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AZERBAIJAN 2022 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution stipulates the separation of religion and state and the equality of all religions before the law. It also protects the right of individuals to express their religious beliefs and to practice religious rituals, provided these do not violate public order or public morality. The law prohibits the government from interfering in religious activities; it also states the government and citizens have a responsibility to combat “religious extremism” and “radicalism.” The law specifies the government may dissolve religious organizations if they cause racial, national, religious, or social animosity; proselytize in a way that “degrades human dignity;” or hinder secular education. In March, amendments to the religious freedom law came into effect that transferred responsibility for appointing and reappointing religious personnel in all mosques from the state-controlled Caucasian Muslim Board (CMB) to the State Committee on Religious Associations of the Republic of Azerbaijan (SCWRA). The government also has authority to approve the appointment of religious figures in non-Islamic religious communities.

Local human rights groups and others said the government continued to physically abuse, temporarily hold incommunicado, arrest, and imprison religious activists, and that many arrests and convictions of religious figures, including on drug possession charges, were politically motivated. During the year, the European Court of Human Rights (ECHR) found the government violated individual freedom of religion or belief in two judgments involving seven individuals, including one case involving arrests of Jehovah’s Witnesses meeting for prayer in a private home. A human rights nongovernmental organization (NGO) said that as of year’s end, 22 individuals remained imprisoned for their religious beliefs or practices. On September 16, the court extended until March 2023 the pretrial detention of Iranian-trained Shia imam Sardar Babayev, who faced treason charges. Human rights activists said the government’s prosecution was motivated by Babayev’s religious activities.

Authorities continued to initiate legal action against individuals associated with the unregistered Muslim Unity Movement (MUM), which the government characterized as an extremist group and accused of receiving funding from Iran. MUM members continued to report authorities physically abused them while in custody. One MUM member reported authorities raped him, then held him in administrative detention (detention for a nonviolent offense) for

15 days. Some civil society activists and human rights advocates considered the incarceration of MUM members politically motivated. Officials stated the government was not considering providing alternative service for conscientious objectors, as stipulated in the constitution. Authorities continued to imprison Jehovah's Witnesses for refusing compulsory military service, despite their willingness to perform alternative service.

At year's end, the SCWRA had registered 12 new religious communities, all of which were Muslim. The government described the March amendments to the religious freedom law giving the SCWRA authority to appoint and reappoint religious personnel as necessary to protect against foreign influence and prevent terrorism. Civil society organizations said the changes further impinged on the free exercise of religion and violated the constitutional separation of religion and state. The Norwegian-based international religious freedom NGO Forum 18 reported the SCWRA fired Imam Mirseymur Aliyev for holding end-of-Ramadan (Eid al-Fitr) prayers on May 3 instead of the government-approved date of May 2. The SCWRA said Aliyev voluntarily resigned. NGOs said the government fined Muslims who met in private homes for group prayer without permission.

Local experts on religious affairs, religious leaders, and civil society representatives said the general public continued to show tolerance of, and in some cases financially supported, minority religious groups they viewed as "traditional" (i.e., those considered historically present in the country), including Jews, Russian Orthodox, and Catholics. According to the same sources, some individuals viewed religious groups that had less of a historical presence in the country with suspicion and mistrust.

The U.S. Ambassador, Chargé d'Affaires (Chargé), and other U.S. embassy officers engaged government officials to advocate the release of individuals that civil society groups said were imprisoned for their religious beliefs. The Ambassador, the Chargé, and embassy officers urged government officials to address longstanding problems involving the registration process for smaller religious communities and to implement a civilian alternative to military service for conscientious objectors, as stipulated in the constitution. The Ambassador advocated at the highest levels of government for the protection of religious and cultural sites in the territories returned to Azerbaijani control after the 2020 fighting. The Ambassador and other embassy officers met regularly with representatives of registered and unregistered religious groups and civil society to discuss religious freedom in the country. Embassy officers

also had consultations with religious leaders and scholars regarding the March changes to the religious freedom law and its related regulations and how these could affect free exercise of religion.

Section I. Religious Demography

The U.S. government estimates the total population at 10.4 million (midyear 2022). According to 2011 SCWRA data (the most recent available), 96 percent of the population is Muslim, of which approximately 65 percent is Shia and 35 percent Sunni. Groups that together constitute the remaining 4 percent of the population include the Russian Orthodox Church; Georgian Orthodox Church; Armenian Apostolic Church; Seventh-day Adventists; Molokan Church; Roman Catholic Church; other Christians, including evangelical churches, Baptists, and Jehovah's Witnesses; Jews; and Baha'is. Ethnic Azerbaijanis are mainly Muslims, and non-Muslims are mainly Russians, Georgians, Armenians, and other national minorities. Other groups include the International Society of Krishna Consciousness (ISKCON) and those professing no religion.

Christians live mainly in Baku and other urban areas. A 2020 Stanford University and Hebrew University of Jerusalem study estimated there were 7,200 to 20,000 Jews, while Jewish community leaders estimate the number to be 15,000 to 20,000.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution stipulates the separation of religion and state and the equality of all religions and all individuals regardless of belief. It protects freedom of religion, including the right of individuals to profess, individually or together with others, any religion, or to profess no religion, and to express and spread religious beliefs. It also provides for the freedom to carry out religious rituals, provided they do not violate public order or public morality. The constitution states no one may be required to profess his or her religious beliefs or be persecuted for them; the law prohibits forced expressions or demonstrations of religious faith.

The religious freedom law and its amendments require religious organizations – termed “associations” in the country’s legal code and encompassing religious groups, communities, and individual congregations of a denomination – to

register with the government through the SCWRA. The SCWRA manages the registration process and may appeal to the courts to suspend a religious group's activities. A religious community's registration is tied to the physical site where the community is located, as stated in its application. A subsequent move or expansion to other locations requires reregistration. Registration allows a religious organization to hold meetings, maintain a bank account, rent property, act as a legal entity, and receive funds from the government.

To register, a religious organization must submit to the SCWRA a notarized application signed by at least 50 of its members, a charter and founding documents, the names of the organization's founders, and the organization's legal address and bank information. The law requires the application to include information on the citizenship, place of residence, date of birth, and religious education, as well as copies of identity documents, of each of the 50 members. The application must include information on the history of the community; the forms and methods of its activities and traditions; its doctrine's approach towards family, marriage, and education; and restrictions the community self-imposes on the rights and responsibilities of its members.

By law, the government must rule on a registration application within 30 days, but there are no specified consequences if the government fails to act by the deadline. Authorities may deny registration of a religious organization if its actions, goals, or religious doctrine contradict the constitution or other laws. Authorities may also deny registration if an organization's charter or other establishment documents contradict the law or if the information provided is false. Religious groups may appeal registration denials to the courts.

The CMB is registered by the SCWRA as a foundation. It periodically monitors sermons and oversees other activities of registered Islamic organizations, including the training of clerics to lead Islamic worship, sermons and organizing of pilgrimages to Mecca. Muslim communities must receive an approval letter from the CMB before submitting a registration application to the SCWRA.

In March, new amendments to the religious freedom law came into force by presidential decree. The amendments changed responsibility for appointing religious leaders in all mosques in the country from the CMB to the SCWRA. On April 22, the collegium of the SCWRA approved rules for "appointment, attestation [recertification], and dismissal of clergy to the places of worship and shrines of the Islamic religion." According to the new regulations, the SCWRA Appointment Commission organizes interviews for clerics applying for

positions as imam, deputy imam, executor of religious rites, including the muezzin, and executor of women's religious rites. Preexisting regulations state only these four positions are allowed to preach sermons at mosques. The appointment commission consists of seven members, including representatives of the Azerbaijan Institute of Theology (AIT) and the Spiritual Values Promotional Foundation, and is chaired by the SCWRA deputy chairman. The results of each interview are posted on the SCWRA's website within five working days. According to the new rule, the successful candidate receives an appointment to the designated place of worship within 30 working days after the end of the interview, by order of the committee chairman. Candidates who successfully pass the interview but are not appointed to a vacant position are kept as reserve staff for the subsequent two years.

Imams must pass attestation (recertification) examinations every five years. Under the new regulations, the deputy chairman of the SCWRA chairs a nine-member commission, composed of representatives of the SCWRA, CMB, AIT, and the Spiritual Values Promotional Foundation, that reappoints imams, a function the CMB previously performed. The chairman of the SCWRA approves the attestation of commission members, including the commission's chairman and secretary. Under the new regulations, the chair of the SCWRA may dismiss an imam for, among other reasons, "violations of standards of morality or ethics" or "helping or having obligations to foreign states, organizations, or individuals."

The SCWRA is the sole body overseeing Islamic educational establishments, approving the content of religious literature read during meetings at mosques as well as the text of sermons, and sanctioning the building or renovation of places of worship. The SCWRA also enforces observance of dates that the CMB chooses for mosques to celebrate major religious festivals and has the right to dismiss imams who gather for festivals on different days from those officially approved.

The law bans activities by unregistered religious groups, punishable by fines or imprisonment.

While the law prohibits government interference in the religious activities of any registered group or member of a registered group, there are exceptions for suspected extremist or other illegal activity. The law states government entities and citizens have rights and responsibilities to combat "religious extremism" and "radicalism." The law defines religious extremism as behavior

motivated by religious hatred, religious radicalism (described as believing in the exceptionalism of one's religious beliefs), or religious fanaticism (described as believing no one outside of one's religious group may criticize that group). According to the law, this behavior includes forcing a person to belong to any specific religion or to participate in specific religious rituals. It also includes activities seeking to change by force the constitutional structure of the country's government, including its secular nature; setting up or participating in illegal armed groups or unions; and engaging in terrorist activities. The law penalizes actions that intend to change the constitutional order or violate the territorial integrity of the country on the grounds of religious hatred, radicalism, or fanaticism, with prison terms ranging from 15 years to life.

The law specifies circumstances under which registered religious organizations may be dissolved, including if they act contrary to their founding objectives; cause racial, national, religious, or social animosity; or proselytize in a way that degrades human dignity or contradicts recognized principles of humanity such as "love for mankind, philanthropy, and kindness." Other grounds for dissolution include hindering secular education or inducing members or other individuals to cede their property to the organization.

The law provides for some, but not all, registered religious groups to establish "religious centers" (headquarters) in the country. The law provides the government authority to approve the appointment of religious figures in non-Islamic religious communities. The law also forbids individuals from forcing children to practice religion; disallows religious leaders from engaging in religious activities when employed by the state; requires religious centers to coordinate with the government when opening religious education institutions; restricts religious ceremonies (with exceptions) to places of worship; requires believers to inform the government about travel to foreign countries to visit religious sites; requires religious communities to suspend activity when they lose a religious leader until a new one is appointed; and allows military service members to worship in their spare time, except during combat operations.

Smaller communities without a religious center are not allowed to apply for permission to have foreign citizens as religious leaders; establish religious educational establishments; organize visits by their adherents to shrines and religious locations abroad, or exercise other rights that are attributed only to religious centers. Mass religious worship, rites, and ceremonies (with some exceptions) may be held only in places of worship and shrines. SCWRA

permission is required to hold religious “mass events” anywhere other than at state-approved places of worship or shrines.

Rituals and ceremonies related to Islam may be performed only by citizens of the country, but the law prohibits citizens who received Islamic education abroad from leading religious ceremonies unless they obtain special permission from the CMB and the SCWRA. Penalties for violating the law include up to one year’s imprisonment or fines from 1,000 to 5,000 manat (\$590-\$2,950). The law allows foreigners invited by non-Islamic registered religious groups to conduct religious services. A longstanding agreement between the government and the Holy See allows foreigners to lead Catholic rituals.

The law restricts the use of religious symbols and slogans to inside places of worship.

According to the law, the SCWRA reviews and approves all religious literature for content, legal importation, sale, and distribution. Punishments are proscribed by law for the production, sale, and distribution of religious literature (on paper and electronic devices), audio and video materials, religious items, and other informational materials of a religious nature without appropriate authorization. Punishments for first-time offenders include a fine of between 5,000 and 7,000 manat (\$2,950-\$4,130), up to two years’ restricted freedom (probation), or up to two years’ imprisonment. Violations by a group of individuals “according to a prior conspiracy,” an organized group, an individual for a second time, or an official carry a fine of between 7,000 and 9,000 manat (\$4,130-\$5,310), between two and five years’ restricted freedom, or a maximum of five years of imprisonment.

There is no religious component in the curriculum of public or private elementary or high schools; however, students may obtain after-school religious instruction at registered institutions. The Administrative Code prohibits clergy and members of religious associations from holding “special” group meetings for children and young people or forcing children to practice religion. The religious freedom law provides that religious education of children “should not have a negative impact on their physical and mental health.”

Students may study religion at higher educational institutions, such as the AIT, and the CMB sponsors some religious training abroad. The law prohibits

individuals who pursue foreign government-supported or privately funded religious education abroad without government permission from holding official religious positions, preaching, or leading sermons after returning to the country.

Although the constitution allows alternative service “in some cases” when military service conflicts with personal beliefs, there is no legislation permitting alternative service, including on religious grounds. Refusal to perform military service is punishable under the criminal code by imprisonment of up to two years or forced conscription.

The law stipulates the government may revoke the citizenship of individuals who participate in terrorist acts; engage in religious extremist actions; undergo military training abroad under the guise of receiving religious education; propagate religious doctrines in a “hostile” manner, which the law does not further define; or participate in religious conflicts in a foreign country under the guise of performing religious rituals.

According to the constitution, the law may restrict the participation of “religious officials” in elections and bars them from election to parliament. The law does not define “religious officials.” The law prohibits religious leaders from simultaneously serving in any public office and in a position of religious leadership. It proscribes the use of religious facilities for political purposes. By law, political parties may not engage in religious activity.

The constitution prohibits “spreading propaganda of religions humiliating people’s dignity and contradicting the principles of humanism,” as well as “propaganda” inciting religious animosity. The law also prohibits threats against, or expressions of contempt for, persons based on religious belief.

The law prohibits proselytizing by foreigners but does not prohibit citizens from doing so. In cases of proselytization by foreigners or stateless persons, the law sets a punishment of one to two years in prison.

The law prohibits the use of headscarves in passport photos.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

Local human rights groups and others said the government continued to physically abuse, temporarily hold incommunicado, arrest, and imprison religious activists.

According to Forum 18, on September 16, the court extended the pretrial detention of Shia Imam Sardar Babayev until March 2023. The government in October 2021 charged Babayev, who received religious education in Iran, with “high treason” for allegedly cooperating with Iranian intelligence services. Babayev had previously served a three-year prison sentence from 2017 to 2020 for leading worship services after having studied abroad. Human rights defenders and lawyers familiar with the case said the treason charges were fabricated and politically motivated. Exiled human rights advocate and analyst on Islam in the country Arif Yunus told Forum 18, “No one believes Sardar Babayev is an Iranian spy. He [was] the last respected Shia theologian qualified to issue fatwas [religious rulings] who was not already in prison.” At year’s end, Babayev had three separate appeals pending with the ECHR, two based on his 2017 conviction and one stemming from his 2021 arrest on treason charges.

NGOs reported authorities continued temporarily holding incommunicado and taking legal action against individuals associated with the unregistered group MUM. Authorities maintained the movement mixed religious and political ideology and said they were concerned about its ties to Iran. As in prior years, human rights advocates and other civil society activists characterized the charges as baseless and designed to preclude political activity.

According to media reports, in May, authorities arrested MUM member Elgiz Mammadov together with four other MUM members while they were protesting outside a court hearing for MUM member Razi Abbasov. Mammadov told journalist Sevinj Osmangizi that police raped him in an unknown location before taking him to jail. Authorities released him on June 19 following a 30-day administrative detention.

Human rights NGOs and others said prosecutions of religious activists on charges of drug possession were often politically motivated. The online news site *Caucasian Knot* reported that on May 20, the Baku Court of Grave Crimes sentenced MUM member Razi Gumbatov to six years in prison for large-scale drug trafficking. According to his lawyer, the accusations against Gumbatov were false, and the Union for the Freedom for Political Prisoners of Azerbaijan

recognized Gumbatov as a political prisoner. MUM members said authorities targeted him for his social media posts criticizing government officials. The NGO Defense Line issued a statement saying authorities denied Gumbatov access to his relatives and that he was unable to hire a lawyer of his choice. According to Defense Line, authorities physically abused Gumbatov during his detention.

Forum 18 reported that on May 20 police detained five religious activists demonstrating outside the court during Gumbatov's trial. Authorities sentenced three of them to 30 days' administrative detention on charges of hooliganism and refusing to obey law enforcement. The two other detained activists, Suleyman Alakbarov and Mail Karimli, said authorities in the Main Department on Combatting Organized Crime systematically physically abused them before releasing them the same day. Karimli said police officers put a bag over his head and beat him. Alakbarov said officers threw him to the floor and beat him. Both said the officers "insulted Allah" and forced them to promise on video that they would no longer attend court hearings. On May 24, a spokesman for the Ministry of Internal Affairs denied claims of physical abuse and torture as "unfounded" and said the individuals had not complied with police orders. MUM leader Taleh Bagirov (also known as Tale Bagirzade), imprisoned since 2017, began a hunger strike in response to the alleged torture of the activists on June 3 and claimed police officers had "insulted Allah" by abusing them. Eleven other imprisoned MUM members joined the hunger strike. Bagirov ended his hunger strike on June 23 due to deteriorating health, at which point the other members also ended their hunger strikes.

As of year's end, the NGO Union for Freedom of Political Prisoners of Azerbaijan identified 22 individuals as "peaceful believers," those whom the NGO considered to be imprisoned for their religious practices or beliefs, compared with 21 in 2021 and 41 to 48 in 2020. They included MUM leader Bagirov and five other members of MUM detained in 2015, all receiving long-term prison sentences on charges of preparation of terrorism, criminal organization, and weapons use, and six other MUM members arrested between 2015 to 2022 on drug related charges as well as Islamic Party of Azerbaijan leader Movsum Samadov.

According to human rights defenders, the decrease in the number of those defined by human rights groups as "peaceful believers" in detention from 2020 to 2022 (i.e., from 41 to 48 in 2020 to 22 in 2022) was largely due to a presidential decree adopted on May 27 that pardoned 27 political prisoners,

including 20 individuals convicted in 2018 in the aftermath of an assault on Ganja executive committee head Elmar Valiyev. Police at the time killed five individuals and detained 77 others in Ganja, Shamkir, Sumgait, and Baku in the wake of the assault. The government said the convicted individuals were part of a Shia “extremist conspiracy” to destabilize the country. Civil society activists and human rights advocates considered a majority of the verdicts to be politically motivated. At the end of the year, 27 individuals remained in prison related to the Ganja case, compared to 47 in 2021.

Voice of America reported that on September 30, authorities released Islamic scholar and activist Abgul Suleymanov after he served an 11-year prison sentence for inciting racial, social, and religious enmity through the use of violence, violating public order, and large-scale illegal possession of drugs and firearms. During his trial, Suleymanov said his arrest was a result of his activities to promote Ashura events.

The NGO Institute for Reporters’ Freedom and Safety said that in June, a court sentenced Fargan Mammadov to six years in prison for large-scale drug trafficking. Authorities detained Mammadov in September 2021 while he was transporting shirts bearing religious slogans to an Ashura ceremony in Ganja. During his trial, Mammadov said that while in police custody, police forced him to the ground, kicked him, and administered electric shocks. Arif Jafarov, whom police arrested with Mammadov, was sentenced to two years in prison on drug charges. According to human rights activists, Mammadov had previously helped families of defendants in the Ganja case. Activists said his arrest and conviction appeared politically motivated.

The NGO Institute for Peace and Democracy (IPD) said that on March 3, authorities in Barda detained MUM member Elshan Abbasov on illegal drug and weapons possession charges, and subsequently sentenced him to 29 months in prison. IPD said the court’s verdict was “illegal and unjustified,” and that authorities targeted him “for defending the rights of believers.”

According to media reports, on June 18, police in Baku detained three MUM members for writing on a wall, “Punish those who insult Allah.” On June 22, authorities held MUM member Rashad Aliyev in administrative detention for 15 days for writing similar graffiti in the Jalilabad region.

Meydan.tv reported that on July 20, authorities arrested MUM member Mahir Azimov and musician Vugar Rasul on drug charges. According to the media

outlet, the drug charges were a pretext; the arrests came after Rasul publicly played the song “Salam Farmandeh” (Farsi for “Hello Commander”), an Iranian religious and military song expressing devotion to Iranian Supreme Leader Ali Khamenei and referencing former Iranian Revolutionary Guard Corps general Qassim Soleimani that, according to the media outlet, is popular in some parts of Azerbaijan. A court ordered Rasul held in pretrial detention and Azimov held under house arrest. Azimov said police officers physically abused him following his arrest and demanded he leave MUM.

In July, a supporter posted to YouTube a video in which Shahla Farajova said authorities detained her on July 30 after she or a family member painted on the wall outside her home the phrase, “Ya Hussein,” invoking one of the Prophet Muhammad’s grandsons, Hussein ibn Ali, who is revered by Shia Muslims. Police officers painted over the slogan after Farajova refused to remove the writing and released her several hours after her detention. Farajova said police also insulted her and tore her veil.

Forum 18 reported that on May 5, the ECHR accepted the government’s admission that it had violated the rights of four Jehovah’s Witnesses members during a police raid on a religious meeting in the private home of Yegana Gahramanova in Ganja in 2011. The government declared it had violated the individuals’ rights under the European Convention on Human Rights and compensated the four individuals €3,000 (\$3,200) each. The Jehovah’s Witnesses objected to the government’s unilateral declaration, saying the government needed to address why the violations had occurred.

According to Forum 18, on June 23, a court order released Shia Muslim theologian Elshan Mustafayev, whom civil society activists considered a prisoner of conscience, after he served seven-and-a-half years of his 10-year sentence on treason charges. Mustafayev had previously worked for the CMB and presented programs about religion on television. The then Ministry of National Security police arrested him in 2014 on charges of spying for Iran.

The government again did not implement a civilian alternative to mandatory military service for conscientious objectors, despite the inclusion of this provision in the constitution. During the year, representatives from the Presidential Administration and SCWRA stated alternative service was not under discussion, despite the government’s pledge to adopt such a law. The country pledged in 2001, upon its accession to the Council of Europe, “to adopt, within two years of accession, a law on alternative service in

compliance with European standards and, in the meantime, to pardon all conscientious objectors presently serving prison terms or serving in disciplinary battalions, allowing them instead to choose when the law on alternative service comes into force to perform non-armed military service or alternative civilian service.”

Forum 18 reported that on September 22, a court in Goranboy District sentenced Jehovah’s Witness Seymur Mammadov to nine months in prison for refusing compulsory service on conscience grounds, despite his expression of readiness to perform alternative service. Jehovah’s Witnesses representatives told Forum 18 they were surprised at the court ruling, given that in 2021, the ECHR ordered the government to pay compensation to two Jehovah’s Witness conscientious objectors who the ECHR determined had been wrongfully convicted on the same charges. After Mammadov spent 12 weeks in prison, an appeals court modified his sentence in December to one-year suspended and released him that day. Forum 18 reported that on July 25, two days after his 18th birthday, police detained Jehovah’s Witness Royal Karimov and handed him over to a military unit in Ganja despite his telling conscription officials in Gadabay District and the police that he could not perform military service on grounds of conscience but was ready to perform civilian alternative service. Authorities released Karimov from the military unit in Ganja on November 1.

At year’s end, the SCWRA registered 12 new religious communities (all of which were Muslim), compared with 16 religious communities registered in 2021 (all of which were also Muslim). According to the SCWRA, there were in total 993 registered communities at the end of the year, of which 956 were Muslim and 37 – 26 Christian, eight Jewish, two Baha’i, and one ISKCON – non-Muslim. The SCWRA said 2,253 mosques, 16 churches, seven synagogues, and 10 religious education institutions were registered. There were 26 Christian prayer houses (worship spaces that did not have the status of a church), two Baha’i houses of worship, and one ISKCON house of worship in the country at year’s end.

Jehovah’s Witnesses remained registered only in Baku. Regional branches of Baptists and Jehovah’s Witnesses stated they were unable to obtain legal registration, although they stated they were able to worship openly in other areas despite being unregistered. Local sources reported that on November 10, authorities agreed to pay the ECHR’s ordered compensation of 5,500 EUR (\$5,900) to three Jehovah’s Witnesses for rejecting the community’s re-

registration application in 2010 and violating the members' freedom of association.

According to the Ministry of Justice, the government registered the NGO Religion and Women's Rights and paid associated fines, as per a 2021 ECHR judgement that found in favor of the NGO's founders, Afruza Maharramova and Sadaya Huseynova. The ministry in 2011 and 2012 had rejected the NGO's application for registration, citing what it said were irregularities in the documentation. Religion and Women's Rights challenged the denial through the domestic courts, finally losing in the Supreme Court in 2013, after which Maharramova and Huseynova filed a case with the ECHR in 2014.

The SCWRA said it continued to provide letters authorizing previously registered communities to operate, based on their pre-2009 registrations. While the SCWRA maintained its prohibition on these communities' religious activities in locations not covered under their pre-2009 registration status, it granted exceptions upon request.

The government allowed small religious communities to band together under one organization's umbrella, even if they were based in different cities, which facilitated successful registration in at least one case. The SCWRA gave the Christian group Baku International Fellowship (BIF), a Germany-based Protestant church, permission to register under the umbrella of the German Lutheran Church, following years of BIF's inability to register independently due to its foreign leadership.

Some Protestant and home-based church leaders stated their inability to obtain legal registration forced them to keep their activities quiet for fear of repercussions from the government. Some unregistered nondenominational Christians said they were able to hold large events without government intervention.

The government continued to allocate funds to "traditional" religious groups. On April 18, President Aliyev signed a decree allocating one million manat (\$588,000) to the CMB for Muslim communities (compared with two million manat (\$1.1 million) in 2021); The government also allocated 350,000 manat (\$206,000) each to the Baku and Azerbaijan Diocese of the Russian Orthodox Church; the religious community of Mountain Jews; the European Jewish community (Ashkenazi); the Apostolic Prefecture of the Catholic Church of Baku; the Albanian-Udi Christian community; and the Moral Values Promotion

Foundation. The Moral Values Promotion Foundation used the funds to support some smaller, non-Muslim religious communities.

On March 11, President Aliyev signed amendments to the religious freedom law that changed responsibility for appointing and reappointing religious leaders in all mosques in the country from the CMB to the SCWRA. The government stated the amendments were necessary to protect against foreign influence and prevent terrorism. Civil society groups said the changes gave the SCWRA excessive control over religious groups; human rights lawyer Asabali Mustafayev told Forum 18 the amendments violated the constitutional provision of separation of religion and state. Human rights groups criticized the amendments as lacking transparency and increasing restrictions on the exercise of freedom of religion or belief.

On April 22, the SCWRA approved new regulations implementing the March amendments. The new regulations required that any Muslim cleric have “a higher [education] and secondary special religious education [and be] professionally engaged in Islamic activities.” The four specified clerical roles subject to these requirements were imam; deputy imam; executor of religious rites, including the muezzin; and any individual the imam delegated to perform religious rites for women. According to preexisting regulations, only individuals in these four roles were allowed to preach sermons at mosques. In May, SCWRA Deputy Chairman Gunduz Ismayilov announced that the Collegium of the SCWRA appointed him to chair the SCWRA’s Appointment Commission.

By a December 2021 presidential decree, the government allocated 5.7 million manat (approximately \$3.3 million) to the SCWRA for its activities in 2022.

According to Forum 18, in May, the SCWRA fired Imam Mirseymur Aliyev of Neftchala City for holding end of Ramadan (Eid al-Fitr) prayers on May 3 instead of on the government-approved date of May 2. The SCWRA representative for the Shirvan Region (which includes Neftchala city) told Forum 18, “No one forced him to leave ... he said he couldn’t fulfill his obligations. I simply accepted the resignation letters that he himself submitted.” An SCWRA official stated the SCWRA had removed other imams since taking over appointment and dismissal responsibilities from the CMB in April. An official told Forum 18 that the committee was likely to remove imams under this authority in the future.

Forum 18 reported that during the year, authorities fined at least 20 individuals for conducting group worship at home without state permission. For example, in October, authorities in the town of Guba raided one home, seized religious literature, and fined Elnur Efendiyev and 10 other Muslim men for gathering for Friday prayers without permission. In September, authorities fined Elnur Aliyev for gathering worshippers in his home in Oghuz. Fines were generally assessed at 1,500 manats (\$890), approximately two months' average wages. Forum 18 noted that "for people in rural areas, those without a formal job, or pensioners, such fines represent a far heavier financial burden."

On November 1, the UN Human Rights Committee found authorities violated the rights of six members of Jehovah's Witnesses whom they arrested during a 2015 raid of worshippers at a private home. At the time of the arrests, five of the individuals received a warning and the government deported the sixth, a Georgian citizen.

In December, Forum 18 reported that a court in Baku fined Shia Muslim Shola Jafarova 1,500 manat (\$890) for holding a religious gathering with children during the holy month of Muharram in July, organizing the children to sing a song called *Salam Ya Mahdi* and posting the video of them singing on social media. *Salam Ya Mahdi* ("Hello Oh Mahdi") is the Arabic version of the Iranian song, *Salam Farmandeh* ("Hello Commander"). The song was rewritten in Arabic with lyrics expressing devotion to Muhammad al-Mahdi (the Hidden Imam), a ninth-century Shia cleric and messianic figure.

In a separate December case, Forum 18 reported the Goychay District Court fined Shia Muslim Samira Jafarova 1,500 manat (\$890) because on August 28, at the end of Muharram, she organized 15 children to sing a song mourning Imam Hussein ibn Ali and uploaded the video to social media. Jafarova appealed, stating all the parents had consented to their children's participation and the activity had not "negatively affected the rules of social morality, or the physical and mental health and education of the participants." The Sheki Appeals Court upheld the fine.

Azerbaijanis continued to be unable to visit many mosques and religious sites due to mine contamination in areas returned to Azerbaijani control in 2020.

Some Christian communities again said the SCWRA continued to maintain contact with them and worked to create more favorable conditions for their

activities. For example, members of the Jehovah's Witnesses community said the SCWRA aided with administrative and legal issues.

The government continued to control the importation, distribution, and sale of religious materials. Some smaller non-Muslim communities reported no difficulty in importing religious literature and described continuing improvement in relations with the government in this regard.

According to Forum 18, during the year, the government did not act on recommendations made in 2021 by the United Nations Human Rights Commission to amend the laws to allow possessing religious literature and holding peaceful religious services in private homes. The recommendations stemmed from a commission finding that the government in 2013 violated the rights of six Jehovah's Witnesses by convicting and fining them for possessing religious literature and holding services in a private home.

In September, Cornell University's Caucasus Heritage Watch (CHW) released a study based on satellite imagery taken during the year that indicated that 108 (98 percent) of medieval and early modern Armenian monasteries, churches, and cemeteries located in the country's autonomous Nakhchivan region and still extant at the end of the Soviet period had been destroyed between 1997 and 2011. Several of these cultural sites, such as the St. Tovma Monastery, were replaced with mosques or other civic buildings. CHW said, "These findings provide, for the first time, conclusive forensic evidence that silent and systematic cultural erasure has been a feature of Azerbaijan's domestic ethnic policies."

In October, CHW released a follow up report that said sometime between March and July, the 18th-19th century Armenian Church of St. Sargis in the village of Susanlyg/Mokhrenes was destroyed. According to CHW, the destruction of St. Sargis "represents the first major violation of a ruling issued by the International Court of Justice in December 2021 calling on Azerbaijan to prevent such abuses." CHW said destruction of the church was not linked to road construction but appeared to be "an indiscriminate act" and that "should we see an increase in such activities, it could threaten a wide range of heritage sites in the region, including not only Armenian churches and cemeteries but also Islamic and Azerbaijani places of memory, worship, and history."

On February 3, press outlets reported Minister of Culture Anar Karimov stated he had established a working group to remove "fictitious traces written by

Armenians on (Caucasian) Albanian religious temples.” A February 7 statement from the ministry stated the Minister was misquoted and that any “falsifications” to monuments found by the working group would not be removed but only presented to the international community.

During the year, the Ministry of Culture said it had included all Christian monuments in the newly returned territories in and around the Nagorno-Karabakh region on the list of monuments of national importance and supported the state-run campaign to restore religious heritage sites in the area.

According to the SCWRA, there were 403 historical and religious monuments in Nagorno-Karabakh and adjacent regions prior to its falling under Armenian control. The list included 67 mosques, 139 temples, and 192 sanctuaries. The SCWRA said that among the 67 mosques (13 in Shusha, five in Aghdam, 16 in Fuzuli, 12 in Zangilan, five in Jabrayil, eight in Gubadli, and eight in Lachin), 63 were completely destroyed, and four were partially destroyed and rendered unusable. On September 24, Foreign Minister Jeyhun Bayramov said in a speech to the UN General Assembly, “For decades, Azerbaijan has called on Armenia to support an independent, transparent UNESCO mission to assess and advise on the protection and preservation of cultural heritage in the region. Although Armenian occupation of Azerbaijan’s territory ended in 2020, a UNESCO mission has yet to arrive, and I once again publicly call for such a mission.”

On January 6, President Aliyev extended Christmas greetings to the country’s Orthodox Christian community and stated religious tolerance was a goal of state policy. On September 22, Aliyev congratulated the Jewish community on the occasion of Rosh Hashanah and emphasized mutual respect and trust between different peoples and religions.

On February 4, SCWRA Deputy Chairman Ismayilov told local media state appointment of clerics did not imply the state had a religious nature. Ismayilov said, “It is true that according to our constitution, religion is separate from the state and Azerbaijan is a secular state; however, the appointment of a cleric by a state body does not contradict the principles of secularism.”

Section III. Status of Societal Respect for Religious Freedom

Local experts on religious affairs, religious leaders, and civil society representatives said citizens and civil society organizations continued to tolerate and, in some cases, financially support “traditional” religious minority groups, such as Jews, Russian Orthodox, and Catholics. These sources also said that some individuals viewed groups with less of a historical presence in the country, such as Baptists and Jehovah’s Witnesses, with suspicion and mistrust.

Section IV. U.S. Government Policy and Engagement

The Ambassador, the Chargé, and other embassy officers engaged government officials to advocate the release of individuals that NGOs said were imprisoned for their religious beliefs. The Ambassador, the Chargé, and other embassy officers also continued to press the government to implement a civilian alternative to military service for conscientious objectors, as stipulated in the constitution. They met with SCWRA officials to urge resolution of longstanding problems in the registration process for smaller religious groups and other obstacles faced by religious minorities. Embassy officers discussed with government policymakers at multiple levels the March changes to the religious freedom law and its related regulations, including how these might affect free exercise of religion. The Ambassador advocated at the highest levels of government for the protection of religious and cultural sites in the newly returned territories. The Ambassador consistently underscored to the Presidential Administration and the Ministry of Foreign Affairs the importance of granting UNESCO representatives and international journalists unimpeded access to religious and cultural sites.

The Ambassador, the Chargé, and other embassy officers continued to meet regularly with leaders of registered and unregistered religious groups – including representatives of the three Jewish communities, leaders of both long-established and unregistered Christian faiths, leading human rights lawyers, and representatives of civil society who monitor religious freedom – to discuss issues related to religious freedom, a civilian alternative to military service, and relations with the SCWRA. Embassy officers also had multiple consultations with a wide spectrum of religious leaders, legal rights experts, and independent religious scholars regarding the March changes to the religious freedom law and its potential impact on free exercise of religion.

The embassy featured religious diversity and support for the freedom of religion in public remarks and social media engagements, as well as through public diplomacy programs. On May 23, the Ambassador and the Israeli

Ambassador visited Red Village in Quba Region to launch a joint project with the Mountain Jews Heritage Union and Heydar Aliyev Foundation to support the historic center of the Mountain Jew community. In his formal remarks, the Ambassador stated, “Building on Azerbaijan’s strong tradition of multiculturalism, this project will strengthen local cultural traditions and expand awareness of this community’s culture and history.”