

AZERBAIJAN

International Religious Freedom Report 2007

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

The Constitution provides that persons of all faiths may choose and practice their religion without restriction; however, there were some abuses and restrictions.

There was no change in the status of respect for religious freedom by the Government during the period covered by this report. Some religious groups reported delays in and denials of registration. As in previous years, there continued to be some limitations upon the ability of groups to import religious literature. Most religious groups met without government interference; however, local authorities monitored religious services, and officials at times harassed and detained members of "nontraditional" religious groups.

There were some reports of societal abuses or discrimination based on religious belief or practice. There was popular prejudice against Muslims who convert to other faiths and hostility toward groups that proselytize, particularly evangelical Christian and other missionary groups.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. The Embassy monitors religious freedom and maintains contact with the Government and a wide range of religious groups.

Section I. Religious Demography

The country has an area of 33,774 square miles and a population of 8.5 million. There were no reliable statistics on membership in specific religious groups; however, according to official figures approximately 96 percent of the population is Muslim. The remainder of the population consists mostly of Russian Orthodox, Armenian Orthodox, Jews, and nonbelievers. Among the Muslim majority, religious observance is relatively low, and Muslim identity tends to be based more on culture and ethnicity than religion. According to the State Committee on Work with Religious Associations (SCWRA), the Muslim population is approximately 65 percent Shi'a and 35 percent Sunni; traditionally, differences are not defined sharply.

The vast majority of Christians are Russian Orthodox whose identity, like that of Muslims, tends to be based as much on culture and ethnicity as religion. Christians were concentrated in the urban areas of Baku, the capital, and Sumgayit.

Of a total Jewish population of approximately 15,000, the vast majority live in Baku. Much smaller communities exist in Guba and elsewhere. There are five to six rabbis and six synagogues in the country.

Shi'a, Sunni, Russian Orthodox, and Jews are considered to be the country's "traditional" religious groups. Small congregations of Lutherans, Roman Catholics, Baptists, Molokans (Russian Orthodox Old Believers), Seventh-day Adventists, and Baha'is have been present for more than 100 years.

In the last decade, a number of religious groups considered foreign or "nontraditional" have established a presence, including "Wahhabi" Muslims, Pentecostal and evangelical Christians, Jehovah's Witnesses, and Hare Krishnas.

There were significant expatriate Christian and Muslim communities in Baku; authorities generally permitted these groups to worship freely.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides that persons of all faiths may choose and practice their religion without restriction; however, there were some abuses and restrictions. Under the Constitution each person has the right to choose and change his or her own religious affiliation and belief (including atheism), to join or establish the religious group of his or her choice, and to practice his or her religion. The law on religious freedom expressly prohibits the Government from interfering in the religious activities of any individual or group; however, there are exceptions, including cases where the activity of a religious group "threatens public order and stability."

A number of legal provisions enable the Government to regulate religious groups, including a requirement in the law on religious freedom that religious organizations, including individual congregations of a denomination, be registered by the Government. Registration enables a religious organization to maintain a bank account, rent property, and generally act as a legal entity.

Since 2001 religious groups must register with the SCWRA. The SCWRA has broad powers over registration and the publication, import, and distribution of religious literature, and it may suspend the activities of religious groups who violate the law.

Registration is burdensome, and there were frequent, sometimes lengthy, delays in obtaining registration. Some groups characterized the seven-step application process as arbitrary and restrictive. Unregistered organizations are vulnerable to allegations that they are illegal and as a result subject to attacks and closures by local authorities; they found it difficult, but not impossible, to function.

According to the SCWRA, it registered 48 new groups from May 2006 through June 2007 and did not reject any applications. All of the newly registered groups were Muslim communities. The SCWRA reported 392 total registered religious communities in the country.

During the reporting period, several groups asserted that the SCWRA sometimes failed to rule on registration applications in a timely manner, and some groups complained that the SCWRA or local officials selectively made the application process difficult or impossible for "nontraditional" communities. Religious groups are permitted to appeal registration denials to the courts. However, some Christian groups contended that local judges often were biased against Christian churches and were unlikely to rule in a just manner.

Under the law on religious freedom, political parties cannot engage in religious activity, and religious leaders are forbidden from seeking public office. Religious facilities may not be used for political purposes.

The law on religious freedom, which the Government enforces, prohibits foreigners from proselytizing.

Registered Muslim organizations are subordinate to the Caucasian Muslim Board (CMB), a Soviet-era muftiate that appoints Muslim clerics to mosques, periodically monitors sermons, and organizes annual pilgrimages to Mecca. Muslim religious groups must receive a letter of approval from the CMB before they can be registered by the SCWRA. Some Muslim religious leaders objected to interference from both the CMB and the SCWRA.

Religious instruction is not mandatory, and there is no religious curriculum for public elementary and high schools; however, there is no restriction on teaching religion in public schools.

Restrictions on Religious Freedom

During the reporting period the Government restricted some religious freedoms.

The SCWRA continued to delay or deny registration to a number of Protestant Christian groups. Local or SCWRA officials often raised particular obstacles to Baptists, Jehovah's Witnesses, and members of Assemblies of God who attempted to register, worship, or perform alternative civilian service as conscientious objectors.

Of the five main Baptist churches, three have successfully reregistered; however, during the reporting period the SCWRA again rejected the applications of the Baptist churches in Aliabad (which has sought registration for 15 years) and Neftchala. Baptists stated the Aliabad notary refused to review the community's registration documents.

In December 2006 SCWRA officials reportedly told the Assembly of God community in Baku that it would have to give the SCWRA advance notice of meetings in order to be registered. The Assemblies of God reported that they tried to register their churches in Baku and Sumgayit several times--most recently in January 2007--but did not receive a response from the SCWRA. An Assembly of God representative met with SCWRA officials in May and June 2007 to advance the registration process, but the SCWRA said that it was still examining the application. In June police also interfered in one of the church's gatherings in Baku.

The Juma Mosque has remained closed since June 2004; the mosque's imam was still not allowed to travel abroad at the end of the reporting period.

In May 2007 SCWRA head Hidayat Orujov stated that only 9 of 49 mosques in Guba were registered. Local commentators reported that Salafists were particularly active in the country's northern regions of Guba and Kachmaz.

The law on religious freedom expressly prohibits religious proselytizing by foreigners, and the Government strictly enforced this. The Government was concerned about Islamic missionary groups (predominantly Iranian and Wahhabi) operating in the country and, as in previous years, restricted their activities.

Some Muslims complained about the SCWRA's allegedly indiscriminate use of the term "Wahhabi" to cast a shadow on devout Muslims. Local Protestant Christians also claimed that SCWRA Chairman Orujov derogatorily referred to their organizations as "sects."

In May 2007 a Baku court sentenced a journalist and the editor of the Sanat newspaper on charges of "inciting religious hatred." The journalist was given a 3-year prison term, and the editor was given a 4-year term. The journalist had written an article, published in November 2006, arguing Islamic values retarded the country's development.

The law permits the production and dissemination of religious literature with the approval of the SCWRA; however, authorities appeared to selectively restrict the import and distribution of religious materials. Obtaining permission to import religious literature remained burdensome, and both Islamic and Christian groups have complained about the lengthy process. However, the SCWRA has also facilitated the import of some literature, and the process appeared to be selectively improving.

During the reporting period, there were multiple episodes of police confiscating allegedly radical Islamic literature in several areas of the country.

The Government regulates travel for the purpose of religious training. Prospective travelers must obtain permission from, or register with, the SCWRA or the Ministry of Education to go abroad for religious studies.

No religious identification is required in passports or other identity documents. However, the Center for the Protection of Conscience and Religious Freedom reported that authorities prohibited Muslim women from wearing headscarves in passport photos and other official identity documents.

Some local officials continued to discourage Muslim women from wearing headscarves in schools.

In July 2006 a Baku court gave Mushfiq Mammedov, a member of Jehovah's Witnesses, a 6-month suspended prison sentence for refusing to fulfill his military service requirement on the grounds of religious belief. Mammedov had appealed his April 2006 arrest on grounds that he had a constitutional right to substitute alternative civilian service as a conscientious objector; a new hearing date had not been set by the end of the reporting period. However, in 2005 the Supreme Court ruled that while the country remained in a state of war with Armenia, the military service requirement superseded an individual's constitutional entitlement to alternative service due to religious beliefs and that, absent implementing regulations, the military was not obligated to provide alternative service.

Press reports indicated that the Armenian Apostolic Church enjoyed a special status in the Nagorno-Karabakh region. The largely Muslim, ethnic Azerbaijani population in Nagorno-Karabakh and the seven occupied territories had fled the region during the conflict with Armenia in the 1990s and remained unable to return to these areas.

During the reporting period, there were several incidents of police arresting Wahhabis and sometimes confiscating weapons and literature, particularly in the northern regions of Guba, Khachmaz, Gax, and Zaqatala, according to local contacts and the press. In April 2007, for example, police detained 16 alleged radical Salafists in Khachmaz.

Abuses of Religious Freedom

Sporadic violations of religious freedom by some officials continued. In many instances, abuses reflected the popular antipathy toward ethnic Azerbaijanis who convert to "nontraditional" religious groups such as evangelical Christian denominations or who adopt Salafist Islamic practices.

"Nontraditional" religious groups faced particularly acute problems operating in remote regions of the country, including the exclave of Nakhchivan. Unregistered religious groups continued to function, and there were fewer incidents than in previous years of official harassment, interruptions of religious services, or police intimidation and fines. However, such incidents continued, and there were reports of beatings during police raids.

On May 20, 2007, local police raided the meeting of a Baptist community in Aliabad and detained the pastor, Zaur Balaev. The church consists of members of the local Georgian-speaking Ingilo minority. Other church members were also briefly detained; police reportedly hit Balaev's wife on the face and may have assaulted another female member. Officials claimed the pastor resisted the police; local Baptists strongly disputed this assertion.

Baku-based Baptist leader Ilya Zenchenko said police claimed they had a court order to break up the unregistered religious community but refused to show any evidence to the congregation. Pastor Balaev's trial was scheduled to begin on July 20, 2007 in Zaqatala; Balaev remained imprisoned in Ganja at the end of the reporting period. Zenchenko said Balaev's health was not good and raised concern that the SCWRA was unwilling to investigate the circumstances of the episode. Some witnesses believed the arrest was retaliation for protests by church members against the officials' attempts to demolish a shop, subsequently destroyed on June 4, 2007, belonging to one of the members. Another member of the community was detained on May 28 and held for eight hours; audio and videotapes and religious books were taken from his apartment.

On December 24, 2006, police, prosecutorial, and religious affairs officials, accompanied by a television crew, raided a meeting of Jehovah's Witnesses in Baku's Kingdom Hall. After breaking down the door, they searched the building without a warrant. Police detained the Jehovah's Witnesses and visitors and questioned them for several hours. They later expelled six foreign citizens, who were deported on grounds of allegedly having broken the law against religious proselytization. Members charged that

police also confiscated congregation records, religious literature, the collection box containing approximately \$350 (300 AZN), and computers, and reportedly assaulted at least two of the members during the raid.

Local law enforcement authorities occasionally monitored religious services, and some observant Christians and Muslims reportedly were singled out for searches by local law enforcement officers. Local persons claimed that authorities routinely monitored certain mosques. Baptists reported that local officials threatened to close their registered church in Ganja in winter 2006-07 if 10 persons were not present at all meetings. (The law on religious freedom requires that religious organizations have at least 10 members.)

Government authorities tried to restrict what they claimed were political and terrorist activities by Iranian and other clerics operating independently of the organized Muslim community. There were reports that the Government harassed Muslim groups based on security concerns. For example, the Human Rights Resource Center in Khachmaz reported that Wahhabis in Khachmaz were harassed because authorities suspected that all Wahhabis had links to terrorism

In April 2007 police arrested two individuals in Sumgayit on grounds of spreading information on Nurcu Islam, which is based on the teachings of a 19th-century Turkish imam and seeks to develop a greater role for Islam in society and educational institutions.

Members of Jehovah's Witnesses reported that local authorities, particularly outside of Baku, occasionally interfered with their ability to rent public halls for religious assemblies and fined or detained overnight some of the group's members for meeting in private homes. For example, in June 2005 police raided a gathering of approximately 200 Jehovah's Witnesses in Baku and briefly detained 29 members of the group.

During the reporting period, in the occupied region of Nagorno-Karabakh--a predominantly ethnic Armenian area over which the Government of Azerbaijan had no control--officials reportedly released jailed Baptist conscientious objector Gagik Mirzoyan and transferred him to a military unit to complete the remainder of his military service. Also in the occupied region of Nagorno-Karabakh, Jehovah's Witness and conscientious objector Areg Hovhanesyan remained in jail after being sentenced in 2005 to 4 years in prison for evading military service, a sentence he did not appeal.

There were reports of religious prisoners or detainees in the country, including Baptist pastor Zaur Bazaev, who remained in Ganja prison at the end of the reporting period; Hamid Sabanov, another Baptist from Aliabad who was briefly detained for questioning in June; and Jehovah's Witness and conscientious objector Areg Hovhanesyan, who remained detained in the occupied region of Nagorno-Karabakh.

Following months of repeated refusals, local officials in the Zaqatala region issued a birth certificate to Baptist parents who wished to give their son a Christian name. However, in another case local authorities in the village of Aliabad and in the Zaqatala registry office continued to refuse to register and

issue a birth certificate for a Christian child since his birth in June 2006. His older brother had similarly been refused, on grounds of religion. The consequences of not having a birth recorded are serious: a child who does not officially exist cannot enroll in school or obtain health insurance. Members of the ethnic Georgian minority reported that difficulty in registering children with non-Azerbaijani names was particularly acute in this region.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Anti-Semitism

There were few cases of prejudice and discrimination against Jews in the country, and in the few instances of anti-Semitic activity, the Government was quick to respond. Jewish community leaders consistently remarked on their positive relationship with the Government and leaders of other religious communities. In 2004 a new Jewish community center opened in Baku with high-level government participation.

Improvements and Positive Developments in Respect for Religious Freedom

Some religious groups in the country reported improvements in their ability to function freely. Several churches indicated that they received or expected to receive their registration, were able to import religious literature, and met without government interference.

When minority religious communities outside of Baku reported that local authorities illegally denied them registration, the SCWRA sometimes intervened on their behalf. In previous years the SCWRA took a strict approach to registration and failed to prevent local authorities from banning such communities.

During the reporting period, the Government promoted interfaith understanding. The SCWRA convened leaders of various religious communities on several occasions to resolve disputes in private and provided forums for visiting officials to discuss religious issues with religious figures. During the reporting period, the SCWRA organized several seminars, conferences, and regional meetings on religious freedom and tolerance. In April 2007 the Government cohosted with the Organization of the Islamic Conference a major international conference on the role of the media in promoting tolerance.

In May 2007 construction began on a new Jewish educational complex. Authorities also reserved one wing of a Baku school for secular and religious classes for 200 Jewish students.

Section III. Societal Abuses and Discrimination

There were some reports of societal abuses or discrimination based on religious belief or practice. There was popular prejudice against Muslims who convert to other faiths and hostility toward groups that proselytize, particularly evangelical Christian and other missionary groups. This was accentuated by the unresolved conflict over Nagorno-Karabakh.

Hostility between Armenians and Azerbaijanis, intensified by the Nagorno-Karabakh conflict, remained strong. In those areas of the country controlled by Armenians, all ethnic Azerbaijanis have fled, and the mosques that had not been destroyed remained inactive. Animosity toward ethnic Armenians elsewhere in the country forced most of them to depart between 1988 and 1990, and all Armenian churches, many of which were damaged in ethnic riots that took place more than a decade ago, remained closed. As a consequence, the estimated 10,000 to 30,000 ethnic Armenians who remained were unable to attend services in their traditional places of worship.

At the end of the reporting period, Jehovah's Witnesses in Baku reported being unable to use a building they had rented for the purpose of religious meetings since signing a rental agreement in September 2006. According to Jehovah's Witnesses, local residents hired private security guards to prevent their access to the property on September 21, 2006, and local police informed the group on September 24 that they would not be able to hold meetings in the space due to residents' complaints. On April 17, 2007, four men reportedly broke into the building and attacked two Jehovah's Witnesses and property inside. The group reported that local police refused to investigate the incident despite the attackers being identified.

As in previous reporting periods, newspapers and television broadcasts depicted "nontraditional" religious groups as threats to the identity of the nation and as undermining the country's traditions of interfaith harmony, which led to local harassment.

During the reporting period, articles critical of Wahhabism and of Christian missionaries appeared in newspapers, and one television channel aired "exposes" of Christian church services.

Hostility also existed toward foreign (mostly Iranian and Wahhabi) Muslim missionary activity, which many viewed as attempts to spread political Islam, and therefore as a threat to stability and peace. The media targeted some Muslim communities that the Government claimed were involved in illegal activities.

On April 11, 2007, unidentified individuals threw a burning object through the window of a newly constructed Roman Catholic church in Baku. The church's priest publicly stated that the incident was almost certainly criminal and thanked local authorities for investigating the matter.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. During the reporting period, U.S. embassy officers conveyed concerns about the registration process and official attitudes toward "nontraditional" religious groups to the

Chairman of the SCWRA. The Embassy also expressed concern about the Government's commitment to religious freedom with other members of the Government and in the press. The Embassy repeatedly conveyed objections to the censorship of religious literature.

The Ambassador and embassy officers maintained close contact with leading Muslim, Russian Orthodox, and Jewish religious leaders and regularly met with members of unregistered religious groups in order to monitor religious freedom. Embassy officers also maintained close contact with nongovernmental organizations that addressed issues of religious freedom.