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2023 Report on International Religious Freedom: Azerbaijan

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. The State Committee on Religious Associations of the Republic of Azerbaijan (SCWRA) appoints religious personnel in all mosques. The government also has authority to approve the appointment of religious leaders in non-Islamic religious communities.

Local human rights groups and detainees 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. Nongovernmental organizations (NGOs) and international observers estimated the government arrested hundreds of activists and Shia Muslims whom the government considered “nonconforming.” Many of these arrests occurred in conjunction with the country’s escalated tensions with Iran, which included an attack on Azerbaijan’s embassy in Tehran in January and the attempted assassination in March in Azerbaijan of a member of parliament who was known for his criticism of Iran. The government charged most of the detainees with drug possession, but many of those arrested said they believed their arrests were related to their online support for Shia clerics in Iran, fundraising for prisoners of conscience, or participation in religious pilgrimages to Iran. Several detainees accused police of planting drugs on them and threatening to rape them if they did not confess. Throughout the year, authorities arrested “nonconforming” Shia individuals who met in public for religious observances.

The NGO Union for Freedom of Political Prisoners of Azerbaijan stated 183 individuals were imprisoned for their religious practices or religiously based opposition to the government as of year’s end, compared with 22 at the end of 2022. This group included 59 members of the unregistered Shia group Muslim Unity Movement (MUM), which the government considered an illegal organization that it said incited national and religious enmity and accused of receiving funding from Iran. MUM members continued to report authorities physically abused them while in custody, including subjecting them to beatings and sexual assault. Some civil society organizations and human rights activists said they considered the incarceration of MUM members to be politically motivated. On September 28, a Baku court sentenced Iranian-trained Shia imam Sardar Babayev to 17 years’ imprisonment for treason in a case human rights activists said was motivated by Babayev’s religious activities.

In June, the Council of Europe’s European Commission against Racism and Intolerance stated its ongoing concern over the imprisonment of conscientious objectors and encouraged authorities to take necessary legislative actions to allow alternative service, as stipulated in the constitution. On June 8, Jehovah’s Witness and conscientious objector Seymur Mammadov lost his final appeal before the Supreme Court of his conviction and one-year suspended sentence. At year’s end, the SCWRA had registered two new religious communities, both Muslim. In June, the SCWRA reported since 2022 it had dismissed 181 Muslim clerics from their positions. Previous statements from officials had noted some of the removals were due to “Iranian infiltration.”

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 Chargé d’Affaires and other U.S. embassy officers continued their engagement with government officials to advocate the release of individuals that civil society and religious groups said were imprisoned for their religious beliefs. Embassy officers also expressed concern to the government regarding the large-scale arrests of “nonconforming” Shia Muslims in the country. 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. Embassy officers and visiting Department of State officials discussed with government policy makers laws impacting the free exercise of religion and the need to protect religious and cultural heritage sites in newly returned territories. The Chargé and other embassy officers met regularly with representatives of registered and unregistered religious groups and civil society to discuss religious freedom in the country.

On December 29, 2023, in accordance with the International Religious Freedom Act of 1998, as amended, the Secretary of State placed Azerbaijan on the Special Watch List for having engaged in or tolerated severe violations of religious freedom.

Section I.

Religious Demography

The U.S. government estimates the total population at 10.6 million (midyear 2023). According to SCWRA data, 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, Seventh-day Adventists, Molokan Church, Roman Catholic Church, other Christians, including evangelical churches, Baptists, and Jehovah’s Witnesses, Jews, Baha’is, and the International Society of Krishna Consciousness (ISKCON), as well as those professing no religion.

Christians live mainly in Baku and other urban areas. A 2020 Stanford University and Hebrew University of Jerusalem joint study estimated there were 7,200 to 20,000 Jews in the country, 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 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 establishing documents contradict the law or if the information provided is false. Religious groups may appeal registration denials to the courts.

The Caucasus Muslim Board (CMB) is registered by the SCWRA as a foundation. It monitors sermons and oversees other activities of registered Islamic organizations, including the training of clerics to lead Islamic worship 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 2022, amendments to the religious freedom law came into force that changed responsibility for appointing and removing religious leaders in all mosques in the country from the CMB to the SCWRA. In 2022, 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, muezzin, and executor of women’s religious rites. Preexisting regulations state only these four positions are allowed to preach sermons at mosques. SCWRA regulations require any Muslim cleric performing one of these four roles have “a higher [education] and secondary special religious education [and be] professionally engaged in Islamic activities.” 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, by order of the committee chairman, the successful candidate receives an appointment to the designated place of worship within 30 working days after the end of the interview. 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 examinations every five years. Under the 2022 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 regulations, the chairman 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-\$4,100), 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 a government official carry a fine of between 7,000 and 9,000 manat (\$4,100-\$5,300), 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. Without prior government permission, the law prohibits individuals who pursue foreign government-supported or privately funded religious education abroad 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 law 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 law also prohibits clerics from participating in the activities of political parties and providing financial assistance to them.

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 their 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

Abuses Involving Violence, Detention, or Mass Resettlement

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

NGOs and international observers estimated the government arrested hundreds of “nonconforming” Shia Muslims and activists during the year in conjunction with the country’s escalated tensions with Iran, which included an attack on Azerbaijan’s embassy in Tehran in January and the attempted assassination in March in Azerbaijan of a member of parliament who was a vocal critic of Iran. Observers estimated authorities detained 400 individuals in the 24 hours following the shooting. Authorities later charged several Azerbaijan citizens, including the alleged gunman, and said sources in Iran directed the accused.

Police arrested hundreds more in the weeks both preceding and following the shooting. Government-aligned media reported the detained individuals were involved in espionage, sabotage, or coup attempts on behalf of Iran. Many of those arrested, however, said they believed their arrests were related to their online support for Shia clerics, fundraising for prisoners of conscience, or participation in religious pilgrimages to Iran. Nearly all of these individuals were ultimately charged with drug possession and intent to distribute narcotics. For example, the government charged one Shia individual, whom progovernment media sources previously said was one of four coconspirators in the shooting of the parliamentarian, with large-scale drug possession. According to media sources, authorities held him incommunicado for two days and refused to divulge his whereabouts to his family or lawyer during that time. Many of those detained stated they confessed following severe physical abuse, sexual assault, threats of rape or sexual assault – including against family members – or other coercive tactics.

According to press reports, a Baku court sentenced Shia imam Sardar Babayev to 17 years’ imprisonment for treason on September 28. At year’s end, Babayev had three separate appeals pending with the European Court of Human Rights (ECHR) – two based on convictions in 2017 and one stemming from an arrest in 2021 on treason charges. In 2021, the government charged Babayev, who received religious education in Iran, with high treason for alleged cooperation with Iranian intelligence services. Human rights defenders and lawyers familiar with the case said the treason charges were fabricated and politically motivated. Babayev had previously served a three-year prison sentence from 2017 to 2020 for leading worship services after having studied abroad.

NGOs reported authorities continued temporarily holding incommunicado and taking legal action against individuals associated with the unregistered group MUM. Authorities said the movement mixed religious and political ideology and incited national and religious enmity, 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.

On February 1, the Ministry of Internal Affairs announced it had arrested 39 individuals, accusing them of carrying out acts of sabotage and disruption under the “veil of religion.” The government-aligned media outlet Azerbaijan Press Agency (APA) reported the ministry said the detainees, “posing as believers, made propaganda for Iran on social networks and abused the freedom of religion in the country, carrying out the assignments of the Iranian special services.”

Human rights NGOs and defendants continued to say prosecutions of religious activists on charges of drug possession were often politically motivated. Media sources reported that on August 31, police arrested Aghali Yahyayev, a MUM board member, and charged him with illegal drug trafficking. Yahyayev was imprisoned previously following raids against MUM in the town of Nardaran in 2015 and received a presidential pardon in 2021. In September, his wife and other family members told press that police officers physically assaulted Yahyayev to obtain a confession. Officers beat his legs repeatedly with a baton, resulting in severe bruising, and threatened to rape him with a baseball bat, according to his family.

According to media sources, on August 29, police arrested Telman Asadullayev, an imam of a mosque in the Khojasan district of Baku, on drug smuggling charges. Press reported officers themselves provided the drugs that they accused Asadullayev of smuggling and coerced him to confess by threatening to rape him.

Media outlets reported that according to family members, authorities severely beat detained MUM member Jeyhun Balashov after he testified in court in July that authorities had coerced his confession to drug charges. His family said he was hospitalized in August following severe physical abuse, which resulted in considerable bruising and internal bleeding.

MUM representatives posted on social media that on January 20, authorities arrested seven members of the group who were attempting to enter Martyr's Alley, a cemetery and memorial in Baku, to commemorate "Black January," a date in 1990 when Soviet forces violently suppressed anti-Soviet protesters. MUM posted videos showing approximately 50 persons chanting Shia religious slogans while walking to the area.

According to one journalist, authorities arrested more than 20 religious believers and activists during a three-day period in early September. As of year's end, the NGO Union for Freedom of Political Prisoners of Azerbaijan identified 183 individuals as "peaceful believers," those whom the NGO considered to be imprisoned for their religious practices or because of religiously based political opposition to the government, compared with 22 in 2022 and 21 in 2021. According to human rights defenders, the sharp increase in the number of those defined by human rights groups as "peaceful believers" in detention from 2021 to 2023 was largely due to the mass arrests of Shia Muslims whom government-aligned media sources said had connections to Shia groups in Iran, although officials charged them with drug-related crimes. The Union for Freedom of Political Prisoners of Azerbaijan said detainees included 59 members of MUM, including its leader Tale Bagirzade and five other members of MUM detained in 2015, all receiving long-term prison sentences on charges of conspiracy to commit 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. Authorities detained more than 40 of the 59 MUM members in 2023 alone, according to the Union for Freedom of Political Prisoners of Azerbaijan, the vast majority of whom were arrested during the peak months of arrests from February to April.

Local media outlets reported that on October 18, a Baku court sentenced MUM member Bakhtiyar Balashov to four years in prison on drug related charges based on police testimony, despite what the outlets said was a lack of physical evidence. Authorities reportedly detained Balashov on March 9, held him incommunicado for several days, and denied him access to legal representation.

Abuses Limiting Religious Belief and Expression

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 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."

On June 21, the Council of Europe's European Commission against Racism and Intolerance issued a report on the country in which it stated its ongoing concern over the imprisonment of conscientious objectors. The report noted the government had not implemented ECHR's 2019 recommendations on alternative military service and encouraged authorities to take necessary legislative actions to allow alternative service.

International religious freedom NGO Forum 18 reported that on June 8, Jehovah's Witness Seymur Mammadov lost his final appeal before the Supreme Court to his conviction and punishment for refusing compulsory service on conscience grounds, despite his expressed willingness to perform alternative service. In December 2022, the Ganja Appeals Court replaced Mammadov's nine-month prison term, imposed by the district court, with a one-year suspended sentence that required he wear an ankle bracelet monitor during that time. In a mid-June meeting between SCWRA and the European Association of Jehovah's Witnesses, association members objected to the verdict and the sentence. On October 4, Mammadov filed a complaint with the ECHR.

According to Jehovah's Witnesses, authorities in April informed Eldar Aliyev that he was being drafted into the border force, a branch of the military. On April 25, Aliyev wrote to the SCWRA, the State Service for Mobilization and Conscription (SSMC), and the ombudsman requesting to perform alternative service. The same day, authorities took him to a military base where he involuntarily began the induction process. Authorities subsequently released him but on July 4, he received a reply from the SSMC stating during the next call-up period he would again be drafted.

On February 9, the ECHR ruled the government had committed human rights violations against eight MUM members during a 2015 raid in the village of Nardaran that resulted in seven deaths and the arrests of several MUM members. The plaintiffs stated authorities subjected them to torture and denied them a fair trial. The ECHR ordered the government to pay the plaintiffs, two of whom remained in prison, €8,000 (\$8,800) each.

The Committee of Ministers of the Council of Europe supervised the implementation of four ECHR judgements in cases brought by Jehovah's Witnesses from previous years. According to the committee, all petitioners received the determined compensation, but the government had not implemented other remedial measures, including the return of religious literature and recommended changes to legislation. According to Forum 18, Muslim petitioners from Azerbaijan filed 12 new cases regarding religious freedom with the ECHR during the year.

Abuses Involving the Ability of Individuals to Engage in Religious Activities Alone or In Community with Others

During the year, the SCWRA registered two new religious communities (both Muslim), compared with 12 religious communities registered in 2022 and 16 in 2021 (all Muslim). According to the SCWRA, there were 995 registered communities at the end of the year, of which 958 were Muslim and 37 non-Muslim (26 Christian, eight Jewish, two Baha'i, and one ISKCON). The SCWRA said 2,258 mosques, 16 churches, seven synagogues, and five 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 of the country despite being unregistered.

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.

Some Protestant and home-based church leaders again stated their inability to obtain legal registration forced them to keep their activities quiet for fear of repercussion from the government.

The government continued to allocate funds to “traditional” religious groups. On September 1, President Ilham Aliyev signed a decree allocating one million manat (\$588,000) to the CMB for Muslim communities (the same amount as in 2022). 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; these were the same amounts as in 2022. The Moral Values Promotion Foundation used the funds to support some smaller, non-Muslim religious communities.

The SCWRA continued to appoint and reappoint religious leaders in all mosques in the country, following amendments in 2022 to the religious freedom law that transferred these responsibilities from the CMB to the SCWRA. The government stated the amendments were necessary to protect against foreign influences and prevent terrorism. Civil society groups said the changes gave the SCWRA excessive control over religious groups. SCWRA deputy chairman Gunduz Ismayilov continued to serve as chair of the SCWRA’s Appointment Commission.

By a December 2022 presidential decree, the government allocated 6.8 million manat (\$4 million) to the SCWRA for its activities in 2023.

On April 6, SCWRA chairman Mubariz Gurbanli told press his committee had removed 118 Muslim clerics in the first 11 months of SCWRA exercising authority over clerical employment. Some of the removals were due to “Iranian infiltration” in religious instruction while others were dismissed for lacking sufficient religious education or mistakes in their work, according to Gurbanli. The SCWRA previously reported there were approximately 900 Muslim clerics in the country. On June 21, SCWRA deputy chairman Ismayilov stated the SCWRA commission had dismissed 181 Muslim clerics from their positions since the new regulations went into effect in 2022, although he did not state a reason for the dismissals.

Forum 18 reported that on January 13, a group of Shia Muslims with their young children gathered at a shopping center in Baku to mark the birthday of Fatima, daughter of the Prophet Muhammad. On January 14, authorities charged seven of those in attendance with violating the law for involving minor children in the performance of unsanctioned religious rituals. Authorities fined four of the accused 1,500 manat (\$880) each. One of the men charged stated in court that he had simply taken his child to play with others and had no intention of attending a religious gathering.

The Jehovah’s Witnesses annual report issued in November stated that during the year, there were cases of police interfering with Jehovah’s Witnesses peacefully sharing their religious beliefs with others. According to the report, “Typically, police officers take the Witnesses to the police station and threaten them.” For example, in Baku on February 23, police detained a group of Jehovah’s Witnesses sharing their beliefs and escorted them to the police station. Officers held the group for two-and-a-half hours, during which one of the officers demanded they write a statement promising not to preach in Baku anymore, which the Jehovah’s Witnesses refused to do. Eventually, police released them.

Azerbaijanis continued to be unable to visit many mosques and religious sites due to the presence of mines 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.

During the year, the government again did not act on recommendations made in 2021 by the UN Human Rights Commission to amend the law 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.

SCWRA deputy chairman Ismayilov stated on August 8 that more than 2,100 pieces of religious literature had been reviewed by the committee's Theological Expertise Group between January and July, based on requests for importation. According to SCWRA report, its review had prevented the illegal importation of literature containing religious intolerance, promoting discrimination, or propagating radical propaganda. The committee also said it reviewed 134 pieces of locally produced religious literature intended for publication in the country since the beginning of the year.

As of year's end, the SCWRA listed 44 retail locations in the country in which authorities allowed the sale of religious literature.

In April, the research group Caucasus Heritage Watch (CHW) released a study entitled *Between the Wars: A Satellite Investigation of the Treatment of Azerbaijani Cultural Heritage in the Unrecognized Republic of Nagorno Karabakh, 1994-2020*, based on 2020 satellite photography and other visual sources assessing the damage to a sample of 109 Azerbaijani cultural heritage sites in Nagorno-Karabakh during the period of ethnic Armenian control of the area, including mosques, mausoleums, and cemeteries. The report concluded that 42 Azerbaijani cultural sites remained unchanged, 39 suffered major damage, 16 were destroyed, nine suffered minor damage, two were renovated, and one was restored. Based on the satellite analysis, CHW determined of the 39 sites that sustained major damage, 20 had been damaged by the end of 2005. CHW stated the remaining 19 heavily damaged sites were likely damaged in 2009 and 2010. Among the sample of Azerbaijani cultural sites surveyed for damage during ethnic Armenian control, six mosques and seven mausoleums were destroyed. The report stated the adverse impacts on Azerbaijani religious and cultural sites in Nagorno-Karabakh were significant, and the de facto Armenian authorities "failed to prevent widespread looting and several instances of targeted destruction." CHW further assessed that forensic evidence it reviewed, including satellite imagery and other visual evidence, showed there was "no attempt to systematically erase material traces of Azerbaijani history and cultural life in [Nagorno-Karabakh territory] that [ethnic] Armenians controlled from 1994 to 2020." CHW said its investigation found to be inaccurate both the claims of Azerbaijani officials about near total destruction of mosques in the region and Armenian counterclaims that all damage took place during Soviet times.

On June 22, CHW published a report documenting what it characterized as "concerning trends" imperiling cultural heritage sites in the Nagorno-Karabakh Region, including areas returned to Azerbaijani control in 2020. Among these, the report cited an Armenian cemetery that was damaged by road construction and an Azerbaijani cemetery that was damaged by the establishment of military emplacements, as well as several churches it categorized as "threatened" by the encroachment of construction or military action.

In May, SCWRA chairman Gurbanli told press outlets that Armenian clerics had to leave the Dadivank Monastery, which Azerbaijanis call Khudavang Monastery, in Nagorno-Karabakh. Gurbanli said Armenians had no connection to the monastery, which he said was Caucasian Albanian, and the clerics were hindering Christian Udis in Azerbaijan from visiting the monastery. In November, social media posts from the Azerbaijani embassy in the Netherlands said the Armenian government had falsely claimed the monastery was Armenian.

During September fighting in Nagorno-Karabakh, a widely disseminated video appeared to depict an Azerbaijani soldier firing from a distance at the 13th century Charektar Monastery. The open-source research group Bellingcat later said the location of the video was verified, although it was unclear if gunfire struck or damaged the monastery.

On September 22, UN special rapporteur in the field of cultural rights, Alexandra Xanthaki, stated Azerbaijan had continued efforts to remove traces of Armenian presence in Nagorno-Karabakh or to reinterpret them as belonging to Caucasian Albanians. The special rapporteur stated the International Court of Justice, European Parliament, and Council of Europe had all expressed concern with the replacement of Armenian heritage with the promotion of a Caucasian-Albanian

“narrative,” and the vast majority of experts in the region’s art, architecture, and archaeology had “rejected these revisionist claims as false.” APA reported in May the government announced plans to restore and conserve the Armenian Apostolic church in Hadrut and three adjacent buildings, which the article stated, “belong to the historical and cultural heritage of Caucasian Albania.”

Abuses Involving Discrimination or Unequal Treatment

On January 4, President Aliyev extended Christmas greetings to the country’s Orthodox Christian community and stated preservation and promotion of cultural diversity, humanism, and tolerance were state policy goals. On April 14, Aliyev congratulated the Orthodox Christian community on the occasion of Easter. On September 14, Aliyev congratulated the Jewish community on the occasion of Rosh Hashanah and emphasized mutual respect and trust among different peoples and religions. He said the Jewish community was “an integral part of our society and an equal member.” On May 30, during a meeting in Baku with Israeli President Isaac Herzog, Aliyev said the Jewish community played an important role in the modern development of the country.

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 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 Chargé and other embassy officers engaged government officials to advocate the release of individuals that civil society and religious groups said were imprisoned for their religious beliefs. 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. Embassy officers expressed concern to the government regarding the large-scale arrests of “nonconforming” Shia Muslims in the country. During meetings with SCWRA officials, they urged 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 changes to the religious freedom law adopted in 2022 and its related regulations, including how their implementation affected the free exercise of religion. The Chargé and other high level U.S. officials advocated at the highest levels of government for the protection of religious and cultural sites in the newly returned territories.

The Chargé and other embassy officers continued to meet regularly with leaders of registered and unregistered religious groups, including representatives of the Muslim, Jewish, and Christian communities, leading human rights lawyers, and representatives of civil society organizations who monitor religious freedom to discuss issues related to religious freedom, a civilian alternative to military service, and relations with the SCWRA.

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. In April, the Chargé hosted an iftar with human rights lawyers working to defend the rights of religious activists, thanking them for their important work, and highlighted the U.S. government’s support for religious

freedom in the country. In March, officials from the Department of State's Office of International Religious Freedom visited the country to raise concerns related to religious freedom with government officials and hold discussions with representatives of multiple religious communities.

On December 29, 2023, in accordance with the International Religious Freedom Act of 1998, as amended, the Secretary of State placed Azerbaijan on the Special Watch List for having engaged in or tolerated severe violations of religious freedom.