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AZERBAIJAN: "They were praying where they weren't allowed"

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

Police and secret police officers raided the home of local Muslim Zeka Miragayev in the capital Baku, confiscating copies of the Koran and other Muslim books, as he told Forum 18 News Service. Officers also took money from his home. Police declined to comment to Forum 18. In Azerbaijan's second city Gyanja, police raided a private home where the hosts and three visiting Turkish students were praying the namaz. Two family members and the students were questioned for eight hours at the police station. The Muslims say police beat at least some of them. The three students were given heavy administrative fines, but the orders to deport them were overturned on appeal. "They were praying where they weren't allowed," the local police chief explained to Forum 18. He denied anyone was beaten.

Three Turkish students studying in Azerbaijan's second city Gyanja [Gäncä] have been heavily fined for joining a local family for Muslim prayers in their home. However, they narrowly avoided deportation after the intervention of Turkish diplomats, Forum 18 News Service has learnt. Officials accused them of being Muslims who promote the teachings of the late Turkish Muslim theologian Said Nursi. The Muslims say at least some of those detained were beaten, but the police chief denied this to Forum 18.

Meanwhile police and National Security Ministry (NSM) secret police raided the private home in the capital Baku of a Muslim, Zeka Miragayev. They confiscated copies of the Koran and other Muslim literature, as well as the home owner's money.

Baku raid, literature confiscated

About six officers from the 18th Department of Baku's Narimanov District police and NSM secret police officers arrived at Miragayev's Baku home on 31 May when he was out, as he told Forum 18 from Baku on 11 July. The officers conducted a search without a warrant.

Police confiscated 30 copies of the Koran, as well as 24 other books, including some by Said Nursi. They also took 34 Manats (265 Norwegian Kroner, 35 Euros or 43 US Dollars) and 500 US Dollars (392 Manats, 3,050 Norwegian Kroner or 410 Euros). Miragayev was particularly upset that the officers failed to take off their shoes in his home.

"This raid was illegal and a terrible violation of my civil rights," Miragayev told Forum 18. He said that neither the money nor the books have been returned. "We don't even know where the books are," he complained. "Maybe they are still with the police."

Miragayev wrote letters of protest to President Ilham Aliyev and other state agencies.

The telephone of the Head of the 18th Department Police, Hakani Mammadov, went unanswered each time Forum 18 called on 10 and 11 July. Asked on 11 July why police raided Miragayev's home and seized his religious books, Mammadov's deputy, Fariz Hajiye, refused to answer any of Forum 18's questions and put the phone down.

The telephone of the NSM secret police press office went unanswered each time Forum 18 called on 11 July.

Detained for praying

Turkish citizens Sadullah Eren Genc, Saim Samir and Tugrul Kiraz are all students of Gyanja State University. They were detained by police on 28 April after they joined a local family in their home in praying the namaz (Muslim prayers), Genc told Nushabe Fatullayeva of Radio Free Europe (RFE)'s Azeri Service for a 6 July article.

Genc and his two fellow Turkish students had been visiting friends socially, not for a religious meeting. As evening drew on and the time came for namaz, they prayed together. He said officers of Gyanja's Nizami District Police arrived five minutes later and took the three students and their hosts – a father and son – to the District Police Chief Adalat Sadikov.

Sadikov asked the host's son why he had invited the students to their home. When he responded, the police chief swore at the son and then at his father, Genc told RFE. When the son asked Sadikov not to swear at his father, the police chief hit him several times.

Two other officers also hit the son on his head and in the stomach until he fell to his knees, Genc added.

Police pressured those they had detained to write statements confessing that they had been meeting for an "illegal" religious meeting affiliated with the Nursi movement. But they all refused.

Genc told RFE that they had been held for eight hours at the police station with no food or water. He complained of the "psychological and physical pressure" on them from the police.

"They were praying where they weren't allowed"

Police Chief Sadikov insisted to Forum 18 that "there were reasons" for his officers to detain and question the three students, Genc, Samir and Kiraz. "The court has confirmed this," he insisted to Forum 18 from Gyanja on 11 July. "We did nothing wrong."

Asked what the students had done that had led to the police raid and their detention, Sadikov insisted: "They violated our national procedures." Asked how, he responded: "They were praying where they weren't allowed." Asked why it is not allowed to pray with a group of friends in a private home, Sadikov contradicted his earlier statement: "They weren't punished for praying."

Sadikov repeatedly refused to tell Forum 18 what exactly the students and their hosts had been doing apart from praying which attracted police attention. He also repeatedly refused to say how the police knew the students were visiting the private home. "We're not obliged to give you information."

Asked about the claims that police had used violence against those detained, Sadikov absolutely denied it. "No one beat them," he claimed to Forum 18. "No one has the right to beat anyone." He described claims of abuse as "lies".

Fined and ordered deported

The three students, Genc, Samir and Kiraz, were accused of violating Article 300.0.4 of the Code of Administrative Offences. This punishes "the conduct of religious propaganda by foreigners or stateless persons" with fines for individuals of between 2,000 and 2,500 Manats and deportation. These fines were sharply increased in Administrative Code amendments in December 2011 (see F18News Azerbaijan religious freedom survey http://www.forum18.org/Archive.php?article_id=1690).

On 7 June, Genc, Samir and Kiraz were tried at Gyanja's Nizami District Court. Judge Rahman Muradov found them guilty. He fined each 2,000 Manats (15,550 Norwegian Kroner, 2,075 Euros or 2,550 US Dollars) and ordered their deportation.

However, the three appealed to Gyanja's Appeal Court. On 28 and 29 June, under different panels of judges, the three had their convictions upheld, the court website noted. Although the fines were retained, the deportation orders were revoked, allowing them to remain in Azerbaijan.

Police Chief Sadikov defended the convictions of the three to RFE, describing them as the "right decisions".

The telephone of Judge Muradov at Nizami District Court was engaged each time Forum 18 called between 9 and 11 July. The chancellor at Gyanja Appeal Court referred Forum 18 to the assistant to Judge Shamil Rzaquliev, who had chaired the appeal hearing in Samir's case. He told Forum 18 that the Judge was unavailable in a hearing. He said the decision had entered into force when it was handed down.

Turkish diplomatic involvement

Officials of the Security Department of Turkey's Embassy in Baku confirmed to Forum 18 that the three students are Turkish citizens. "Our Consulate in Gyanja followed this case seriously," one official told Forum 18 on 10 July. "Our Foreign Ministry in Ankara also followed the case." The official declined to say what action Turkish diplomats had taken.

Asked if the Embassy had dealt with earlier such cases, the official claimed that "there are not the same problems with other Turkish citizens".

Asked about the Turkish imam who had been working at a Turkish-built Sunni mosque in the Azerbaijani exclave of Nakhichevan [Naxçıvan], but who had left in early 2011, the Embassy official said he did not know about the case (see F18News 13 May 2011 http://www.forum18.org/Archive.php?article_id=1570). The official also declined to discuss the enforced closure of the Turkish-built Martyrs' Mosque in Baku in 2009. It remains closed for alleged repairs (see F18News 18 September 2009 http://www.forum18.org/Archive.php?article_id=1350).

Will Baptists face prosecution?

Police and NSM secret police officers often prevent people in Azerbaijan exercising their right to freedom of religion or belief.

Three Baptists were detained by police on 17 May for sharing their beliefs in the village of Mujuk in the northern Kusar [Qusar] Region. Christian literature and a car were confiscated. They were threatened with criminal charges. In a separate incident, three Baptists from Sumgait visiting the northern Khachmaz [Xacmaz] Region were detained by police on the morning of 23 June and held until 1 am the following morning, after they offered Christian literature to passers-by. They too have been threatened with criminal charges (see F18News 28 June 2012 http://www.forum18.org/Archive.php?article_id=1715).

Council of Churches Baptists say that the cases against the six are still being investigated, but no action has yet been taken against them. "The literature and the car have not been returned, but they have not been questioned recently," one Baptist told Forum 18 on 10 July. "We are continuing to pray and write appeals," another told Forum 18 the same day.

Other Protestant Christians, Muslims who read Nursi's works, and Jehovah's Witnesses often face similar raids, literature confiscations and court cases. (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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