

# Azerbaijan



Discrimination / Unchanged —

## Religion

## Population

## Area

- Muslims : **95.2%**
- Christians : **3.2%**
- Agnostics : **1.3%**
- Others : **0.3%**

9,868,000

86,600 Km<sup>2</sup>

## Legal framework on freedom of religion and actual application

Although the constitution of Azerbaijan recognises the right to free religious expression,<sup>[1]</sup> in fact this right is limited by other laws.

The law on religion of 2009 requires religious organisations to register and prescribes a strict system of censorship on all religious literature imported, sold and distributed in the country.<sup>[2]</sup>

On 15th May 2017 Azerbaijan's parliament approved amendments to allow Azerbaijani citizens and foreign nationals who have received religious instruction abroad to lead Islamic ceremonies in the country (something which Parliament had banned in October 2016), provided they are authorised by the Caucasus Muslims Office (CMO). At the request of this religious body, Azerbaijanis can now be sent to foreign religious educational establishments and the exchange of students and teachers between such institutions is now allowed. Religious propaganda by foreigners is prohibited unless they have been invited by a religious institution.<sup>[3]</sup>

Under other amendments approved in October 2016, any religious organisation found guilty of extremism can be dissolved immediately.<sup>[4]</sup> Changes to the citizenship law introduced in December 2016 provide that engaging in extremist religious actions or religiously motivated military training abroad is grounds for losing Azerbaijani citizenship<sup>[5]</sup>

In March 2017 Azerbaijani legislators also took action to regulate the use of the internet, banning the publication of material that promotes violence, religious extremism, or terrorism as well as ethnic, racial or religious hatred.<sup>[6]</sup>

In a referendum held in September 2016, major constitutional changes were approved which shifted the balance of power in favour of the presidency, in particular by extending the presidential term from five years to seven years and by giving

the president the right to dissolve Parliament and calling elections early.<sup>[7]</sup> Some changes introduced by the referendum – such as restricting the right to freedom of assembly for reasons of “public order and morality” and the right to property for reasons of “social justice” – have raised fears that they could be used against religious minorities.

## Incidents

Azerbaijan has worked hard to build an image of itself as a multi-cultural country in which members of various ethnic and religious groups live in peace and harmony.<sup>[8]</sup> If this is true for the religious groups perceived as traditional, and for Islamic groups associated with the CMO – Pope Francis also praised good institutional and interfaith relations during his visit in October 2016 – the situation is different for non-traditional groups. This applies especially to some Protestant confessions, Jehovah’s Witnesses and Muslims operating outside the CMO. According to the 2017 Report on Religious Freedom by the United States Commission on International Religious Freedom, the state of religious freedom in Azerbaijan deteriorated in 2016, and there was greater repression of independent religious activities.<sup>[9]</sup> For non-traditional groups, registration under the law is difficult.

There are positive aspects worth noting, such as the registration of the Bible Society in October 2016 after a 20-year waiting period. However, it is still unclear what type of books the Bible Society will be allowed to publish.<sup>[10]</sup> In fact, a very restrictive system of censorship is in place in the country.

All religious literature, whether published in Azerbaijan or imported, must be authorised by the State Committee for Works with Religious Organisations, which also specifies a maximum number of copies. The Old Testament, writings by Turkish theologian Said Nursi, and several publications of Jehovah’s Witnesses are still among the banned books.<sup>[11]</sup>

Checks are frequent and meticulous. Between late October and early November 2016, 26 bookshops and six homes were inspected and unauthorised religious literature was seized.<sup>[12]</sup> In the city of Baku, raids against bookstores continued into December, including a Christian bookstore from which 396 books were seized (all of which had a distribution permit or were awaiting approval). Eventually, the administrative proceedings against the bookstore were dismissed and the seized material was returned. In April 2017, the shop in question finally got a licence to sell books and other religious articles, eight years after it had first applied.<sup>[13]</sup>

In 2017, several booksellers were fined 2,000 manats (€1,100, US\$1,200), the equivalent of about four months’ average wages, for selling religious texts without prior state authorisation.<sup>[14]</sup>

Many believers have also been fined for holding religious meetings, in most cases in the amount of 1,500 manats (€825).<sup>[15]</sup>

Rev Hamid Shabanov and his collaborator Mehman Agamemedov of the Baptist Church of Aliabad – which has been trying to obtain state registration since the mid 1990s – were fined the same amount in December 2016 for holding a religious meeting in a private home.<sup>[16]</sup>

21 Muslims from Quba were also fined 1,500 Manats, each for taking part in an unauthorised meeting in March 2017.<sup>[17]</sup> Shahin Ahmadov, another Muslim, was fined for the same amount after he was caught, in April 2017, reading the works of theologian Said Nursi during a picnic with three friends in the mountains.<sup>[18]</sup>

Law enforcement agencies have also gone after Jehovah’s Witnesses.<sup>[19]</sup>

Positive developments include the Supreme Court’s acquittal on 8th February 2017 of Irina Zakharchenko and Valida Jabrayilova, two Jehovah’s Witnesses who were arrested in February 2015 and held in prison for 11 months on charges of distributing religious literature without state permission. The court awarded them damages for unlawful detention.<sup>[20]</sup>

State authorities have subjected Muslim communities to further restrictions. The only ones which legally are entitled to exist belong to the CMO, which oversees their activities, including the training and appointment of imams, regular

monitoring of sermons and the organisation of pilgrimages to Makkah.<sup>[21]</sup>

Many mosques have been closed in recent years, both because they had not registered and for other reasons (such as breach of safety regulations). In July 2016, the authorities finally shut down the Lezgin Mosque in the old city of Baku<sup>[22]</sup> and the Omar bin Khattab Sunni mosque in Qobustan, which had been active for over 25 years. The owner of the land on which the Omar bin Khattab mosque stood, Ahmad Simirov, who was also its imam, was fined 1,500 manats (€825) for leading an unregistered religious organisation.<sup>[23]</sup> The historic Haji Javad Shia mosque in Baku was demolished at night on 1st July 2017 after countless attempts by the faithful to save it.<sup>[24]</sup>

Azerbaijan followed Turkey in launching a criminal investigation against supporters of Islamic mystic Fethullah Gulen in connection with a coup in Turkey.<sup>[25]</sup> The investigation ended with the arrest of various people believed to be linked to the movement including Faiq Amirli, a prominent leader of the Popular Front of Azerbaijan, an opposition party, and editor-in-chief of Azadlig newspaper, who was taken into custody in July 2017. He was given three years and three months in prison but his sentence was eventually suspended.<sup>[26]</sup> At Qafqaz University, considered one of the best institutions of higher education in the country, the pro-rector and 50 faculty members were dismissed for alleged ties with the Turkish cleric.<sup>[27]</sup>

In January 2017, 17 people linked to the Islamic Unity Movement, including leader Taleh Bagirov, were given lengthy prison sentences. They were all arrested following a police raid in Nardaran, in November 2015<sup>[28]</sup> 14 of those convicted were eventually released in September 2017.<sup>[29]</sup>

In July 2017, Shia Imam Sardar Babayev of Masalli was the first Muslim to be convicted of leading Friday prayers despite receiving a theological education outside Azerbaijan. He will have to serve a three-year prison sentence<sup>[30]</sup>

Although President Alyiev stated that there is no radicalism or religious fundamentalism<sup>[31]</sup> in the country, a great degree of concern about possible extremist trends persists. There were numerous arrests and convictions for suspected terrorism. For example, a court in Baku convicted seven Azerbaijani citizens who had been accused of fighting for Daesh (ISIS) and sentenced them to prison terms ranging from two to 14 years.<sup>[32]</sup> In 2016, 58 people were stripped of their citizenship for alleged involvement in religious extremism and terrorist activities abroad.<sup>[33]</sup>

## Prospects for freedom of religion

With an economy in crisis, Azerbaijani President Aliyev has done his utmost to boost his and his family's hold on power. Together with a major crackdown on dissenting voices, this has alarmed many international observers<sup>[34]</sup> Regarding religious freedom, the main concern lies with hardening government policy towards non-traditional groups and towards those operating outside direct state control, who are more vulnerable to repressive actions by police forces and judicial authorities.

## Endnotes / Sources

[1] Art 48 Azerbaijan's Constitution of 1995 with Amendments through 2016, [constituteproject.org](https://www.constituteproject.org/constitution/Azerbaijan_2016.pdf), [https://www.constituteproject.org/constitution/Azerbaijan\\_2016.pdf](https://www.constituteproject.org/constitution/Azerbaijan_2016.pdf) lang=en, (accessed 14th May 2018).

[2] Bureau of Democracy, Human Rights and Labor, "Azerbaijan", International Religious Freedom Report for 2016, U.S. State Department, <https://www.state.gov/j/drl/rls/irf/2016/>, (accessed 15th May 2018).

[3] "Azerbaijani president approves amendments to law on freedom of religion", APA, 22nd June 2017, [http://en.apa.az/azerbaijan\\_religion\\_news/azerbaijani-president-approves-amendments-to-law-on-freedom-of-religion-1777.html](http://en.apa.az/azerbaijan_religion_news/azerbaijani-president-approves-amendments-to-law-on-freedom-of-religion-1777.html), (accessed 15th May 2018).

[4] Babayev Nijat, "Azerbaijani president approves amendments to law on freedom of religion, APA, 12th December

2016, [http://en.apa.az/azerbaijan\\_religion\\_news/azerbaijani-president approves-amendments-to-law-on-freedom-of-religion-9074.html](http://en.apa.az/azerbaijan_religion_news/azerbaijani-president approves-amendments-to-law-on-freedom-of-religion-9074.html), (accessed 15th May 2018).

[5] Bureau of Democracy, Human Rights and Labor, op cit.

[6] Azerbaijani Lawmakers Approve Bill Toughening Internet Regulations, Radio Free Europe/Radio Liberty, 10th March 2017, <https://www.rferl.org/a/azerbaijan-internet-regulations-aliyev/28362360.html>, (accessed 19th May 2018).

[7] Nailia Bagirova, "Azerbaijan vote lengthens Aliyev's time in office, boosts his powers", Reuters, 27th September 2016, <https://www.reuters.com/article/us-azerbaijan-presidency-term/azerbaijan-vote-lengthens-aliyevs-time-in-office-boosts-his-powers-idUSKCN11X11Q>, (accessed 18th May 2018).

[8] Malahat Najafova, "Ilham Aliyev: Development of democracy, human rights protection among Azerbaijan's top priorities", APA, 20th September 2017, <http://en.apa.az/azerbaijan-politics/foreign-news/ilham-aliyev-development-of-democracy-human-rights-protection-among-azerbaijan-s-top-priorities.html>, (accessed 19th May 2018).

[9] 2017 Annual Report, U. S. Commission on International Religious Freedom, Azerbaijan, <http://www.uscirf.gov/sites/default/files/2017.USCIRFAnnualReport.pdf>, (accessed 18th May 2018).

[10] "Azerbaijan registers Bible Society after 20 years, but will it be able to print Bibles?", World Watch Monitor, 3rd October 2016, <https://www.worldwatchmonitor.org/2016/10/azerbaijan-registers-bible-society-after-20-years-but-will-it-be-able-to-print-bibles/>, (accessed 16th May 2018).

[11] Felix Corley, "AZERBAIJAN: State's theological review bans book on Islam", Forum 18, 13th February 2018, [http://www.forum18.org/archive.php?article\\_id=2351](http://www.forum18.org/archive.php?article_id=2351), (accessed 15th May 2018).

[12] Felix Corley, "AZERBAIJAN: Raids, fines enforce state religious censorship", Forum 18, 16th November 2016, [http://www.forum18.org/archive.php?article\\_id=2231](http://www.forum18.org/archive.php?article_id=2231), (accessed 15th May 2018).

[13] Felix Corley, "AZERBAIJAN: Fined for selling religious books", Forum 18, 10th May 2017, [http://www.forum18.org/archive.php?article\\_id=2278](http://www.forum18.org/archive.php?article_id=2278), (accessed 15th May 2018).

[14] *ibid.*

[15] Felix Corley, "AZERBAIJAN: Fined for home religious meetings, picnic", Forum 18, 6th July 2017, [http://www.forum18.org/archive.php?article\\_id=2294](http://www.forum18.org/archive.php?article_id=2294), (accessed 13th May 2018).

[16] *ibid.*

[17] *ibid.*

[18] *ibid.*

[19] *ibid.* ACN – Aid to the

[20] "Azerbaijan Court Compensates Irina Zakharchenko and Valida Jabrayilova", Jehovah's Witnesses, 13th December 2017, <https://www.jw.org/en/news/legal/by-region/azerbaijan/baku-court-compensation-for-two-jehovahs-witnesses/>, (accessed 15th May 2018).

[21] Bureau of Democracy, Human Rights and Labor, op cit.

[22] Felix Corley, "AZERBAIJAN: Mosques ordered to close for 'repairs'", Forum 18, 27th July 2016, [http://www.forum18.org/archive.php?article\\_id=2202](http://www.forum18.org/archive.php?article_id=2202), (accessed 15th May 2018).

- [23] Felix Corley, "AZERBAIJAN: Police, officials close Sunni home mosques", Forum 18, 20th September 2016, [http://www.forum18.org/archive.php?article\\_id=2216](http://www.forum18.org/archive.php?article_id=2216), (accessed 15th May 2018).
- [24] "Azerbaijan", Nations in Transit 2018, Freedom House, <https://freedomhouse.org/report/nations-transit/2018/azerbaijan>, (accessed 19th May 2018).
- [25] "Azerbaijan Prosecutor's Office Opens criminal case against Gulen supporters", Sputnik News, 15th August 2016, <https://sputniknews.com/world/201608151044294326-azerbaijan-turkey-gulen/>, (accessed 17th May 2018).
- [26] "Opposition Newspaper Executive released from prison in Azerbaijan", Radio Free Europe/Radio Liberty, 15th September 2017, <https://www.rferl.org/a/azerbaijan-opposition-newspaper-executive-released-a-mirli/28737481.html>, (accessed 18th May 2018).
- [27] "Gulen-supporting prorector fired from Azeri university", Interfax, 25th August 2016, <http://www.interfax-religion.com/?act=news&div=13206>, (accessed 16th May 2018).
- [28] Mike Runey, "Azerbaijan: Show Trial Ends with Harsh Sentences for Islamic Activists", Eurasianet, 26th January 2017, <https://eurasianet.org/s/azerbaijan-show-trial-ends-with-harsh-sentences-for-islamic-activists>, (accessed 17th May 2018).
- [29] Liz Fuller, "Has Azerbaijan turned a Corner?", Radio Free Europe/Radio Liberty, 18th September 2017, <https://www.rferl.org/a/caucasus-report-has-azerbaijan-turned-a-corner/28742921.html>, (accessed 16th May 2018).
- [30] Felix Corley, AZERBAIJAN: Extra prison term for Koran micro-discs, Forum 18, 16th February 2018, [http://www.forum18.org/archive.php?article\\_id=2353](http://www.forum18.org/archive.php?article_id=2353), (accessed 18th May 2018).
- [31] Aliyev deems social justice to be best protection from religious radicalism, Interfax, 21st June 2017, <http://www.interfax-religion.com/?act=news&div=13874>, (accessed 17th May 2018).
- [32] Azerbaijan jails 7 who joined militants in Syria, Iraq, Fox News, 16th November 2016, <http://www.fox-news.com/world/2016/11/16/azerbaijan-jails-7-who-joined-militants-in-syria-iraq.html>, (accessed 16th May 2018).
- [33] Azerbaijan revokes citizenship of 58 people involved in terrorism abroad, APA, 16th January 2017, <http://en.apa.az/azerbaijani-news/social-news/azerbaijan-revokes-citizenship-of-58-people-involved-in-terrorism-abroad.html>, (accessed 15th May 2018).
- [34] UN Expert: Azerbaijan's Civil Society Facing 'Worst Situation' In 25 Years, Radio Free Europe/Radio Liberty, 23rd September 2016, <https://www.rferl.org/a/azerbaijan-un-rights-expert-civil-society-worst-situation-25-years/28008014.html>, (accessed 14th May 2018).