

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	322
Land:	Aserbajdsjan
Kilde:	US Department of State (USDOS)
Titel:	2021 Report on International Religious Freedom: Azerbaijan
Udgivet:	2. juni 2022
Optaget på baggrundsmaterialet:	21. juni 2022

2021 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. On June 16, President Ilham Aliyev signed into law 14 amendments to the religious freedom law. Among other provisions, the new amendments forbid forcing children to practice religion, prohibit the promotion of religious extremism, disallow religious leaders from engaging in religious activities when employed by the state, provide government-approved religious centers the sole right to grant religious titles, and require religious communities to suspend their activities in the absence of a government-approved religious leader. The government justified the amendments by the need for security. Civil society organizations said the changes provided the State Committee for Work with Religious Associations (SCWRA), the government body that regulates religious affairs, with more control over religious groups. In March, President Aliyev issued pardons for hundreds of prisoners and released many religious activists considered by human rights groups to be political prisoners. The European Court of Human Rights (ECHR) issued three judgments during the year related to violations of freedom of religion or belief in the country. In two of the judgments, the ECHR found that the government had violated human rights, and it ordered compensation. The first case involved a police raid on a meeting in which Muslims were studying the works of a Turkish theologian; the second involved the founders of a religious freedom nongovernmental organization (NGO) that was denied registration by the government. The court dismissed the third case related to freedom of religion or belief as inadmissible. The United Nations Human Rights Committee, in a report issued April 26, stated that the government had violated the rights of six Jehovah’s Witnesses in 2013. Throughout the year, courts continued reviewing appeals and, in many cases, shortened sentences and dropped charges against some of the individuals convicted after a July 2018 attack on the then head of the Ganja City Executive Committee and the subsequent killing of two police officers. The government said the convicted individuals were part of a Shia “extremist conspiracy” to destabilize the country. 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 having received funding from Iran. Civil society activists and human rights advocates said they considered the incarceration of MUM members to be politically motivated. The government granted early release on September 13 to MUM activist Elvin Murvatoglu, arrested in 2020 on charges that were widely characterized as trumped up, prior to expiration of his 2.5-year prison sentence. Some civil society organizations had identified Murvatoglu as a political prisoner. The government exercised control over parts of Nagorno-Karabakh and seven surrounding territories, which Armenia-supported separatists had controlled until intensive fighting in 2020. A September Parliamentary Assembly of the Council of Europe resolution on the Nagorno-Karabakh conflict noted the “catastrophic impact” of the long-running conflict “on the cultural heritage and property of the region, for which both Armenia and Azerbaijan have a responsibility.” According to a bishop of the Armenian Apostolic Church, since May, the government refused access of Armenian pilgrims to a monastery in the territory that returned to Azerbaijani control after the 2020 fighting. Azerbaijanis continued to be unable to visit many mosques and religious sites due to mine contamination from the fighting.

The general public continued to show tolerance of, and in some cases financially supported, minority religious groups they viewed as “traditional” (i.e., those historically present in the country), including Jews, Russian Orthodox, and Catholics. Some individuals viewed religious groups with less of a historical presence in the country with suspicion and mistrust.

The U.S. Ambassador and other embassy officers engaged government officials to advocate for the release of individuals that civil society groups stated were imprisoned for their religious beliefs. The Ambassador 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 newly returned to Azerbaijani control after the 2020 fighting. The embassy sent a diplomatic note protesting the expulsion of a U.S. citizen active in a religious community for an expired (nonrenewed) visa. The Ambassador and 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 changes to the religious freedom law and discussed how these could affect free exercise of religion.

Section I. Religious Demography

The U.S. government estimates the total population at 10.3 million (midyear 2021). 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. Others include the International Society of Krishna Consciousness and those professing no religion.

Christians live mainly in Baku and other urban areas. Approximately 15,000 to 20,000 Jews live in Baku, with smaller communities throughout the country.

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.

Under the legal code, a nonviolent crime is considered an administrative offense. An administrative arrest may last up to three months.

The law requires 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.

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 Caucasus Muslim Board (CMB) is registered by the SCWRA as a foundation and oversees the activities of registered Islamic organizations, including training and appointing clerics to lead Islamic worship, periodically monitoring sermons, and organizing pilgrimages to Mecca. Muslim

communities must receive an approval letter from the CMB before submitting a registration application to the SCWRA.

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

While the law prohibits the government from interfering in the religious activities of any individual or 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 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.

Amendments signed into law in June include a new requirement for the SCWRA to approve the appointment of all non-Islamic religious leaders. The new amendments forbid individuals from forcing children to practice religion; prohibit the promotion of religious extremism; disallow religious leaders from engaging in religious activities when employed by the state; provide government-approved religious centers the sole right to grant religious titles; require religious centers to coordinate with the government when opening religious education institutions; restrict religious ceremonies (with exceptions) to places of worship; require believers to inform the government about travel to foreign countries to visit religious sites; grant the government authority to approve the appointment of religious figures in non-Islamic religious communities; require religious communities to suspend activity when they lose a religious leader until a new one is appointed; and allow military service members to worship in their spare time, with the exception of during combat operations. The law also contains a new requirement for the reattestation every five years of Muslim clerics who are appointed by the CMB; reattestation is conducted with the involvement of State Committee officials. Smaller communities without a “religious center” are not allowed to grant religious titles or ranks to the clergy; 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 as a rule be held only in places of worship and shrines. SCWRA permission is required under the June amendments 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. The law allows foreigners invited by non-Islamic registered religious groups to conduct religious services, but it prohibits citizens who received Islamic education abroad from leading religious ceremonies unless they obtain special permission from the CMB. Penalties for violating the law include up to one year’s imprisonment or fines from 1,000 to 5,000 manat (\$590-\$2,900). A longstanding agreement between the government and the Holy See allows foreigners to lead Catholic rituals.

The administrative code prohibits “clergy and members of religious associations from holding special meetings for children and young people as well as the organizing or holding meetings by religious bodies of organized labor, literary, or other clubs and groups unassociated with holding religious ceremonies.”

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 legal importation, sale, and distribution. Punishments 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 religious nature with the aim of importation, sale and distribution without appropriate authorization” are proscribed by law. Punishments for first-time offenders include a fine of between 5,000 and 7,000 manat (\$2,900-\$4,100), up to two years’ restricted freedom, 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 (\$4,100-\$5,300), between two and four years’ restricted freedom, or imprisonment of between two

and five years. In June, amendments to the criminal code entered into force that added the alternative punishment of “restriction of freedom” (probation) – two to four years in cases involving an individual first-time offender and two to five years in aggravated cases – to the preexisting punishments.

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. Students may study religion at higher educational institutions, such as the Azerbaijan Institute of Theology, and the CMB sponsors some religious training abroad. The law prohibits individuals who pursue foreign government-supported or privately funded religious education abroad without permission from the government 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 and 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

On June 16, President Aliyev signed into law amendments to the religious freedom law. Among other provisions, the new amendments prohibit the promotion of religious extremism, disallow religious leaders from engaging in religious activities when employed by the state, provide government-approved religious centers the sole right to grant religious titles, and require religious communities to suspend their activities in the absence of a government-approved religious leader. The government justified the amendments by the need for security. Civil society said the changes provided the SCWRA even more control over religious groups. Parliament passed the amendments into law on June 4, following closed door discussions. Human rights groups criticized the laws as lacking public scrutiny and increasing restrictions on the exercise of freedom of religion or belief. When speaking to the international religious freedom NGO Forum 18, lawyer Asabali Mustafayev called the amendment regarding mass religious worship “dangerous” and noted the absence of a requirement regarding the number of participants for a meeting to be considered “a mass event.” The amendments also specified, “It is forbidden to force children to believe in religion. The religious upbringing of children shall not adversely affect their physical and mental health”; the provision was challenged by civil society as a vague one that could lead to abuse and the limitation of freedom of religion. A representative of the CMB said the amendment would not apply to the “traditional” religions of Islam, Christianity, and Judaism, but only to “certain religious movements whose participation in rituals and religious conversations is not considered appropriate by the state,” such as “satanic currents.”

According to Forum 18, registered religious communities, including Jews, Georgian Orthodox, Baptists, Pentecostals, Lutherans and other Protestants, Baha’is, Jehovah’s Witnesses, and International Society of Krishna Consciousness Krishna devotees (who are considered religious

communities) seemed unlikely to gain the status of a religious center under existing laws. The government considered only the CMB, the Russian Orthodox diocese of Baku and Azerbaijan, and the Roman Catholic Apostolic Prefecture to be religious centers.

The government continued to physically abuse, arrest, and imprison religious activists.

In a judgment issued on June 10, the ECHR ruled the government had violated the rights of seven appellants, followers of the late Turkish religious scholar Bediuzzaman Said Nursi, after what the court ruled was their unlawful detention and their subsequent fines in June 2015. The appellants, Emin Alakbarov, Javanshir Ismayilov, Elmir Jabrayilov, Sabuhi Mammadov, Samir Huseynov, Rovshan Gasimov, and Parvin Yunusov, were followers of Said Nursi's teachings of Islam. They were gathered at the private home of one of the appellants in the city of Gadabay when several police officers raided the premises, taking the group to the Gadabay District Police Department and detaining them for 14 hours. Six were subsequently fined for violating public order and the man hosting the gathering was fined for violating the legislative rules on organizing and holding religious meetings. The ECHR found that the applicants' deprivation of liberty was unjustified, arbitrary, and unnecessary, and it ruled that the government had violated the right to liberty and security contained in the European Convention on Human Rights. The ECHR awarded compensation of 3,000 euros (\$3,400) to each of the seven, plus costs of 1,000 euros (\$1,100) for all the cases jointly, to be paid to their main lawyer, Rustam Mustafazade. The ECHR rejected the complaint of unlawful interference by the domestic authorities with the right to freedom of religion because the appellants failed to exhaust domestic remedies. According to Forum 18, Asabali Mustafayev, a Baku lawyer who also worked on the cases, said all involved were "a little dissatisfied" with the ECHR judgments, as the court had not looked at all aspects of the violations included in the cases. He described the 3,000 euros (\$3,400) awarded to each individual as "a highly miserly sum," especially as it included recompense for the fines that each had paid. He also described the sum awarded for legal costs as "very little, given that it covered legal costs for seven cases."

On May 20, the ECHR adopted a judgment in favor of Afruza Maharramova and Sadaya Huseynova, who founded the NGO Religion and Women's Rights. National authorities had rejected their application for state registration, thus denying their organization legal status. The two women, from the southern town of Masalli, applied in 2011 to the Justice Ministry for registration of the NGO. The ministry twice in 2011 and twice in 2012 sent the application back, citing what it said were irregularities in the documentation. The NGO challenged the denial through the courts, finally losing in the Supreme Court in November 2013. Maharramova and Huseynova filed a case with the ECHR in April 2014. According to Forum 18, the ECHR examined the case, together with 11 others involving NGOs in which the government had denied legal status, and awarded compensation of 4,500 euros (\$5,100) jointly to Maharramova and Huseynova, plus costs of 6,000 euros (\$6,800) for all the cases together, to be paid to their lawyer, Intigam Aliyev.

On May 27, the ECHR ruled that the case of Protestant Christian Rahim Akhundov was inadmissible on grounds of his failing to comply with timelines for filing court proceedings. Akhundov had filed a case before the ECHR concerning his dismissal from his job as a parliamentary staffer in Baku in 2018. He stated that after he met friends and relatives at his Baku home for Christian worship, study, and discussion, he was dismissed from his job at the Milli Majlis (national assembly) on the orders of the State Security Service. Akhundov lost his final appeal in 2020 before the Supreme Court.

On April 26, the United Nations Human Rights Committee published a report that found the government had violated the rights of six Jehovah's Witnesses in Aliabad in the northern Zagatala District in 2013. The six were detained in a police raid, taken to a police station, had religious literature seized, and were then fined (or in one case, given an official warning). The committee found that "by arresting, detaining, convicting, and fining [six Jehovah's Witnesses in 2013] for possessing religious literature and holding a peaceful religious service in a private home, the State party [Azerbaijan] violated their rights under article 18 (1) ["Freedom of thought, conscience and religion"] of the [International Covenant on Civil and Political Rights]." The committee defined an "effective remedy" for each (including reimbursement of the 1,500 manat (\$880) fines handed down on five of them and any court fees) and called on the government to amend laws and practice to avoid future violations. According to Forum 18, Jehovah's Witnesses from the country have six other freedom of religion or belief cases pending with the United Nations Human Rights Committee.

Throughout the year, national courts continued reviewing appeals and held a trial for the final 10 individuals detained after a 2018 assault on Elmar Valiyev, the then head of the Ganja City Executive Committee, and a related demonstration against local government authorities. In response to the 2018 events, police killed five persons and detained 77 others during special operations in Ganja, Shamkir, Sumgait, and Baku. 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 the majority of the verdicts to be politically motivated. The Union for Freedom for Political Prisoners in Azerbaijan identified as political prisoners 47 individuals in prison at year's end who were connected to the events in Ganja. Human rights groups reported that three persons imprisoned in connection with the Ganja case were released by presidential pardon in March. The

sentences of several others were reduced, and/or some charges dropped during appeals hearings during the year. The final trial connected to the Ganja events ended in August. According to the judgment, nine persons considered political prisoners received sentences ranging from 18 to 20 years.

Authorities continued 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 data collected by human rights advocates, at year's end, the estimated number of political prisoners who were members of religious groups was 21 (not including the 47 who were arrested in Ganja), compared with 41 to 48 in 2020. According to human rights defenders, the decrease in the number of those defined by human rights groups as "religious activists" in detention was largely due to a Presidential decree adopted in March that pardoned 38 political prisoners overall, including 30 individuals arrested during 2015 raids in Nardaran that targeted individuals whom the government said were fundamentalist, had external support, and wanted to establish an Islamic state.

On May 24, the Agjabadi court placed MUM member Vugar Hajiyeu in pretrial detention for a four-month period after he was arrested on drug-related charges on May 21. MUM said the drug charges were baseless and called his arrest politically motivated. Following his arrest, MUM issued a statement blaming the government for "going back to its Islamophobic attitudes" and demanding the release of Hajiyeu. Another MUM member, Razi Humbatov, was arrested on June 7, and on June 9, he was placed in pretrial detention on drug-related charges. He told his family that he had been tortured and had signed a confession under duress. Human rights groups said they considered both Hajiyeu and Humbatov to be political prisoners.

MUM member Elvin Murvatoglu, who was arrested in March 2020 for illegal possession of weapons and sentenced to two years and three months in prison, was released on September 13 before the completion of his prison sentence. According to MUM, Murvatoglu was known as an activist and was also the author of many poems and songs about Tale Bagirzade, the chairman of the MUM. Human rights groups included him in their list of political prisoners and linked his arrest to his songs in praise of Bagirzade.

On October 19, law enforcement detained several Shia clerics, including Ilgar Ibrahimoglu and theologian Sardar Babayev. Ibrahimoglu was released; Babayev was criminally charged for treason under the criminal code. Babayev rejected the treason charges, saying they were politically motivated. The court ruled to place him in pretrial detention for four months pending trial.

Some Christian communities again stated that the SCWRA had made efforts to create more favorable conditions for their activities than in prior years, such as by becoming more responsive to their requests and concerns and establishing closer communication with them. In the past, Jehovah's Witnesses were among those targeted by the police and other state officials. "At the moment we don't have any problems with the police or the State Committee," a community member from Baku told Forum 18 on June 15. He said, "Even before the pandemic, the State Committee's representatives were very cooperative if we had problems with the police or other state agencies."

The government again did not implement a civilian alternative to mandatory military service for conscientious objectors, despite being required to do so by the constitution. On October 7, the ECHR adopted a judgement in the case of Jehovah's Witnesses Emil Mehdiyev and Vahid Abilov, who were convicted in 2018 and received one-year probation sentences for criminal evasion of military service. The ECHR accepted the government's admission that it had violated the human rights of both men and ordered that they be paid compensation and costs in the amount of 3,500 euros (\$4,000) for each defendant. The ECHR's October decision brought to seven the number of conscientious objectors from the country whose human rights had been violated by the government according to the court, and to whom the government had to pay compensation.

During the year, the government articulated its potential readiness to change its policy towards conscientious objectors. The head of the SCWRA, Mubariz Gurbanli, who had previously opposed such accommodation, said after the country's victory in the 2020 conflict with Armenia that the time had come for the country to adopt a religious exemption to military conscription. He expressed his willingness to promote this idea to members of parliament. Later in the year, however, a representative of the Presidential Administration stated that alternative service was not under discussion.

At year's end, the SCWRA registered 16 new religious communities (all Muslim), compared with 14 religious communities registered in 2020 (12 Muslim and two Christian). There were a total 971 registered communities at the end of the year, of which 37 were non-Muslim – 26 Christian, eight Jewish, two Baha'i, and one International Society of Krishna Consciousness. The SCWRA also said 2,253 mosques, 16 churches, seven synagogues, and 11 religious education institutions were

registered. There were 23 Christian prayer houses (worship spaces that did not have the status of a church), one Baha'i house of worship, and one Krishna Consciousness house of worship in the country at year's end.

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 occasionally granted exceptions upon request.

The government said the inability of some groups to obtain registration stemmed solely from the groups' inability to meet the law's requirement of 50 members and that the government did not take administrative action against unregistered religious communities. The government said reducing the minimum number of members below 50 would invite religious extremist groups supported by Iran and would cause security concerns. Religious communities continued to state frustration with government registration requirements, particularly the 50-member minimum. However, the government did allow small religious communities to band together under one organization's umbrella, even if they were based in different cities, which facilitated the successful registration of some groups. A Baptist minister visiting the country said he met with several small, unregistered Baptist groups that were able to hold services based on the registration of another Baptist community. 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 despite being unregistered. Some Protestant and home-based church leaders stated their inability to obtain legal registration forced them to keep their activities quiet for fear of government repercussions.

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.

During the year, Kamala Rovshan, a student, launched a social media campaign advocating for women and girls to be able to submit passport photos while wearing a headscarf. In March, Commissioner for Human Rights Sabina Aliyeva stated her support for lifting the restriction and permitting the wearing of a headscarf in passport photos.

The government continued to allocate funds to "traditional" religious groups. On July 8, President Aliyev signed a decree allocating two million manat (\$1.18 million) to the CMB for Muslim communities and 350,000 manat (\$206,000) each to the Baku Diocese of the Russian Orthodox Church and the religious community of Mountain Jews, the same amounts as in 2020. The decree also allocated 150,000 manat (\$88,200) each to the European Jewish community, the Albanian-Udi community, and the Catholic Church of Baku, and 100,000 manat (\$58,800) to the Moral Values Promotion Foundation, the same amounts as in 2020. The Moral Values Promotion Foundation used the funds to support some smaller non-Muslim religious communities.

In a resolution on "Humanitarian consequences of the conflict between Armenia and Azerbaijan / Nagorno-Karabakh conflict" adopted on September 27, the Parliamentary Assembly of the Council of Europe (PACE) stated, "The long running conflict has had a catastrophic impact on the cultural heritage and property of the region, for which both Armenia and Azerbaijan have a responsibility." PACE condemned the damage "deliberately caused to cultural heritage during the 6-week war, and what appeared to be the deliberate shelling of the [Holy Savior Cathedral] in Shusha and the destruction or damage of other churches and cemeteries during and after the conflict." The resolution also stated PACE remained "concerned, in the light of past destruction, about the future of the many Armenian churches, monasteries, including the Dadivank monastery, and cross-stones and other forms of cultural heritage which have returned under Azerbaijani control." The resolution expressed "concern about a developing narrative in Azerbaijan promoting a 'Caucasian Albanian' heritage to replace what is seen as an 'Armenian' cultural heritage." There were numerous reports during the year of vandalism and destruction of Armenian cultural and religious sites, as well as deliberate actions by the government to sever and distort the connection of religious sites to their Armenian heritage. Government actions and rhetoric stating churches were "Caucasian Albanian" prompted international observers, Armenian officials, civil society representatives, and the Armenian Apostolic Church to express grave concerns about the preservation of Armenian ties to historical and religious sites now under Azerbaijani control.

For example, on May 4, the Ministry of Foreign Affairs stated the Azerbaijani-funded reconstruction of the Holy Savior Cathedral in Shusha was "in accordance with the original architectural style in order to restore the historical image of Shusha" and attributed renovations of the site to reflect "Caucasian Albanian" heritage. Armenian officials said such statements attempted to conceal the church's Armenian roots and structure, including the original spire. In a letter to UNESCO, Armenia's acting Minister of Education, Science, Culture and Sports Vahram Dumanyan accused Azerbaijan of actively implementing "a policy of falsification of historical facts" by calling the sites of Armenian cultural heritage in newly returned territory "Caucasian-Albanian." On September 27, Caucasus

Heritage Watch (CHW) reported the Azerbaijani government embarked on an extensive campaign after the November 2020 ceasefire to claim Armenian heritage sites either do not exist or have “Caucasian Albanian” origins.

Following the November 2020 ceasefire, leaders of the Armenian Apostolic Church requested Russian peacekeepers protect the medieval Dadivank Monastery in the district of Kealbajar. The government initially allowed Armenian pilgrims to visit the church, but access became increasingly difficult throughout the year. According to media reports and Armenian Apostolic Church authorities, two groups of pilgrims were denied access to the monastery in February and April; Forum 18 reported in July that no Armenian pilgrims had been able to visit the monastery since May 2. Azerbaijani authorities cited COVID-19, flooding, and road damage as reasons for denying access to groups of pilgrims who were ready with Russian peacekeeper escorts to visit the monastery, according to the Armenian Apostolic Church. By year's end, in addition to the monastery, no Armenian pilgrims had been permitted visits to any religious site in Azerbaijani-controlled territory (where no Russian peacekeepers were present) since May 2.

CHW's June and September reports identified other religious and historical sites under the government's control that were destroyed, damaged, or under the threat of destruction due to proximate construction. CHW reported the complete destruction of Mets Tagher Cemetery, an inscribed stone of Holy Savior Cathedral, and the Sghnakh Cemetery. CHW also reported damage to the Holy Savior Cathedral, St. John the Baptist Church (Kanach Zham), Surb Meghretsots Church, and Shushi Northern Cemetery. According to CHW, the following religious sites were threatened by nearby large-scale construction projects: Saint Astvatsatsin Church, Vankasar Church, and Amenaprkich Church. In addition, CHW reported the destruction of the 18th century Aygek Mosque as a result of the construction of the Khudafarin-Gubadli-Lachin road along the Hakari/Aghavno River valley, following the November ceasefire.

CHW said it was concerned about the government's reconstruction of the St. John the Baptist Church (also known as Kanach Zham/Green Church) located in Shusha. Footage after the November 2020 ceasefire showed partial destruction of the dome and bell tower of the church. According to a CHW analysis, the church previously had two cupolas; the analysis cited a February image taken from Google Earth showing a portion of the eastern cupola was still standing at that time. CHW said that based on satellite imagery from April 10, the eastern cupola had been destroyed.

On May 26, BBC reported the removal of a cross atop St. Yeghishe Armenian Church in Sugovushan (Mataghis). A video reposted in March by Armenia's ombudsman Armen Tatoyan on social media had shown soldiers wearing Azerbaijani and Turkish insignia desecrating the church.

In June, *The Art Newspaper* published a report using satellite images that detailed the destruction of medieval Armenian churches in Agulis, Nakhchivan. The churches were seen in 1977 images but were missing in images from 2016 and 2019. The destruction included Surb Stepanos (Saint Stephen), likely founded in the 12th to 13th centuries, the medieval Surb Tovma (Saint Thomas), Surb Kristapor (Saint Christopher), Surb Hovhannes Mkrich (Saint John the Baptist), and other ancient churches, such as Mets Anapat Surb Astvatsatsin (Greater Hermitage Holy Mother of God) and Surb Hakob Hayrapet (Saint Jacob of Nisibis). *The Art Newspaper* also chronicled the destruction of Armenian heritage throughout Nakhchivan, which once included 89 churches, 5,840 cross-stones, and more than 22,000 tombstones, according to documentation from 1964-87 collected by independent researcher Argam Ayvazyan. Because religion and ethnicity are closely linked, it is difficult to categorize many incidents as being solely based on religious identity.

Section III. Status of Societal Respect for Religious Freedom

Local experts on religious affairs and civil society representatives stated citizens and civil society organizations continued to tolerate and, in some cases, support financially “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 and other embassy officers engaged government officials to advocate for the release of individuals that NGOs stated were imprisoned for their religious beliefs. The Ambassador and 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 and CMB officials to urge resolution of longstanding problems in the registration process for smaller religious communities and other obstacles faced by religious minorities. 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 unimpeded access to religious and cultural sites to UNESCO representatives and international journalists.

The Ambassador and embassy officers continued to meet regularly with leaders of registered and unregistered religious communities and with representatives of civil society to discuss issues related to religious freedom, a civilian alternative to military service, and relations with the SCWRA. The embassy protested the expulsion of a U.S. citizen who was active in the religious community because of an expired (nonrenewed) visa.

ecoi.net summary:

Annual report on religious
freedom (covering 2021)



Country:

Azerbaijan

Source:

[USDOS – US Department of
State](#)

Original link:

[https://www.state.gov/reports/
2021-report-on-international-
religious-freedom/azerbaijan/](https://www.state.gov/reports/2021-report-on-international-religious-freedom/azerbaijan/)

Document type:

Periodical Report

Language:

English

Published:

2 June 2022

Document ID:

2073983

Austrian Red Cross
Austrian Centre for Country of Origin and
Asylum Research and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien
T (Telefon) +43 1 589 00 583
F (Fax) +43 1 589 00 589
info@ecoi.net

Contact
Imprint & Disclaimer
F.A.Q.
Data Protection Notice

ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

