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U.S. DEPARTMENT of STATE

Azerbaijan**International Religious Freedom Report 2002**

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

There was some deterioration in the status of respect for religious freedom during the period covered by this report. Religious groups reported delays in and denials of registration. Local authorities regularly monitor religious services. Officials at times arrested and harassed nontraditional religious groups.

Relations among religions generally were amicable; however, there is popular prejudice against Muslims who convert to non-Muslim faiths and hostility towards groups that proselytize, particularly Evangelical Christian and missionary groups.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. The Embassy is engaged actively in monitoring religious freedom and maintains contact with the Government and a wide range of religious groups.

Section I. Religious Demography

According to official figures, the country has a total area of 33,774 square miles, and its population is approximately 8 million. There are no reliable statistics on memberships in various faiths; however, approximately 90 percent of the population is nominally Muslim. The rest of the population adheres to other faiths or consists of nonbelievers. Among the Muslim majority, religious observance is relatively low, and Muslim identity tends to be based more on culture and ethnicity than religion. However, in recent years, there has been a noticeable increase in interest in Islam, as well as other faiths. The Muslim population is approximately 60 percent Shi'a and 40 percent Sunni; differences traditionally have not been defined sharply, but there has been a growing trend towards segregation in recent years.

The vast majority of the country's Christians are Russian Orthodox whose identity, like that of Muslims, tends to be based as much on culture and ethnicity as religion. Christians are concentrated in the urban areas of Baku and Sumgait. Most of the country's Jews belong to one of two groups: The "Mountain" Jews are descendants of Jews who sought refuge in the northern part of the country more than 2,000 years ago, and a smaller group of "Ashkenazi" Jews, descendants of European Jews who migrated to the country during Russian and Soviet rule.

These four groups (Shi'a, Sunni, Russian Orthodox, and Jewish) are considered traditional religious groups. There also have been small congregations of Evangelical Lutherans, Roman Catholics, Baptists, Molokans (Russian Orthodox old-believers), Seventh-Day Adventists, and Baha'is in the country for more than 100 years. In the last 10 years, a number of new religious groups that are considered foreign or nontraditional have been established. These include "Wahhabist" Muslims, Pentecostal and Evangelical Christians, Jehovah's Witnesses, and Hare Krishnas.

There are fairly sizeable expatriate Christian and Muslim communities in the capital city of Baku; these groups generally are permitted to worship freely.

There is government concern about Islamic missionary groups (predominately Iranian and Wahhabist) that operate in the country, whose activities have been restricted in recent years. The Government closed several foreign-backed Islamic organizations as a result of reported connections to terrorist activity.

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 form the religious group of his choice, and to practice his or her religion. The Law on Religion 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

A number of legal provisions enable the Government to regulate religious groups, including a requirement in the Law on Religion that religious organizations be registered by the Government. The Committee for Work with Religious Associations (SCWRA), which replaced the Department of Religious Affairs in June 2001, assumed responsibility for the registration of religious groups from the Ministry of Justice. Government authorities gave SCWRA and its chairman, Rafiq Aliyev, sweeping powers for registration; control over the publication, import, and distribution of religious literature; and the ability to suspend the activities of religious groups violating the law. However, there were some occasions when the SCWRA adopted an advocacy role with religious groups; for example, it assisted in the expedition of religious groups to a bookstore in Baku, and also intervened on behalf of a mosque that authorities campaigned to close down.

Unregistered groups were more vulnerable to attacks and closures by local authorities. Following a number of attacks in 1999, President Heydar Aliyev spoke publicly and in detail about the Government's commitment to religious freedom. As a result, a number of groups with long-pending registration applications were registered, including Pentecostal and Baptist churches, as well as Jehovah's Witnesses. In August 2001, religious groups were called upon to reregister with SCWRA, marking the third time that religious groups have been asked to reregister since the country's independence in 1991.

By the end of the period covered by this report, only 125 religious groups successfully were registered, compared with 406 that were registered previously. Of the 125 registered groups, 107 are Muslim, 11 Christian, 4 Jewish, and 3 are of other faiths. SCWRA estimates that 2,000 religious groups are in operation; many have not filed for reregistration. Among minority religious communities that have faced re-registration problems was the Baptist denomination. Of its five main churches, only two have gained reregistration, and church officials complained that the actual number of registered churches has dropped over the years as a result of repeated reregistration demands by the Government. In January 2002, an Evangelical Lutheran Church in Baku finally was registered after a 2-year battle.

Muslim organizations are subordinate to the Spiritual Directorate of All-Caucasus Muslims, a Soviet-era Muftiate, which appoints Muslim clerics to mosques, monitors sermons, and organizes annual pilgrimages to Mecca for the Hajj. Although it remains the first point of control for Muslim groups wishing to register with SCWRA according to the Law on Religious Freedom, it also has been subject to interference by SCWRA, which has attempted to share control with the Spiritual Directorate over the appointment and certification of clerics and internal financial control of the country's mosques. Some Muslim religious leaders object to interference from both the Spiritual Directorate and SCWRA.

Interfaith dialog is not well developed, although the Government has made some attempts to bring leaders of various faiths together for discussions. SCWRA convened leaders of various religious communities on several occasions to resolve disputes in private and has provided forums for visiting officials to discuss religious issues with religious figures. In October and December 2001, SCWRA and the Spiritual Directorate organized international conferences to address the issue of terrorism.

The Government restricted religious freedom during the period covered in this report. SCWRA continued to delay and deny registration to a number of protestant Christian groups, including five Baptist churches and the Baku International (Christian) Fellowship. At the end of the period covered by this report, the

SCWRA had registered less than half the number of religious communities previously registered. Some groups reported that SCWRA employees tried to interfere in the internal workings of their organizations during the registration process (see Section II). Although unregistered religious groups continued to function, some reported official harassment, including break-ups of religious services and arrests and beatings of worshippers by police. SCWRA also failed to prevent local authorities from illegally banning minority groups outside of Baku.

In December 2001, SCWRA initiated legal proceedings to liquidate the ethnic Azeri "Love" Baptist church, which after a long-standing battle with authorities, gained registration

in 1999. SCWRA accused Sari Mirzoyev, the pastor of the church, of insulting Muslim fasting traditions in a sermon during the holy month of Ramadan. In April 2002, the church lost the case in court proceedings international observers described as biased. In May 2002, the church also lost an appeal, in a 15-minute court procedure during which judges reportedly prevented lawyers for the church from speaking. At the end of the period covered by this report, "Love" Baptist church continued to conduct services pending another appeal to the Supreme Court. However, Mirzoyev has been prohibited from conducting sermons since December 2001.

In April 2001, local police in Ganja banned a Baptist church from holding services; the head of SCWRA overrode this ban, and the church resumed services in December 2001.

Under the law, 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.

Local law enforcement authorities regularly monitor religious services, and some observant Christians and Muslims are penalized for their religious affiliations. In 2001 local police reportedly routinely surveyed services at a legally-registered Baptist church in Baku. When a police officer was seen attending a service, he was fired from his job. Later police questioned the church's pastor and members of the congregation about their activities and employment. Although there are no legal restrictions to large groups of religious observers gathering publicly, it is discouraged by local authorities. Both Jehovah's Witnesses and the pentecostal "Cathedral of Praise" church reported that authorities denied their requests to rent public halls for religious gatherings.

The Law on Religious Freedom expressly prohibits religious proselytizing by foreigners, and this is enforced strictly. Government authorities have deported several Iranian and other foreign clerics operating independently of the organized Muslim community for alleged violations of the law. In April 2002, Baku police also arrested a Russian citizen and member of the evangelical Christian Greater Grace Church, Nina Koptseva, along with two other worshippers on a busy Baku street. Koptseva was charged with propagating Christianity and deported to Russia; she and the church deny the charge.

Some religious groups continued to report restrictions and delays in the import of religious literature by some government ministries. SCWRA has facilitated the import of such literature. In July 2001, SCWRA Chairman granted permission for a shipment of English-language evangelical literature to a Baku bookstore, which the Department of Religious Affairs had delayed numerous times.

No religious identification is required in passports or other identity cards; however, in 1999 a court decided in favor of a group of Muslim women who sued for the right to wear headscarves in passport photos. Some local officials continued to prevent women from wearing the scarves. In spring 2002, students at Baku State University and the Baku Medical Institute reportedly were instructed to refrain from wearing headscarves to classes.

Three religious groups in Baku have sought the return of places of worship seized during the Soviet period. These were the city's European (Ashkenazi) synagogue, the Lutheran church and a Baptist church. Government authorities reportedly were resisting return of these properties. No action was taken during the period covered by this report.

Press reports indicate that in the breakaway Nagorno-Karabakh region, a predominantly ethnic Armenian area over which the authorities have no control, the Armenian Apostolic Church enjoys a special status. The Armenian Church's status also results in serious restrictions on the activities of other confessions, primarily Christian groups. The ongoing state of war (which is regulated by a cease-fire) has led to hostility among Armenians living in Nagorno-Karabakh toward Jehovah's Witnesses, whose beliefs prohibit the bearing of arms. Courses in religion are mandatory in Nagorno-Karabakh schools. The largely Muslim ethnic Azeri population in Nagorno-Karabakh, who fled the region during the conflict with Armenia in the 1990's, have not been able to return.

Abuses of Religious Freedom

Sporadic violations of religious freedom by some officials continued. In the northern city of Khachmaz, there were numerous reports that local policemen regularly and severely beat Muslim worshippers, who have denied any wrongdoing and complained to government authorities. Some family members of the accused also were called in for questioning by police. Also during the period covered by this report, some Muslim worshippers in Ganja and Khachmaz reportedly were arrested and beaten as suspected Wahhabis with links to terrorism.

In many instances, abuses reflected the popular antipathy towards ethnic Azeri converts to Christianity and other nontraditional religions. For example, in January 2002, authorities arrested two ethnic Azeri worshippers at a small Pentecostal church in the city of Sumgait during a prayer meeting at a local apartment and sentenced them to 15 days imprisonment on charges of hooliganism. Police also detained and verbally abused others. In February 2002, Sumgait police charged and convicted three members of a local Baptist church for distributing bibles on the street and sentenced them to short prison terms. One of those detained, Rauf Gurbanov, reportedly was beaten severely.

In April 2002, three employees at a mosque in Ganja were detained for 3 weeks before being released. Beginning in December 2000, local police repeatedly detained and questioned the pastor and several members of the Greater Grace Church in the town of Ismayli, apparently at the instigation of local Muslim authorities. This harassment continued through April 2001, when the pastor and several members of the church were detained while on a picnic in the countryside. Two members of the congregation were arrested and sentenced to 7 days imprisonment for disobeying police orders. One was released prior to serving his full sentence due to poor health. Three members of the church reportedly have been fired from their jobs, and the pastor left the area in fear of further retribution.

Some government officials exacerbated popular prejudice against Muslims who convert to non-Muslim faiths by targeting Christian groups in media disinformation campaigns, making them vulnerable to local harassment. For example, since June 2001, the local press repeatedly has targeted the Adventist Development and Relief Agency (ADRA) and the long-existing Adventist Church in Ganja in a series of negative reports accusing both of religious proselytism and forced conversion of the local population. During the reregistration process, local authorities also periodically closed and interrupted prayer services at Adventist churches in Ganja and Nakhchivan and Baptist churches in Neftchilar and Shemakha.

There have been isolated instances of harassment of religious groups by local officials. In May 2001, Greater Grace services at a private apartment in Sumgait were interrupted by local authorities who demanded to see congregants' identification papers. The police took a key to the apartment, as well as several samples of Christian literature, video cassettes, and music. Although services resumed without interference the following week, local authorities were reviewing the church's right to continue using the apartment for services at the end of the period covered by this report.

Government authorities took various actions to restrict what they claimed were political and terrorist activities by Iranian and other clerics operating independently of the organized Muslim community. The Government outlawed several Islamic humanitarian organizations because of credible reports about connections to terrorist activities. The Government also deported foreign Muslim clerics it suspected of engaging in political activities. In May 2002, government authorities sentenced several members of a religious extremist group Hizb ut-Tahrir to 6-7 years imprisonment for allegedly planning terrorist attacks. There also were reports that the Government harassed Muslim groups due to security concerns. In April 2001, local and city authorities demolished a Baku mosque on grounds that it allegedly was constructed on a strategic site in the city.

There were no reports of religious prisoners or detainees.

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.

Section III. Societal Attitudes

Relations among religions generally were amicable; however, there is widespread prejudice against Muslims who convert to non-Muslim faiths, primarily Christianity and groups that proselytize. This has been accentuated by the unresolved conflict with Armenia over Nagorno-Karabakh. During the period covered by this report, newspapers and television broadcasts depicted small, vulnerable religious groups as a threat to the identity of the nation, that undermined the country's traditions of interfaith harmony, which led to local harassment (see Section II).

During court proceedings in December 2001, the press negatively covered the "Love" Baptist church and its pastors. Television programs showed worshippers entering and exiting the church, and church officials alleged that this resulted in a decision by many to refrain from attending services. During the press campaign, a local vandal, who the authorities never caught, desecrated the church. Television media also targeted the Baku International Fellowship, comprised primarily of Western expatriates. Journalists questioned ethnic Azeri worshippers on why they chose to attend the church.

Religious proselytizing by foreigners is against the law, and there is vocal opposition to it.

Hostility also exists toward foreign (mostly Iranian and "Wahhabist") Muslim missionary activity, which partly is viewed as seeking 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. For example, the local press accused the Baku-based Abu Bakr Sunni Mosque of harboring

Chechen mercenaries, and authorities launched a case against the mosque and its leader; the case later was dropped following a statement in defense of the mosque by the SCWRA Chairman. Another Sunni Mosque also was identified in the televised press as a suspected meeting area for a group of extremist Hizb ut-Tahrir members charged in May 2002 for terrorism.

Prominent members of the Russian Orthodox and Jewish communities report that there are no official or societal restrictions on their freedom to worship. In October 2001, approximately 50 Jewish tombstones at Baku cemetery were overturned. Local Jewish leaders reported that city and police authorities reacted quickly and apprehended the individuals responsible for the vandalism.

Hostility between Armenians and Azeris, intensified by the unresolved conflict over Nagorno-Karabakh, continues to be strong. In those portions of the country controlled by Armenians, all ethnic Azerbaijanis have fled, and those mosques that have not been destroyed are not functioning. Animosity toward ethnic Armenians elsewhere in the country forced most ethnic Armenians to depart, and all Armenian churches, many of which were damaged in ethnic riots that took place more than a decade ago, remain closed. As a consequence, the estimated 10,000 to 30,000 ethnic Armenians who remain in the country are unable to attend their traditional places of worship.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. During the period covered by this report, the Ambassador repeatedly conveyed U.S. concerns about the registration process to the Chairman of SCWRA and expressed strong concerns about the Government's commitment to religious freedom with others in the Government and publicly in the press. The Embassy also repeatedly expressed objections to media campaigns against ADRA and other U.S.-funded NGO's accused of religious proselytizing. In January 2002, the Assistant Secretary of State for European and Eurasian Affairs reinforced the defense of religious freedom with President Heydar Aliyev. This was underscored by a visiting representative from the Department of State's Office on International Religious Freedom in April 2002, who also met with members of Muslim, Jewish, and Christian faiths to hear their concerns.

The Ambassador and Embassy officers maintain close contacts with leading Muslim, Russian Orthodox, and Jewish religious officials, and regularly meet with members of non-official religious groups in order to monitor religious freedom.

In May 2002, Rafiq Aliyev, Chairman of SCWRA, visited the United States on a U.S. Government-sponsored visitor exchange program; he met with government officials and members of faith-based organizations.

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