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Azerbaijan



International Religious Freedom Report

Released by the Bureau of Democracy, Human Rights, and Labor
 October 2001

The Constitution provides that persons of all faiths may choose and practice their religion without restrictions, and the Government generally respected these rights for most citizens; however, there were some abuses and restrictions.

There was no overall change in the status of respect for religious freedom during the period covered by this report. Following President Aliyev's public statements on religious freedom in November 1999, the Government's respect for religious freedom improved in late 1999 and much of 2000; however, some problems continued. Religious groups reported delays in and denials of registration. The authorities interfered in the importation of religious literature. Low-level officials at times harassed nontraditional religious organizations.

The generally amicable relationship among religions in society contributed to religious freedom; however, reaction in recent years to evangelical activity on behalf of religious faiths new to the country has run contrary to its tradition of tolerance. There is widespread popular hostility towards groups that proselytize (largely evangelical Christians, but also Muslim missionary groups), and towards Muslims who convert to other faiths.

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 Embassy maintained a wide variety of religious contacts and addressed issues of concern with the Government's Religious Affairs Department, its successor agency the State Committee for Work with Religious Structures (SCWRS), and other government officials.

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 persons. The population is approximately 90 percent Muslim, 3 percent Christian, and less than 1 percent Jewish. 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. The Muslim population is approximately 60 percent Shi'a and 40 percent Sunni; differences do not appear to be defined sharply, and those Shi'a and Sunni Muslims who are observant intermingle freely on religious occasions. 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 "European" Jews are descendants of 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, 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, Pentecostals, evangelical Christians, Jehovah's Witnesses, and Hare Krishnas. Religious leaders may not engage in political activities and their facilities may not be used for political purposes.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides that persons of all faiths may choose and practice their religion without restrictions, and the Government generally respects these rights for most citizens; however, there were some abuses and

restrictions. Under the Law on Religious Freedom, each person has the right to choose and change his or her own religious affiliation, including atheism, to join or form the religious group of his choice, and to practice his or her religion. The State generally is prohibited expressly 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 stability."

A number of legal provisions enable the Government to regulate religious activity, including a requirement in the Law on Religion that all religious organizations be registered by the Government in order to function legally. Throughout most of the period covered by this report, registration was accomplished by obtaining approval from the Religious Affairs Department, subordinated to the Cabinet of Ministers, and then applying for formal registration with the Ministry of Justice. Following the liquidation of the Department in June 2001, registration of all religious groups was halted temporarily, while the government reorganized its procedures for overseeing religious organizations.

Registration enables a religious organization to maintain a bank account, rent property, and generally act as a legal entity. Lack of registration makes it more difficult, but not impossible, for a religious group to function. The process is burdensome and there are frequent, lengthy delays in obtaining registration for religious and nonreligious groups. Religious groups are permitted to appeal registration denials to the courts. Following a number of attacks against unregistered, nontraditional religious groups in late 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. These included Pentecostal and Baptist churches, as well as Jehovah's Witnesses. The Law on Religious Freedom also subordinates all Islamic religious organizations to the Azerbaijan-based Spiritual Directorate of Caucasus Muslims. Another provision in the Law on Religious Freedom permits the production and dissemination of religious literature after approval is received from the Religious Affairs Department and with the agreement of local government authorities; however, the authorities also appeared selectively to restrict individuals from importing and distributing religious materials.

Officials other than the President issued public statements in support of religious freedom and tolerance. For example, in May 2001, Speaker of the Parliament Murtuz Aleskerov encouraged acceptance of citizens who had converted to Christianity. In October 2000, the Constitutional Court hosted a conference on religious freedom, which was attended by senior religious authorities as well as foreign and domestic specialists on religion.

Restrictions on Religious Freedom

The acting Chairman of the Religious Affairs Department and other lower-level and local government officials continued to restrict religious activity by some foreign and nontraditional groups. The key concerns relate to the Government's authority to register religious groups to oversee the import and production of religious literature and to restrict what it regards as political activity carried out under the guise of religion.

By the end of the period covered by this report, several religious groups continued to report that they had not been registered. These included Azerbaijani Presbyterian, Living Stones, New Life, and Baptist congregations from the towns of Aliabad, Sumgait, and Neftchala. In late 2000, two congregations, the nondenominational Baku Christian Fellowship and a branch of the Evangelical Lutheran Church, were denied registration by the Religious Affairs Department and the Ministry of Justice. In both cases, the reasons for denial appeared to have no basis in the law and contradicted the President's 1999 commitment to religious freedom. The authorities also appeared selectively to restrict individuals from importing and distributing religious materials. In September 2000, customs authorities held up a shipment of religious materials destined for the shop allegedly because the owner "did not have a right to import such books into the country." Half of these books eventually were released. The government has taken action against a number of Islamic figures (including foreigners) and organizations that it believes to have engaged in illegal political and terrorist activities.

Three religious groups in Baku continued to seek 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 are resisting return of these properties.

There were no repetitions during the period covered by this report of earlier instances in which officials or those allied with the Government used veiled anti-Semitic comments against perceived opponents for politically motivated reasons.

Press reports indicate that in the breakaway Nagorno-Karabakh region, a predominantly ethnic Armenian area over which the authorities of the Republic of Azerbaijan have no control, the Armenian Apostolic Church enjoys a special status. Courses in religion are mandatory in Nagorno-Karabakh schools and local officials frequently underline their commitment to supporting the church, which is the oldest Armenian national institution. This status also results in serious restrictions on the activities of other confessions, mostly various Christian groups. The region's military atmosphere has led to hostility toward Jehovah's Witnesses, whose beliefs prohibit the bearing of arms.

Abuses of Religious Freedom

Sporadic violations of religious freedom by some officials continued. In many instances, abuses by officials reflected the popular prejudice against conversion to Christianity and other nontraditional religions. For example, local authorities in the Zagatala region (in the northwest of the country) denied a newborn boy a birth certificate for several months before finally issuing one, allegedly because his parents were members of the local Baptist church and had given their son a "non-Azeri" name. Services at a legally registered Baptist church in Baku were reportedly under routine surveillance by local police. 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.

There have been isolated instances of harassment of religious groups by local officials. The most prominent of these is the harassment of the legally registered evangelical Greater Grace Church. Since December 2000, the local pastor and several members of the Greater Grace Church in Ismayli repeatedly have been detained and questioned by local police, apparently at the instigation of local Muslim authorities. This harassment persisted 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. 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 during the reporting period 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 September 1999, at the instigation of a local security official, the management of a state factory near Baku subjected six employees to public humiliation then fired them because they had become Jehovah's Witnesses. Following President Aliyev's November 1999 reaffirmation of religious freedom, the employees were reinstated with back pay. In an April 2001 letter to the UN Special Rapporteur on Religious Tolerance, a senior Jehovah's Witness official applauded the Government for its tolerant attitude towards Jehovah's Witnesses since that time.

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 Government's refusal to allow such citizens to be returned to the United States.

Section III. Societal Attitudes

The generally amicable relationship among religions in society contributed to religious freedom; however, there is widespread popular antipathy towards groups that proselytize (largely evangelical Christians, but also Muslim missionary groups), and towards Muslims who convert to other faiths. Azerbaijani Muslims who convert to non-Muslim faiths are considered alien by some of the religious traditions.

Religious proselytizing by foreigners is against the law, and there is vocal opposition to it. During a March 2001 opposition Civil Solidarity Party press conference, participants claimed that missionary activity undermined the country's morals and that certain missionaries operated in the political interests of Western countries. An article published in a local daily in February 2001 criticized Western pressure on religious issues and the President's decision to register nontraditional evangelical faiths in late 1999. Russian Orthodox Church officials publicly blamed nontraditional Christian faiths for promoting discord between Christians and Muslims in the country.

In June 2001, the Adventist Development and Relief Agency (ADRA) became the subject of several negative press reports on independent television stations. These reports accused both the Adventist church and ADRA of religious proselytism in the country. Local Muslim leaders and government officials were featured warning such agencies that they should be closed. The press also accused the International Committee for the Red Cross (ICRC) in Baku, of supporting religious groups after the ICRC distributed a publication that some believed recognized the breakaway region of Nagorno-Karabakh as independent. The ICRC- a purely secular organization- immediately and publicly refuted the accusations about supporting religious groups.

Hostility also exists toward foreign (mostly Iranian and "Wahhabist") Muslim missionary activity, which in part is viewed as seeking to spread political Islam and thus as a threat to stability and civil peace.

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 over 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.

Prominent members of the Russian Orthodox and Jewish communities report that there are no societal restrictions on their freedom to 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. The Ambassador and embassy officers maintain close contacts with senior Muslim and other religious authorities from a wide variety of religious groups. The Embassy helped organize a conference on religious freedom hosted by the Constitutional Court in October 2000. Attendees included the Ambassador and a visiting U.S. Congressional counsel on religious freedom who later met with government officials and religious groups to discuss recent developments. The Embassy communicated its concerns about reported violations of the Law on Religion to officers in the Department of Religious Affairs, its successor agency, Parliament, and the Presidential Administration. In January 2001, embassy officers traveled to Ismayli to meet with members of the Greater Grace Church and local authorities following reports of harassment. The Embassy remained in close contact with various church members and government authorities to urge compliance with the country's commitments to religious freedom. In April 2001, the Ambassador met with the President's senior adviser on religious issues to underscore the U.S. government's interest in religious freedom and to encourage continued implementation of the president's policy. The Embassy continued to raise concerns with government officials, particularly regarding actions taken by local police, security, and other authorities. The Embassy also has worked on a regular basis with religious groups and the President's Office to resolve issues related to registrations and the import of religious literature.

[End]

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