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AZERBAIJAN: Raids, fines enforce state religious censorship

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

At least 26 shops and 6 homes raided for religious literature sold or distributed without having undergone compulsory censorship by or in places not licensed by State Committee for Work with Religious Organisations. Some individuals already punished. UN Human Rights Committee concerned over religious censorship.

Police and officials of the State Committee for Work with Religious Organisations have raided at least 26 shops and six homes in October and early November across Azerbaijan to seize religious literature being distributed without the compulsory state permission. Some book sellers have already been punished. All the literature seized from shops appears to have been Muslim.

Not one State Committee official in Baku or in branches around the country, police officer or court would discuss these raids, literature seizures or punishments with Forum 18.

The "Expertise" Department at the State Committee in Baku – which implements the state censorship – told Forum 18 on 16 November its head Nahid Mammadov was out of the office and no-one else could speak for the department. Asked about the many raids, the man simply said that everything done was "in the law". The man who answered the phone of State Committee official Aliheydar Zulfuqarov – who participated in raids on shops in the southern town of Masalli (see below) – put the phone down when Forum 18 introduced itself. The State Committee press office told Forum 18 its head, Yaqut Aliyeva, was away until 18 November and no-one else could speak to the press.

Local officials of the State Committee where shops and homes were raided – in Lankaran, Masalli, Baku and Quba (which covers Khachmaz) – refused to answer any of Forum 18's questions.

Complete religious literature censorship

Religious literature and other materials can be sold or distributed only at specialised outlets which have been approved both by the State Committee and the local administration.

In addition, all religious literature produced in, published in (including on the internet) or imported into Azerbaijan is subject to prior compulsory censorship. When the State Committee does give permission to publish or import a work it also specifies how many copies can be produced or imported. 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).

The stickers from the State Committee cost religious communities or bookshop owners 0.02 Manats each. However, acquiring them can be difficult. Jehovah's Witnesses complained that between April and the end of October, the State Committee told them that it had run out of stickers. This meant that even publications the State Committee had given Jehovah's Witnesses permission to import could not be distributed without fear of punishment.

The State Committee does not publish any list of books it has banned, despite promises by the then State Committee Head in April 2013 that it would do so "soon" (see F18News 2 May 2013 http://www.forum18.org/archive.php?article_id=1830).

The Old Testament, the 14-volume "Risale-i Nur" (Messages of Light) collection of writings by the late Turkish theologian Said Nursi, and several Jehovah's Witness publications were included on a police list of alleged "banned" religious literature, based on State Committee "expert analyses" (see F18News 6 May 2014 http://www.forum18.org/archive.php?article_id=1955).

Police often seize these works in raids on homes.

In a 23 August 2016 interview with the Trend news agency and reposted on the State Committee website, Mammadov of the State Committee's "Expertise" Department noted that his Committee regularly provides the Customs Service and the Police with lists of religious books it has banned.

Mammadov added that no publishing house would print religious literature without State Committee approval because owners of such firms know the seriousness of the punishments for those who violate the law.

Punishments

Those who violate the state censorship of all religious literature face punishment. Prosecutors can bring cases under both the Criminal Code and Administrative Code.

Criminal Code Article 167-2 punishes: "Production, sale and distribution of religious literature (paper and electronic formats), audio and video materials, religious items and other informational materials of religious nature with the aim of import, sale and distribution without appropriate authorisation".

Punishments under Criminal Code Article 167-2 for first time offenders acting alone are a fine of between 5,000 and 7,000 Manats or up to two years' imprisonment. Such an "offence" by a group of people "according to a prior conspiracy", by an organised group, by an individual for a second time or by an official would attract a fine of between 7,000 and 9,000 Manats or imprisonment of between two and five years.

Each 1,000 Manats is equivalent to 5,000 Norwegian Kroner, 540 Euros or 580 US Dollars.

Administrative Code Article 516.0.2 punishes "Selling religious literature (printed or on electronic devices) audio and video materials, religious merchandise and products, or other religious informational materials, authorised for sale in an order established by the Law on Freedom of Religion of the Azerbaijan Republic, outside specialised sale outlets established with the consent of the relevant executive authority [State Committee and local administration]".

Punishment under Article 516.0.2 entails confiscation of the literature, merchandise and products or other materials concerned. Additional punishments under Article 516 are: for individuals fines of between 2,000 and 2,500 Manats; for officials fines of between 8,000 and 9,000 Manats; for organisations fines of between 20,000 and 25,000 Manats; and for foreigners and stateless persons fines of between 2,000 and 2,500 Manats with deportation from Azerbaijan (see F18News 2 June 2016 http://www.forum18.org/archive.php?article_id=2184).

UN concern

The United Nations Human Rights Committee expressed concern about Azerbaijan's "censorship of religious material and prior authorization requirement for importing, exporting, distributing and publishing such material".

The Committee also expressed concern about a wide range of other restrictions on exercising the right to freedom of religion or belief in its concluding observations to its review of Azerbaijan's record under the International Covenant on Civil and Political Rights, made public on 4 November (CCPR/C/AZE/CO/4). The Committee called on Azerbaijan to change the law to prevent such abuses.

Baku raids

Police and State Committee officials raided five shops in the Sadarak shopping centre in Baku's Qaradag District, the Interior Ministry noted on its website on 20 October. Officers and officials seized 287 books and seven discs, none of which had the required stickers from the State Committee to show that they had undergone the compulsory state censorship of religious literature.

Cases under Administrative Code Article 516.0.2 were drawn up against owners of the shops.

Also in Qaradag District, officers from the 10th Police Station raided homes of four residents of Lokbatan, Qandaf Huseynova, Parikhan Ibrahimova, Ilkin Ibrahimov and his brother Samir Ibrahimov. Officers seized 56 religious books which allegedly had no approval from the State Committee for distribution in Azerbaijan, the Interior Ministry noted on its website on 22 October.

In a further raid in Qaradag District also noted by the Interior Ministry on 22 October, officers from the 38th Police Station raided a home in Sahil, a settlement along the Caspian coast south-west of Baku. Officers seized 159 religious books and 9 magazines from a Georgian citizen, Rizvan Hamidov.

Police and State Committee officials raided six shops selling religious materials in Baku's Yasamal District on 26 October, the State Committee noted the same day. The State Committee said four of the shops did not have its permission to sell religious materials. Police seized copies of 16 different religious publications which were being sold without permission.

The owner of one of the shops, Zohrab Bagirov, as well as a vendor named Samir Karimov, were interviewed and shown in television reports on the raids that evening.

Police and officials of the State Committee raided nine further shops selling religious literature in Nasimi, Nizami, Sabunchu, Khatai and Surakhani Districts of Baku, the State Committee announced on 3 November. Eight of the nine shops were not specialised shops selling religious literature. Officers and officials seized 421 different items of religious literature, 13 DVDs and 5 CDs being sold in venues not licensed by the State Committee and the local administration and without the required State Committee stickers.

Baku punishments

Although the Interior Ministry noted that cases were being brought under Administrative Code Article 516.0.2 only following the raids on the five shops in the Sadarak shopping centre, investigations were said to be underway in all the other cases.

Two individuals are known to have been fined in Baku's Yasamal District Court since early November under Administrative Code Article 516.0.2.

Judge Akshin Afandiyev fined Ismayil Huseynov on 4 November, according to court records. However, the Judge's assistant refused to tell Forum 18 on 15 November what fine he had imposed on Huseynov.

Judge Ramin Qurbanov fined Gulverdi Gulverdiyev 2,000 Manats on 10 November, his assistant told Forum 18 on 14 November. The assistant would not say for what literature the Judge had fined Gulverdiyev, nor whether he had appealed against the punishment.

Raids in the north

In the northern town of Khachmaz [Xacmaz], Police officers raided a stall at the market run by Hicran Talibova. Officers seized 97 religious books which they claim were being sold without the required state permission, the Interior Ministry website noted on 27 October.

Officials at Khachmaz District Court refused to tell Forum 18 on 16 November if any case against Talibova has been brought to court and, if so, what the result was.

On 3 November, Sheki [Säki] District Police raided the home of Yashar Aliyev in Turan, a village 50 kms (30 miles) from Sheki in northern Azerbaijan, the Interior Ministry noted on its website the following day. Officers seized 28 printed items of religious literature and two discs, claiming that the items did not have the required permission from the State Committee.

Aliyev had been punished earlier for having religious books, the Interior Ministry noted. During a police raid on his home in March 2012, officers seized religious literature. The books seized were mainly by the late Turkish Muslim theologian Said Nursi (see F18News 30 March 2012 http://www.forum18.org/archive.php?article_id=1686).

On 11 November 2016, Judge Kamran Suleymanov of Sheki District Court sentenced a Yashar Aliyev to 15 days' imprisonment under Administrative Code Article 510 ("Hooliganism") and Article 535.1 ("Wilful refusal to obey the lawful demand of an official"), according to court records. [Article 535.1 in March 2016 replaced the old Article 310.1] A court official told Forum 18 on 16 November that this Aliyev was from Turan, but was unable to say if he was the same person as the man whose home was raided on 3 November.

Raids in the south

State Committee, Police and State Security Service (SSS) secret police officers conducted high-profile raids on two shops in the southern town of Masalli, news agencies noted on 10 November. The raids were led by the Masalli representative of the State Committee, Miryahya Badirov, and a State Committee official from Baku, Aliheydar Zulfuqarov.

In one of the shops, Zahra, officials seized four books and six DVDs. In the other unidentified shop, officials seized 55 books, claiming that the shop was selling religious literature without the required State Committee licence.

Masalli's Zahra religious goods shop – on the town's main street, Heydar Aliyev Avenue – is one of only 17 listed on the State Committee website as a "specialised religious goods shop". It lists the owner as Namiq Bayramov.

Accompanying the officials and officers were camera crews from several news outlets, including ARB Cənub regional television station and APA news agency. They broadcast or posted videos online of the raids that evening. The footage shows Badirov inspecting books, books piled up on a desk in one of the shops while two police officers note down titles.

The man who answered Badirov's phone on 15 November denied to Forum 18 that it was Badirov. His colleague in the office told Forum 18 the same day that he had not been present during the raids and only Badirov could explain why they had been conducted.

On 11 November, Police and State Committee officials raided three shops selling religious literature in Lankaran in the far south of Azerbaijan close to the border with Iran, The State Committee noted on its site on 11 November. None of the three shops had the required permission from the State Committee or the local administration to sell religious literature. Officials seized 93 publications which did not have permission from the State Committee.

Police prepared records of an offence against two of the shop owners. The third was given a verbal warning. "Preventive" conversations were held with all three.

US-based Turkish imam's books banned

Mammadov of the State Committee also noted in his 23 August interview that books by the US-based Turkish imam Fethullah Gulen had been banned for import into Azerbaijan before the Religion Law was amended in 2009. He claimed that their import "is not appropriate" as they proclaim the superiority of members of Gulen's movement over non-members.

The Turkish government has accused Gulen of leading a movement called Hizmet (Service) and organising the failed coup in July 2016 (see F18News 13 October 2016 http://www.forum18.org/archive.php?article_id=2224). The Azerbaijani government has since moved against alleged Gulen supporters.

Mammadov also claimed that the State Committee had banned other religious literature for inciting religious enmity or hatred, or proclaiming members of one religion superior to others. He claimed that among such banned works were Jehovah's Witness, Baptist, Seventh-day Adventist, Shia Muslim and Hare Krishna publications, as well as works by Said Nursi. He did not identify any specific publications which allegedly violated the law.

In May 2014 the State Committee told a Baku-based Sunni Muslim that Nursi's "Risale-i Nur" is "inappropriate for import in large quantities or publication, and has not objected to it being brought into the country only in special cases when there is no intention of propaganda (and on condition of no more than one copy)" (see F18News 3 June 2014 http://www.forum18.org/archive.php?article_id=1964).

"Illegal" religious literature accusations in political cases

Police and SSS secret police also use the possession or alleged possession of "illegal" religious literature as an excuse to bring charges in political cases. Following the mid-August arrests in Baku of Fuad Ahmadli, head of the Youth Wing of the Popular Front Party in Khatai District, and Faiq Amirov, and aide to the head of the party, officers claim to have found in their possession books and recordings by Gulen.

Ahmadli's lawyer Asabali Mustafayev said that the books allegedly confiscated from his client were sent for an "expert analysis" in early November. He said the list included more than ten books, including works by Gulen and Nursi. "Usually an individual would not read books by both authors," Mustafayev told Forum 18 from Baku on 15 November. He complained that officials would not give him a copy of the list, allowing him only to look at it briefly.

Human rights defenders told Forum 18 from Baku that Amirov declares himself an atheist and that police planted three Gulen books and eight discs in the boot of his car.

Mustafayev told Forum 18 that cases against five further individuals arrested in Baku's Qaradaq District on 23 and 24 October for alleged "illegal" religious literature have been combined with the cases against Ahmadli and Amirov. (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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