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AZERBAIJAN: "Half-free" imam to challenge suspended jail sentence

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

A five year suspended jail sentence has been given to Ilgar Ibrahimoglu Allahverdiev, imam of Baku's historic Juma Mosque and a leading religious freedom advocate, Forum 18 News Service has learnt. He was accused of associating with Iranian revolutionaries and al-Qaida, and later accused of supporting Protestants and the West, and preaching radicalism. The verdict has been widely condemned by Azerbaijani human rights activists, the Baptist Church and the rapporteur of the Council of Europe Parliamentary Assembly monitoring group on Azerbaijan. However, the state-approved Caucasian Muslim Board told Forum 18 it welcomed the sentence. Azerbaijan insists that every Muslim community must belong to the Caucasian Muslim Board, which has been accused of being "packed with KGB officers". The Juma Mosque has refused to submit to the board's authority and the 1,000 year old mosque is also fighting an attempt by the authorities to evict worshippers and turn the mosque into a carpet museum.

The five year suspended sentence given to Ilgar Ibrahimoglu Allahverdiev, the imam of Baku's historic Juma Mosque and a leading religious freedom advocate, has been widely condemned. "There were political motives for the sentence," Vasif Sadiqli, member of the board of the Baku-based Religion and Democracy organisation, told Forum 18 News Service on 5 April. "He worked hard for religious freedom and the authorities didn't like that." Head of the Baptist Union Ilya Zenchenko also condemned the sentence. "I am pleased he has been freed, but the sentence is unjust," he told Forum 18. "I will support his appeal even to the Supreme Court and, if necessary, to the European Court of Human Rights." Ibrahimoglu described his position now as "only half-free". "I am not allowed to leave Baku without special permission and if I violate the law even slightly I could be sent back to prison," he told Forum 18 from Baku on 5 April. "Plus I have a criminal conviction hanging over me." He said he would appeal against the sentence.

Also questioning the verdict is Andreas Gross, a Swiss parliamentarian who is co-rapporteur of the Council of Europe Parliamentary Assembly monitoring group on Azerbaijan. "The credibility of such a verdict is not so high," he told Forum 18 from Switzerland on 5 April. He said Ibrahimoglu was arrested in the context of the violence that followed the "fraudulent" presidential election of last October and added that until this violence is thoroughly investigated by an independent international committee such verdicts would not be "credible". "The risk that this verdict has been handed down as a result of his political opinions is too great."

However, the deputy head of the state-approved Caucasian Muslim Board welcomed the sentence. "There is the law, and all citizens – regardless of their religious affiliation or social position - must abide by it," Haji Akif Agaev told Forum 18 from Baku on 5 April. Although Azerbaijan claims not to interfere in the internal running of religious communities, it insists that every Muslim community must belong to the Caucasian Muslim Board.

The Juma Mosque has refused to submit to the authority of the Muslim Board, arguing that Azerbaijan's religion law has no right to require this. As well as being imam of the Juma Mosque, Ibrahimoglu is a board member of the Islam-Ittihad Society, leading coordinator of religious freedom group Devamm and Secretary General of the Azerbaijani Chapter of the International Religious Liberty Association (IRLA). The 1,000 year-old mosque is also fighting an attempt by the authorities to evict worshippers and turn the mosque into a carpet museum (see F18News 22 March http://www.forum18.org/Archive.php?article_id=284). Sadiqli of the Religion and Democracy group – which like IRLA and Devamm has been seeking registration as a non-governmental organisation in vain for the past three years – said the authorities want to strip the community of its mosque in retaliation for its public activity. "The authorities don't want people to strive for human rights – they don't like alternative views," he told Forum 18. "It's like in the Soviet period."

Sadiqli said he agreed with Ibrahimoglu that it is unjust for the religion law to demand that all mosques be subject to the Muslim Board. "There is no hierarchy in Islam," he explained. "Independent mosques must have the right to function." He said the Muslim Board was a creature of the Soviet system designed to maintain control and was packed with KGB officers.

But Haji Agaev of the Muslim Board rejected these views. "The law requires all mosques to be subject to our authority and everyone is obliged to follow this law," he told Forum 18. "All Russian Orthodox Churches must be part of the Moscow Patriarchate, and all Catholic Churches under the Pope. There must be no double standards." He insisted that such control by the Muslim Board prevented "instability and anarchy".

Ibrahimoglu was arrested on 1 December after being accused of organising protest demonstrations against the way last October's election was manipulated, and he finally went on trial on 22 March with eight opposition activists at Baku's Court for Especially Serious Crimes (see F18News 22 March 2004 http://www.forum18.org/Archive.php?article_id=284). On 2 April Judge Eynulla Veliev found all nine guilty, sentencing Ibrahimoglu to five years' imprisonment, suspended, under Criminal Code Articles 220.1 (participation in mass disorder) and 315.2 (resisting the authorities).

Ibrahimoglu complained that his case had nothing to do with those of the other eight defendants. "I was absolutely not connected with them," he insisted to Forum 18. "I did not know them." Some 130 people were arrested in connection with the post-election violence, and some have already been sentenced at controversial trials. He dismissed his trial as "a spectacle and a farce". "Nothing was proved against me – the charges were just fantasy," he told Forum 18. He said his presence on the streets of central Baku during the post-election violence did not prove that he was involved in it. "I was conducting monitoring," he insisted. "I had the right to do this." He believes the whole case was brought against him to try to halt his religious and human rights work."

He said the investigation had initially been wide-ranging, with investigators accusing him of providing information used by foreigners for their reports on human rights and religious freedom situation in Azerbaijan. He said he had been accused of associating with Iranian revolutionaries and al-Qaida, but gradually the accusations had changed to supporting Protestants and the West, and preaching radicalism.

Ibrahimoglu said he had not yet received the verdict in writing, but would be appealing against the sentence, "even to the European Court of Human Rights". "I will challenge not just the sentence, but why I had to spend four months in jail awaiting trial, during which I was deprived of the right to conduct my human rights and religious work."

He said that while he was in Baku's Bayil investigation prison he was allowed to pray in his cell and could receive religious literature from outside. "At least with me there was no censorship of literature." However he complained that he was not allowed to visit the prison mosque. "No prisoners awaiting trial are allowed to visit the mosque – and some prisoners are held there for more than a year." He said prison conditions failed to meet international norms.

Both Ibrahimoglu and the mosque community have been subjected to repeated attacks in the pro-government media in recent months.

For more background information see Forum 18's latest religious freedom survey at

http://www.forum18.org/Archive.php?article_id=92

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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