

Flygtningenævnets baggrundsmateriale

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KEY FINDINGS

In 2022, religious freedom conditions in Azerbaijan trended negatively. The government continued to exert significant control over all religious practice, primarily through enforcement of the country's law On Freedom of Religious Beliefs (religion law). The religion law requires religious communities to register to legally engage in religious activity, requires state review and approval of religious literature and related materials, and places numerous other limitations on freedom of religion or belief. In March, President Ilham Aliyev [signed](#) into law amendments to the religion law that reassigned the power to appoint imams from the nominally independent Caucasus Muslim Board (CMB) to the official State Committee for Work with Religious Associations (SCWRA), further [entrenching](#) state control over the practice of Islam. In May, the SCWRA [fired](#) Shi'a imam Mirseymur Aliyev after he reportedly held Ramadan prayers on a different day than mandated by the state. That same month, the CMB [announced](#) the imposition of an age restriction that barred citizens over the age of 65 from performing the Hajj. Authorities also raided, seized religious literature from, and [fined](#) about 20 Muslims across the country who met for worship in private homes or [held](#) religious events with children.

While religious minorities have generally noted positive strides for religious freedom in Baku, others have shared that local authorities outside of the capital have [surveilled](#) Christians. During the year, the government failed yet again to register any non-Muslim religious communities, leaving some communities of Protestant Christians and Jehovah's Witnesses without registration and therefore unable to operate legally. Meanwhile, the SCWRA disclosed [registering](#) approximately 22 Muslim communities. Officials continued to reject requests for a civilian alternative to mandatory military service despite the allowance of such an option in the constitution. In a reversal of recent practice, Azerbaijan resumed detaining Jehovah's Witnesses who sought to

conscientiously object. In July, conscription authorities detained [Royal Karimov](#) and held him for more than three months. In September, a local court sentenced [Seymur Mammadov](#) to nine months in prison for his refusal to serve in the military before [converting](#) that punishment in December to a one-year suspended sentence.

Azerbaijani nongovernmental organizations tracking political prisoners in the country documented as many as 19 individuals imprisoned at the end of the year for their religious activism, the majority of whom are members of the [Muslim Unity Movement](#) (MUM). Throughout the year, law enforcement regularly detained additional members of the MUM, which the group characterized as a "provocation and pressure against the movement." In June, MUM member Elgiz Mammadov [alleged](#) that he was raped while in police custody. In a positive development, a court [granted](#) early release to Muslim theologian Elshan Mustafaoglu, who had served seven and a half years of his 10-year prison sentence.

International bodies and other organizations continued to question the Azerbaijani government's willingness to protect and preserve religious and cultural heritage sites in Nagorno-Karabakh and neighboring territories under Azerbaijani control. In February, then Minister of Culture Anar Karimov [announced](#) the creation of a working group to [remove](#) Armenian Apostolic inscriptions from churches that he characterized as "fictitious." The government seemingly [backpedaled](#) on the plan following international [outcry](#), and in March the European Parliament [condemned](#) "Azerbaijan's continued policy of erasing and denying the Armenian cultural heritage in and around Nagorno-Karabakh." During the reporting period, Caucasus Heritage Watch, a research initiative supported by Cornell University, [documented](#) through satellite imagery the destruction of St. Sargis Church. In past years, Azerbaijan has claimed that Armenian forces also [damaged](#) religious sites.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Include Azerbaijan on the Special Watch List for engaging in or tolerating severe violations of religious freedom pursuant to the International Religious Freedom Act (IRFA);
- Work with the government of Azerbaijan to revise the 2009 religion law, as most recently amended in 2022, to comply with international human rights standards and to bring it into conformity with recommendations made in 2012 by the Council of Europe's Venice Commission and the Organization for Security and Cooperation in Europe;
- Assist the Azerbaijani government, in collaboration with international partners, to develop an alternative civilian service and permit conscientious objection in line with its constitution and pursuant to its commitment made to the Council of Europe and obligations under international human rights law; and
- Allocate funding to the U.S. Agency for International Development and U.S. Embassy in Baku to restore, preserve, and protect places of worship and other religious or cultural sites in Nagorno-Karabakh and surrounding territories.

The U.S. Congress should:

- Raise concerns, through public hearings and other actions, about Azerbaijan's religious freedom and broader human rights abuses, including treatment of the MUM, directly with the Azerbaijani Embassy and other government officials and advocate for the release of all prisoners of conscience.

KEY USCIRF RESOURCES & ACTIVITIES

- **Special Report:** [Tolerance, Religious Freedom, and Authoritarianism](#)
- **Podcast:** [Differences between Religious Tolerance and Religious Freedom](#)

Background

The U.S. government [estimates](#) the population of Azerbaijan at more than 10.3 million people, of whom approximately 96 percent [identify](#) as Muslim. According to Azerbaijani government statistics, as many as 65 percent of Muslims identify as Shi'a, while the remaining 35 percent identify as Sunni. The remaining four percent of the population comprises atheists, Armenian Apostolics, Baha'is, Catholics, Georgian Orthodox, members of the International Society for Krishna Consciousness, Jehovah's Witnesses, Jews, Molokans, Protestants, and Russian Orthodox. The constitution defines the state as secular and [mandates](#) the separation of religion and state. Despite these provisions, however, the government is actively involved in the regulation and management of virtually all religious activities. In general, the government remained concerned about the potential for "religious strife" in the country and undertook efforts to continue to limit independent religious activism and activities in 2022.

Legislating Increased Control of Muslims

At the beginning of the year, Azerbaijan's parliament [introduced](#) a proposal to amend the country's religion law and [reduce](#) the role of the CMB, an entity that has historically overseen the practice of Islam in the country. The government formally [adopted](#) the amendments in March, which removed the ability of the CMB to appoint imams to mosques and shrines and assigned that authority instead to an official state body, the SCWRA. A member of parliament [explained](#) the change as a measure to ensure that imams have a "pro-state position," although other politicians [objected](#) to the move on the grounds that it violated the constitution. Similarly, the government eliminated the right of the CMB to register mosques and permitted state oversight of donations to religious associations.

Retaliation for Conscientious Objection

Although the constitution provides for an alternative to mandatory military service, the government did not offer one in practice and retaliated against conscientious objectors who requested an alternative civilian service due to their religious beliefs. In July, authorities detained Jehovah's Witness [Royal Karimov](#) after he disclosed his conscientious objection; they held him against his will at a local military unit for more than three months before [releasing](#) him in November. In September, the Goranboy District Court sentenced Jehovah's Witness [Seymur Mammadov](#) to nine months in prison for his conscientious objection. Following Mammadov's appeal of the verdict, the court ruled to suspend his sentence and subsequently released him in mid-December. According to Mammadov, he was [not permitted](#) to have a Bible while in prison. Other Jehovah's Witnesses remained subject to travel restrictions due to their conscientious objection.

Detention of MUM Members

The government increasingly cracked down on the MUM, a Shi'a Muslim group that has criticized the state's control of religion. In May, a court [sentenced](#) MUM member Razi Humbatov to six years in prison on drug trafficking charges that the group asserted were fabricated to punish him for his public criticism of authorities. During the course of Humbatov's trial, police detained five additional MUM members who came to the courthouse to protest, some of whom [received](#) 30 days of administrative detention and [claimed](#) that the police beat and tortured them. In June, police detained MUM member [Fariz Aliyev](#) after he protested in support of MUM leader Taleh Bagirzade and other religious prisoners. Throughout the year, police also detained MUM members [Elshan Abbasov](#), [Shahin Gadirov](#), [Nejat Aliyev](#), [Samir Babayev](#), and [Mirtofiq Huseynov](#) on alleged drug-related charges. In two separate instances in June and November, Bagirzade and other imprisoned MUM members [participated](#) in a hunger strike to protest ongoing and regular police abuse, including allegations of torture and religious insults.

Key U.S. Policy

In 2022, the United States and Azerbaijan [marked](#) 30 years of diplomatic relations that have largely prioritized cooperation on European energy security, bilateral trade and investment, and efforts to combat terrorism and transnational threats. The U.S. government regularly [engaged](#) with Azerbaijani counterparts to [underscore](#) the importance of ongoing peace negotiations with Armenia and to [urge](#) an end to military hostilities. In June, Assistant Secretary of State for European and Eurasian Affairs Karen Donfried traveled to Azerbaijan, where she [highlighted](#) U.S. support for fundamental freedoms and [met](#) with Azerbaijani civil society.

The U.S. Department of State continued to raise religious freedom concerns directly with Azerbaijani officials. In May, Ambassador at Large for International Religious Freedom Rashad Hussain met with then Minister of Culture Anar Karimov and [discussed](#) "best practices for preserving the country's beautifully diverse religious and cultural heritage." In June, Deputy Chief of Mission Michael Dickerson [met](#) with officials from the SCWRA. In November and December, the [Senate Foreign Relations Committee](#) and [House Foreign Affairs Committee](#) respectively held hearings on U.S. policy in the Caucasus that involved significant discussion of Azerbaijan.

On December 9, the State Department [designated](#) Kerim Heydar Alimardanov, an official in the Main Department for Combating Organized Crime in the Ministry of Internal Affairs, pursuant to Section 7031(c) for "his involvement in a gross violation of human rights, namely torture of detainees in 2015 and 2016." Alimardanov was reportedly [involved](#) in the 2015 Nardaran case that led to the arrest, alleged torture, and sentencing to prison of many MUM members.