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AZERBAIJAN: Police, officials close Sunni home mosques

By Felix Corley, Forum 18

Police, SSS secret police, State Committee for Work with Religious Organisations and local administration officials forcibly closed a home Sunni mosque in Qobustan near Baku, the latest Sunni Mosque closed. The mosque leader is appealing against a large fine for leading an unregistered community.

Police and State Security Service (SSS) secret police forcibly closed another Sunni Muslim mosque on orders from the State Committee for Work with Religious Organisations. Three cars with masked and armed officers waited outside Qobustan's Omar bin Khattab mosque on the southern edge of Azerbaijan's capital Baku on 29 July to ensure the community abided by the order. "The closure was unjust on the part of the state," the mosque community leader, Ahmad Simirov, told Forum 18. He was fined more than three months' average wages in mid-August for leading a religious community which does not have state permission to operate. His appeal is due to be heard at Baku Appeal Court on 23 September.

A privately-built Sunni home mosque which had functioned for 20 years was closed in January in the town of Shirvan, south-west of Baku. The State Committee for Work with Religious Organisations arbitrarily denied state registration to the Mosque community – which first gained Justice Ministry registration in 1995 (see below).

On 6 September, the State Committee presented a new registration certificate to a Shia Muslim "community" for the Rahima Hanum Mosque in the village of Nardaran near Baku. It appears the state created the community to replace the previous community (see below). The mosque was one of several in the village forcibly closed by the authorities following a mass armed assault in November 2015. Imam Nuhbala Rahimov of the closed Rahima Hanum Mosque was given an 18-month prison term on 27 May, apparently without a trial (see F18News 22 June 2016 http://www.forum18.org/archive.php?article_id=2190).

Meanwhile, after various attempts over more than 20 years, the State Committee finally registered a Bible Society in September. But this has not solved an overarching problem, affecting more than just this organisation, that the Old Testament or Hebrew Bible used by Christians and Jews is banned and confiscated in police raids. Also, the Bible Society will have to subject all its publications to the State Committee for the compulsory prior censorship of all literature about religion produced in or imported into Azerbaijan. Its publications will only be allowed to be distributed – like all other literature on religion – at state-approved venues (see below).

Sunni mosques targeted for closure

State authorities have consistently closed Sunni Muslim mosques across Azerbaijan in recent years. The enforced closure of Qobustan's Omar bin Khattab mosque came just days after the state forcibly closed the Lezgin Mosque in Baku's Old City. The Mosque was closed on the excuse that "repairs" were needed. Earlier in July, a Sunni Mosque in a village in the northern Quba Region was ordered to close for all activity except Friday prayers (see F18News 27 July 2016 http://www.forum18.org/archive.php?article_id=2202).

A Shia Mosque in Baku's Old City was also ordered closed for "repairs" at the same time as the Lezgin Mosque (see F18News 27 July 2016 http://www.forum18.org/archive.php?article_id=2202). However, it was not closed and continues to function, one Baku resident told Forum 18.

Restrictions, punishments

While all religious communities are under tight state control, extra restrictions are imposed on Muslim communities. The government insists that all mosques must be subject to the state-backed Caucasian Muslim Board, which also must name all mosque prayer leaders. The law allows only Azerbaijani citizens who have gained their religious education in Azerbaijan from leading prayers (see Forum 18's Azerbaijan religious freedom survey http://www.forum18.org/archive.php?article_id=2081).

Punishments for those who defy the harsh state restrictions are constantly being increased. Proposed further new Administrative Code and Criminal Code punishments for exercising the right to freedom of religion or belief reached the Milli Majlis (Parliament) in early September (see forthcoming F18News article).

Qobustan: Sunni Mosque stripped of legal status

The Omar bin Khattab mosque was built by the Simirov family on their plot of land in Qobustan in 1990. It is large enough for up to about 500 people to pray inside, while those who could not fit in often prayed in the garden surrounding the mosque. It followed Sunni rituals and practice. Unlike other mosques, it was open about the money it collected in donations at Friday prayers, listing the amounts on its website. The weekly donation in 2016 ranged between 166 and 438 Manats.

The mosque had state registration with the Justice Ministry in 1994 and gained re-registration in 2002 when the State Committee for Work with Religious Organisations was created. It failed to gain re-registration following the harsher 2009 Religion Law. The State Committee stripped the mosque community of registration on 20 February 2015 "using a trick", Simirov complained to Forum 18. "They told us we would have to lodge a new registration application. So the community was dissolved, but they didn't then register us again."

Of the many religious communities which were arbitrarily denied re-registration in 2009 – including Muslims, Christians and Jehovah's Witnesses – State Committee officials proposed to many to liquidate themselves and apply for registration anew. Most refused to do so, fearing the tenuous registration they still had from 2002 would then be lost (see Forum 18's Azerbaijan religious freedom survey http://www.forum18.org/archive.php?article_id=2081).

Following the February 2015 dissolution of its legal status, officials repeatedly told members of the Omar bin Khattab mosque to stop meeting for worship until it had joined the state-backed Muslim Board and gained State Committee registration.

Qobustan: Officials close mosque

Officers of the 11th Police Station of Baku's Qaradag District, together with SSS secret police officers and officials of Qaradag District Administration, arrived at the Simirov family compound at about lunchtime on 29 July, community members told Forum 18. They arrived shortly before Friday prayers were due to begin. The raid was led by Anar Kazimov, the Baku representative of the State Committee.

Accompanying Kazimov and the police and SSS secret police officers were two officials from the state-backed Caucasian Muslim Board. One of these was Rafadar (last name unknown). He is known for his involvement in the enforced closure of other Sunni Muslim mosques, community members told Forum 18.

"The order to close the Mosque came from Mubariz Qurbanli [State Committee Chair]," Simirov told Forum 18.

Kazimov initially stood at the door of the mosque and tried to prevent anyone from entering, mosque members told Forum 18. Police officers insisted to him that he had to tell community members that the mosque was being closed as the State Committee had taken the decision, not the police. However, as thousands of Muslims had gathered for Friday prayers Kazimov became frightened and took refuge in the 11th Police Station.

Community members asked to be allowed to hold Friday prayers for the last time there, and prayers then went ahead.

Police summoned Simirov and the community's lawyer to the police station. There officers warned that if Simirov did not clear the mosque of people and close it, they would destroy the building and everything inside it, Simirov told Forum 18.

Simirov and the lawyer then returned to the mosque. Although Friday prayers had finished by then, community members had remained to defend their place of worship. The community discussed whether to accede to the state's demands to close their mosque. Simirov noted that the community was insistent that as Sunni Muslims they did not interfere in politics. However, community members recognised that police and SSS secret police officers were waiting outside with truncheons, ready to move in, and would enforce the closure anyway. The community reluctantly decided to close the mosque that evening.

As the community were discussing their response to the closure order, three vehicles full of masked and armed officers waited nearby ready to move in, community members told Forum 18.

The man who answered the mobile phone of State Committee Baku representative Kazimov repeatedly refused to talk to Forum 18. The man who answered the main phone number there told Forum 18 on 20 September that Kazimov no longer works there and put the phone down.

Shamama Agamuradova, senior advisor at Qaradag Administration's Information Department, promised on 20 September to find out why the Mosque had been closed down and the community banned from meeting. However, when Forum 18 called back later as agreed, she claimed she could not hear and put the phone down. Subsequent calls went unanswered.

No one at the 11th Police Station was prepared to discuss the raid and mosque closure with Forum 18.

Qobustan: Summoned and fined

On 8 August police decided that Simirov's leadership of the mosque community did not constitute a crime. Instead, local police officer Lieutenant Orkhan Bayramov drew up a record of an offence under Administrative Code Article 515.0.1. This punishes "Religious association's leader evading registration of the association with the relevant executive authority [State Committee]" with a fine for individuals of 1,500 to 2,000 Manats.

A fine of 1,500 Manats (7,500 Norwegian Kroner, 815 Euros or 910 US Dollars) represents more than three months' wages for employees, though far more for those without formal work.

This is one of the punishments for exercising the right to freedom of religion or belief in the new Administrative Code, which came into force on 1 March (see F18News 2 June 2016 http://www.forum18.org/archive.php?article_id=2184).

On 11 August, Simirov was summoned to Qaradag District Court, accused of violating Article 515.0.1. At a 15-minute hearing, Judge Rufan Mursalov found Simirov guilty of leading a religious community without state permission and fined him 1,500 Manats, according to the decision seen by Forum 18.

Although the Judge handed down his decision on 11 August and it was dated to that day, it was not handed to Simirov until 26 August. The decision gave him 10 days to lodge any appeal to Baku Appeal Court. He lodged the appeal – seen by Forum 18 – to Baku Appeal Court on 5 September. Judge Vuqar Mammadov is due to hear the appeal on the afternoon of 23 September, according to court records.

"I haven't paid as I don't have the money," Simirov told Forum 18. "And I won't pay."

"He worked as a religious leader without a state licence"

Local police officer Lieutenant Bayramov stated that he had not been present during the late July raid on the mosque. He said an order had come to close the mosque, but refused to say who had issued the order.

Lieutenant Bayramov confirmed that he had taken part in the 11 August hearing when Simirov had been fined. "He worked as a religious leader without a state licence," he told Forum 18 from Qobustan on 16 September. "He must have permission, renewed each year - the law requires it." Asked why anyone needs permission from the state to lead a religious meeting, he responded: "We don't write the laws."

Asked what harm – if any – had been caused by the mosque, Lieutenant Bayramov responded: "If he [Simirov] wants to open a mosque, that's not bad. But it must have a licence to operate."

Shirvan: Sunni Mosque closed

A Sunni Mosque that had functioned for 20 years in private property in the town of Shirvan was forcibly closed down in January 2016. "We didn't trouble anyone and there was no politics in the mosque," one community member told Forum 18 from Shirvan. "We want them to allow us to pray. It is our mosque – we built it ourselves."

About 20 officials – including Police and the head of the town Administration, Mardan Jamalov - visited the Mosque in late December 2015. They told the Mosque community that "everything should be within the law" and that it must therefore have state registration, community members told Forum 18.

Muslim Board officials also visited the Mosque, insisting that it should come under its jurisdiction to be allowed to function and that the Mosque would have to follow Shia rituals and the state-backed calendar of Muslim festivals. "We explained to them that we don't interfere in their activity so they should not interfere in ours," one Mosque member told Forum 18 from Shirvan.

Sunni Muslims particularly object to the state ban on them marking festivals on dates and at times that they deem appropriate and punishments for those who violate this state-imposed requirement. The requirement does not appear to be enshrined in any published law (see F18News 31 May 2016 http://www.forum18.org/archive.php?article_id=2183).

Administration Head Jamalov was not in the office when Forum 18 called on 20 September. Administration First Deputy Head Samid Abiyev claimed to Forum 18 the same day that he knew nothing about the closure of any mosque. "Who says people can't meet to pray to God?" he asked. He then said Forum 18 should send its questions in writing.

Azar Sadiqov, the regional representative for the State Committee, denied to Forum 18 from Shirvan on 20 September that any Sunni mosque in the town had been closed.

The Shirvan Sunni Mosque gained registration with the Justice Ministry in 1995. This registration was never liquidated through a court. However, the State Committee arbitrarily rejected all subsequent attempts to gain re-registration.

The mosque community tried again in 2015, collecting the signatures of the 50 founders required under the Religion Law and sending its documents to the State Committee. However, the documents were returned as the community had not provided the necessary approval from the local Administration and the Muslim Board. "They used excuses to reject our application," one community member complained to Forum 18.

Nardaran: Mosque handed to state-loyal "community"

A new community claiming to represent the members of the Rahima Hanum shrine in the village of Nardaran received their registration certificate from the State Committee on 6 September, the State Committee announced. The "community" will also control other local Shia mosques, State Committee Chair Qurbanli noted.

The State Committee had already decided that only one mosque community will be allowed to exist in Nardaran, with all mosques there being subject to it. The legal basis for such a demand is unclear. Officials at the State Committee declined to discuss anything with Forum 18.

Unlike the original community disbanded by the authorities, the new "community" is subject to the Muslim Board, which provided the required backing all Muslim communities need for a registration application. The Muslim Board has named the imam, Musa Qasimov.

Mass trials of Shia Muslims affiliated with or alleged to be affiliated with the Muslim Unity Movement and its leader Imam Taleh Bagirov (also known as Bagirzade) have begun or are set to begin in Baku. The trial of Bagirov and 17 other defendants – some of whom have little connection to him – began on 3 August at Baku's Serious Crimes Court. All the defendants have told the court that they faced serious torture in pre-trial imprisonment, especially in the hands of the Interior Ministry's Main Directorate for the Struggle with Organised Crime in Baku (see F18News 5 August 2016 http://www.forum18.org/archive.php?article_id=2205).

State finally registers Bible Society

After more than 20 years of effort by various groups of Christians from different Churches, founders of a Bible Society have finally been able to gain state registration. On 9 September the State Committee issued a registration certificate to Bible Society Head Pastor Rasim Khalilov of Word of Life Church, United Bible Societies noted on 12 September.

Robert Mobili, who leads the Udi Christian community, and Fr Vladimir Fekete, who heads the Catholic Church in Azerbaijan, welcomed the news, United Bible Societies added.

However, the Bible Society registration has not solved an overarching problem – which affects more than this organisation – that a major part of the Bible used by Jews and Christians, the Old Testament or Hebrew Bible is banned. This text is not only banned but has been confiscated in police raids (see Forum 18's Azerbaijan religious freedom survey http://www.forum18.org/archive.php?article_id=2081).

All religious literature produced in, published in or imported into Azerbaijan is subject to prior compulsory censorship. In addition, it can only be sold or distributed in places approved by the State Committee. All religious materials sold must have a sticker noting that they have State Committee approval. State officials have repeatedly denied that this represents censorship (see F18News 1 October 2015 http://www.forum18.org/archive.php?article_id=2107).

Those who distribute any religious literature outside these strict limitations face administrative or criminal punishment. Criminal Code Article 167-2 punishes: "Production, sale and distribution of religious literature, religious items and other informational materials of religious nature with the aim of import, sale and distribution without appropriate authorisation" (see Forum 18's Azerbaijan religious freedom survey http://www.forum18.org/archive.php?article_id=2081).

Any Bibles and other religious literature the Bible Society produces, imports or distributes will thus require specific prior permission from the State Committee. The State Committee is also likely to specify the numbers of permitted copies of any single item it has approved. (END)

For more background information see Forum 18's Azerbaijan religious freedom survey at http://www.forum18.org/archive.php?article_id=2081.

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.

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