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AZERBAIJAN: Religious rights groups barred from registering

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

Six months after lodging its application with the Ministry of Justice for registration as a non-governmental organisation, the Azerbaijani chapter of the International Religious Liberty Association (IRLA) seems no closer to gaining legal status. "We applied to the Ministry of Justice six months ago but as usual it provides us with no reply," secretary-general Ilgar Ibrahimoglu told Forum 18 News Service. He said he and his colleagues intend to consult the head office of the IRLA in the United States and "will probably" challenge the denial of registration through the courts. The head of the registration department of the justice ministry said he "couldn't remember" the IRLA chapter's application. "We get many applications," Fazil Mamedov told Forum 18. At the same time, he insisted there is no ban on registering non-governmental organisations that campaign for religious freedom.

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Ibrahimoglu noted also that the Centre for Protection of Religion and Freedom of Conscience Devamm, of which he is senior coordinator, has likewise failed to gain registration. "We are very sorry that although it is already more than two years since Devamm submitted its documents to the Ministry of Justice, our centre has not yet been registered," he told Forum 18.

The IRLA, which was originally founded by Seventh Day Adventists, describes itself as "a non-sectarian association, chartered in 1893, to promote principles of religious freedom around the world". Its Azerbaijani chapter, founded by representatives of a variety of faiths at a constituent conference held in Baku from 30 September to 1 October 2002, submitted its registration application to the justice ministry on 19 November.

Curiously, in the light of the denial of registration to the IRLA, the chairman of the State Committee for Work with Religious Organisations Rafik Aliev continues to cite the IRLA chapter's existence as evidence of what he regards as the Azerbaijani government's benign attitude to religious freedom. "The branch of the International Religious Liberty Association (IRLA), whose headquarters is in Washington, was recently opened in Baku," Aliev wrote on 2 April to US congressman Chris Smith and US senator Sam Brownback in a response to their criticism of violations of religious liberty in Azerbaijan.

Devamm has, if anything, encountered even more opposition from the authorities in its work to promote religious rights. "Devamm conducts single-minded work to establish civil society and widely promotes within society such values as tolerance, religious tolerance, the defence of individuals' rights and basic freedoms, and the defence of freedom of conscience and faith," the group declares. It has taken up the cases of Muslim women who wish for religious reasons to wear headscarves in photographs on official documents. It has also protested against the requirement in Azerbaijan's religion law that all Islamic communities must be subject to the Board of Caucasian Muslims, which is led by Sheikh-ul-Islam Allahshukur Pashazade, arguing that this violates the constitutional separation of religion from the state.

After receiving no reply to its registration application within the first year, Devamm lodged a complaint to the court. "It is widely known that courts in Azerbaijan are not independent," Ibrahimoglu reported. "Yet despite this - and having taken into account international public pressure - the Court nevertheless recommended to the Ministry of Justice to register Devamm." He said that after making minor adjustments to the application his organisation again submitted their application to the justice ministry. "However, there has not been any result for six months," he told Forum 18 sadly. He said Devamm is again preparing a legal challenge to the refusal to register the organisation.

After initial denials, Mamedov of the justice ministry eventually admitted to Forum 18 that he did recall Devamm's original application and the subsequent legal case. However, he claimed that the court had ruled against Devamm. He said he could not remember anything about any subsequent application.

At the same time Mamedov insisted there is no ban on registering non-governmental organisations that campaign for religious rights and religious freedom. "The only ban is on organisations that violate the constitution, such as those that call for the overthrow of the constitutional order or incite racial or religious hatred," he told Forum 18. He added that of the 1,500 or so registered NGOs, some 40 are human rights groups.

Without being able to recall the IRLA's or Devamm's applications for registration, Mamedov said he was unable to respond to the question of why they had not been registered.

An official of the Baku office of the Organisation for Security and Cooperation in Europe (OSCE) highlights the difficulty of registering NGOs of any sort. "Obtaining registration which, one would presume, is an automatic and simple act constitutes a major problem here," human dimension officer Branislav Solovic told Forum 18 from Baku on 12 May. "This is, of course, in breach of all possible human rights standards and OSCE commitments." He said the OSCE office has been trying to exert some "positive influence" but with "limited" success.

He said a new Law on Registration of Legal Entities pending in parliament should, according to officials, improve the situation by replacing "registration" with "notification". "It has however been pending for more than a year and nobody from outside has ever seen it," Solovic told Forum 18. "Thus, our trust in quick improvement is limited."

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