Code of Administrative Offences. Razizade was fined 50 Manats (363 Norwegian Kroner, 44 Euros or 62 US Dollars). The other two were each fined 20 Manats.

"We will appeal against the fines, but what will this achieve?" Razizade commented to Forum 18. "We'll have to pay, even though we are innocent of the charges."

Forum 18 was unable to reach anyone at the Surakhani District Police on 26 January.

Razizade insists that the mosque community will continue to press for the mosque to be returned to the community and allowed to reopen for worship. "Although the lower courts have ruled that the mosque should be demolished, we are going to appeal to the Supreme Court and, if necessary, to the European Court of Human Rights."

Defending the closures of the mosques in Azerbaijan in 2009 is Askerov of the State Committee for Work with Religious Organisations. "Each mosque had its own specific reason for closure," he insisted to Forum 18. He stressed that his Committee was not involved in the decisions. "The mosques deal with their local administrations."

However, Askerov claimed to be optimistic that the Fatima Zahra Mosque will be able to regain its building through the courts. However, he declined to explain to Forum 18 the reason for his optimism, given the court rulings against them and the continuing pressure on the community.

Crackdown in Nakhichevan also

Authorities in the Azerbaijani exclave of Nakhichevan warned employees of state enterprises and students not to attend mosques during Ashura in December 2009, and prevented people from entering mosques, local human rights defender Malahat Nasibova told Forum 18. The day after the Ashura commemorations many people were detained, including some in a psychiatric hospital. It is not clear if this was official punishment for their Ashura commemoration or to prevent potential opposition. Small Seventh-day Adventist and Baha'i minorities have already been forced out of Nakhichevan (see F18News 21 January 2010 http://www.forum18.org/Archive.php?article_id=1397). (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

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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 personal commentary on the European Court of Human Rights and conscientious objection to military service is at http://www.forum18.org/Archive.php?article_id=1377.

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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