

# FRANCE: An Algerian imam faces deportation

HRWF (15.04.2018) – The French government is trying to expel El Hadi Doudi, an imam preaching a fundamentalist form of Islam contrary to human rights. On 8 March, a Commission composed of administrative and judicial magistrates opened the way to the deportation of the controversial imam after it identified cases of hate speech in the numerous sermons of the imam. Jews are “unclean, the brothers of monkeys and pigs,” he said. Adulterers “must be punished by stoning to death or decapitation,” while women “must not leave the home without authorization.” The apostate “needs to be eliminated by the death penalty, to protect Muslims.” Most damning, the Commission report said, Imam Doudi “explicitly” justified jihad.



*El Hadi Doudi, an imam who preaches a fundamentalist form of Islam, at a courthouse in Marseille, France, in February. The French*

*government is trying to expel him. Credit Anne-Christine  
Poujoulat/Agence France-Presse – Getty Images*

Imam Doudi, 63 was born in Algeria and is not a French citizen. As he is very active on internet, his influence extends not only in France but also throughout Europe. His lawyer said he is the only imam authorized to issue fatwas. Over 37 years, he has often criticized Jews, women and the modern world, yet former governments have long tolerated his hard-line sermons. President Macron is adopting a tougher line, especially about hate speech.

However, France had never been lax in its fight against extremism and terrorism. From 2012 to 2015, the then Interior Ministry kicked out 40 Muslim clerics, and another 52 people, including clerics, were also deported over the last 28 months.

“It’s not just the terrorist organizations, the armies of Daesh, the imams of hate and death that we are fighting,” Mr. Macron said, referring to the Islamic State, in a speech last week honoring Lt. Col. Arnaud Beltrame, a police officer who died in terrorist attack at a supermarket in southern France after swapping himself with a hostage.

“What we are fighting is also this subterranean Islamism, which advances through social networks, which accomplishes its task invisibly, which works silently on the weak and the unstable, betraying even those it claims to represent, who, on our very soil, indoctrinate through proximity and daily corrupt,” Mr. Macron said.

The expulsion of Imam Doudi was recommended by the Marseille authorities under a French law regarding “deliberate acts tending to provoke discrimination, hatred and violence toward an individual or a group.”

Marseille – France’s second-largest city, one-fifth Muslim – is not especially radicalized. Other cities in the south of France, like Nice, have had higher numbers of young people

leave to fight in Syria, and greater proportion of Muslim residents on the government's terrorism watchlist. However, almost all of the fines in Marseille for wearing a face-covering, head-to-toe veil – which is illegal in France – have been imposed in the vicinity of Imam Doudi's mosque, the police say. The authorities are growing increasingly concerned about the potential for radicalization – especially since two young women were killed in a knife attack at the city's main train station in October.

The Sounna mosque where Imam Doudi preached, on the Boulevard National in the Third Arrondissement of Marseille, was closed by officials in December on the grounds that his sermons could “provoke acts of terrorism.” Five members of Imam Doudi's flock left to fight jihad in Syria, according to the police.

His sermons are “exactly contrary to the values of the Republic,” said Marseille's prefect of police, Olivier de Mazières, a terrorism specialist who has led the case against the cleric.

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## **PAKISTAN: MOURNERS BURY 11 KILLED IN QUETTA CHURCH SUICIDE ATTACK, AS 50 INJURED**

World Watch Monitor (18.12.2017) –  
<https://www.worldwatchmonitor.org/2017/12/pakistan-bomb-attack/> – Worshippers were lining up to take the Holy Communion when at least two men, armed and wearing suicide vests, attacked Bethel Memorial Methodist Church in western

Pakistan's restive city Quetta on Sunday morning. They left at least eleven dead and more than 50 injured, many in a critical condition, unofficial local figures say.

"It was a pleasant morning. We had sung songs and children had presented a Christmas program. Pastor Simon Bashir had finished his sermon and we were moving towards the altar when we started hearing gunfire outside the church," said Sohail Yousuf. His 13 year-old daughter Mehak lost her life; her 16 year-old sister Wasika is critically ill after an operation in Quetta's Combined Military Hospital (CMH).

Yousuf, a manager in an insurance company, migrated 16 years ago to Quetta from Punjab after his wife, a government schoolteacher, was posted there.

"We bolted all the doors and were praying that God would protect each of us. Then a suicide bomber blew himself up at the main door. The explosion shattered the door and injured many inside. When some rushed outside, they were injured by gunfire as the terrorists were on the church lawn. But soon the situation was brought under control by the volunteer church security guards and police present there."

Caritas Executive Director Sheezan William told World Watch Monitor that the first person killed was the church security guard George Masih, who tried to stop the men advancing towards the church.

"I came to know what was happening while the exchange of fire was taking place. I phoned two youths in the choir. I could hear gunfire on the phone and then rushed to the church," he said.

[Leading Pakistani newspaper 'Dawn' also confirms that police intervened after the church security guard scuffled with one attacker.](#) About two hundred congregants were inside the church, beautifully decorated for Christmas, when the terrorists unleashed their attack. [Islamic State \(IS\) has](#)

claimed responsibility but provided no evidence for this claim.

“The injured were taken to the Civil Hospital, CMH, Akram Hospital and other private hospitals. Relatives picked up two bodies from the church and took them away, which is why they are not counted in official numbering.”

Retired Brigadier Samson Simon Sharaf, a political analyst who is close to security agencies, told World Watch Monitor the attackers were four in number. “They were equipped with ample ammunition supply and were aiming to take worshippers hostage and kill them one by one, prolonging the scene of terror as much as they could.”

Video footage shows a church security guard was quick to close the door when he saw two men approaching. This provided more time for local security personnel to plan.

“One terrorist was shot in the compound before he could blow himself up inside the church. Meanwhile, the other one rushed to the church entrance where he blew himself up,” said Sharaf. “The agencies chased the other two who fled, and a search operation is ongoing.

“The incident has taken place close to the sad day in the country’s history, December 16 [when Pakistani forces were defeated in 1971, leading to East Pakistan becoming Bangladesh]. Our enemy keeps reminding us of our history. This time Christians are targeted who stand united with other Pakistanis against the menace of terrorism.”

William added: “A team of about 70 youths is working day and night to provide blood supplies, food or any other assistance to the injured, and coffins for the burial.” He told World Watch Monitor that seven families living in the church compound, including that of Pastor Simon Bashir, were told to vacate their houses. “All of them have moved to relatives until the area is given clearance.”

Al-Jazeera reports Moazzam Jah Ansari, police chief of Balochistan province, as saying: "We have cleared the immediate area around the church, and we are now clearing a peripheral area".

Balochistan, the largest province of Pakistan, is situated along the Afghan border. The mineral rich, mostly hilly, region – the least populated area in the country – is where an insurgent separatist movement has long been going on. Most Christians in this province have migrated from Punjab but mostly remain unharmed by the separatists, though the separatists are against Punjabis, believing they are doing an injustice to them by controlling their land and resources.

The Quetta Methodist church, established in 1959, came under the control of the Church of Pakistan in 1971 after six Protestant denominations, including the Methodist Church, united as one denomination.

Ten days ago, a seven-year-old boy and two others were killed during a hand grenade attack on the gates of a Christian colony in Chaman, also in Balochistan, south-western Pakistan.

Punjabi Christians staged a protest, about the way they feel the government does not do enough to protect them against radical Islamic militant extremists, outside the Lahore Press Club a few hours after the Quetta attack.

Last week, the EU Envoy on Freedom of Religion or Belief, Jan Figel, was in Pakistan, and took part in the set-up of an inter-faith advisory commission. Its main aim is to help stop misuse of the blasphemy law.

Since 9/11, Christians are the main religious minority that has come under both communal attacks on the pretext of blasphemy, and by terrorist attacks on their places of worship. Immediately after 9/11 there were six attacks on churches, Christian hospitals and educational institutions. Such attacks re-surfaced again in [2013 with the suicide attack](#)

on All Saints' Memorial Church in Peshawar province, which is also on the Afghan border. About 90 people died in that incident, including many children.

Then on 15 March 2015, just before Easter, two churches in a Christian neighbourhood in Lahore came under twin suicide attacks. About 25 people died. In 2016 in Lahore, Punjab – where the largest Christian population lives – a suicide attack took place on a park, killing mostly Christians as they celebrated Easter. This year, security was on high alert at Easter. In March, Pakistan's military agency, to prevent an attack, killed a husband and arrested his wife, who'd been trained in Syria by IS. (She was later released by security agencies.) Security agencies are on high alert for Christmas.

The worst attack in Pakistan's history (which changed the course of the country by triggering new anti-terrorism laws after showing the population how ruthlessly Islamist militant radicals could behave), took place exactly three years ago in Peshawar when terrorists raided an army public school, massacring 141, including 132 children.

***List of victims (Source: British Pakistani Christians: <http://bit.ly/2z33cAz>)***

Below we have a list of those killed and injured with some images of the survivors you may find these upsetting and should stop reading from here is so: List of People who lost their lives during the blast in Church in Quetta 1. Mehak D/O of Sohail Yousaf 2. Akash S/O Naseem 3. Fazal Masih S/o Malik Masih 4. George Masih 5. Gulzar Masih 6. Sultan Masih S/O Siraj Masih 7. Sona Nazaf D/O Noaf Hameed 8. Madeeha Barkat D/O Barkat Ali List of people who were injured: 1. Ashraf S/O Manzoor 2. Sultan S/O Mizaj 3. Saiqa wife of Sohail 4. Aaliya Naeem 5. Nadia 6. Mekal 7. Saima 8. Sunil 9. Shamim 20. Yasir Naveed 21. Shezadi Shamshad 22. Adil 23. Khushi 24. Salma 25. Hanan 26. Sadaf 27. Jospheen 28. Ayeasha 29. Tina Qaisor 30. Ramish 31. Eman Wali 32. Zeeshan 33. Aksa

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# OP-ED: ABOUT THE ISLAMIC TOTALITARIANISM

An ideology that wants to radically change the existing nature of a state into a theocracy to be dominated by one religious worldview

An ideology that wants to change the structure of a diverse civil society into a society to be dominated by one religious worldview

An ideology that wants the daily life and the behavior of each individual to be dominated by one religious worldview

is a totalitarian ideology, as was the Communist ideology inspired by the political philosophy of Marx and Engels.

Islamic totalitarianism is a totalitarian ideology inspired by the Quran but it is not a religion.

It divides and fragments the Muslim communities around the world.

The primary “collateral victims” of the fight for power of Islamic totalitarianism are Muslims, who in many countries adhere to an historically peaceful Islam.

Christians are a second category of “collateral victims” of Islamic totalitarianism in Muslim majority countries.

Diverse civil populations in countries where Islam is not professed by a majority are the third category of “collateral victims” of Islamic totalitarianism.

The Islamic totalitarian virus infecting the software of the



*ummah* must not infect humankind. An antidote must be administered.

Combating Islamist totalitarianism with ideas, with words and in practice is legitimate. It is obligatory. It is the self-defence of states, of non-Muslim societies and minorities, and of individuals.

Combating groups and individuals, such as the Muslim Brotherhood and Islamic universities such as al-Azhar, which promulgate Islamic totalitarian ideologies is a must. This is not Islamophobia. It is a fight for human dignity for all, for equality for all and for human rights for all.

Willy Fautré

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## **RADICALISM AND JIHADISM IN AZERBAIJAN**

HRWF (28.10.2017) – <http://bit.ly/2xvauwY> – On 21 October 2017, contact.az posted a long article written by Kenan Rovshanoglu entitled “Religious freedom in independent Azerbaijan”. The various sections are entitled as follows:

- Religion in Soviet times
- Legislation in the field of religion
- Import of religion into independent Azerbaijan
- Control increases
- Period of prohibitions (2006-2012)
- First armed religious groups and first arrests
- Jihadism and radicalization

- Government policy in the religious sphere: bans and pressures
- Conclusion

Below, we reproduce his article, except the part on religion in Soviet times.

In the conclusion, the journalist questions the effectiveness of Azerbaijan's fight against radical Islam.

### ***Legislation in the field of religion***

In 1991, the independence of Azerbaijan was restored and freedom of religion was declared in the country. On August 20, 1992, President Elchibey signed Decree No. 281, which passed the "Law on Freedom of Religion".

This law, which should be considered one of the most democratic legal acts in the history of Azerbaijan, recognized the freedom of all faiths, restored religious centers to believers, gave believers the right to freely disseminate the principles of their faith and create religious educational institutions. However, not everything in the law was perfect. Fearing the growing influence of the ideas of the Iranian Islamic revolution, the law forbade spiritual figures to be elected to the national parliament of Azerbaijan.

Because of the fear of radicalization of the religious sphere, this law was changed several times in the following years under the current regime: on June 7, November 5 and December 27, 1996, on October 10, 1997, on November 23 2001, in 2009, in 2011, in the year 2015, the law was toughened and restrictions were imposed on it.

Tougher legislation that has taken place in the last 5 years prohibits foreigners from engaging in religious propaganda and people who have received religious education abroad to hold religious posts.

Strongly toughened bans in the religious sphere “Law on Struggle against Religious Extremism”, adopted in December 2015.

### ***Import of religion into independent Azerbaijan***

As mentioned above, after the restoration of independence in 1991, freedom of religion was declared in Azerbaijan, and with the fall of the Iron Curtain, missionaries from Muslim countries, especially from Iran, Turkey and the Persian Gulf countries began to come to Azerbaijan.

Charitable foundations, which in the beginning came to the country as humanitarian or charitable organizations, soon began to create religious educational institutions. According to the Office of Religious Affairs of the Cabinet of Ministers, in 1993-2003 there were already about 150 madrassas in Azerbaijan. The activities of foreign funds were conducted by different countries in three main areas. The Shiite current was conducted mainly by Iran, the Sunni movement mainly by Turkey and Egypt, Salafi propaganda was conducted by the funds of Saudi Arabia and other countries of the Persian Gulf.

As already noted, about 65% of Azerbaijan's population consider themselves Shiites or come from traditional Shiite regions: Karabakh; Ganja and the areas around it; Aran; South Region; Mil Mugan; Baku and the surrounding areas are considered Shiite territories. Therefore, Iran's religious activities have become particularly successful in these regions. I agree with official data, out of 150 madrasahs in the country 22 are under the control of Iran, 14 of them were registered by the Ministry of Justice. The most famous among them are madrasahs in Goychay, Lenkoran, Jalilabad and Nardaran.

There are also representative offices in the country

- Ministry of Culture of Iran;
- Propaganda of Islam;

- Madrasah Coordination Organization;
- Organization for International Cultural Relations;
- International publishing house “Al-Khuda”;
- Charitable Foundation “Imdad Khomeini”;
- Representation of “Bali Fagih” (representation of the Supreme Religious Leader of Iran).
- Iran’s prayer house in Baku – “Huseyniyya” is one of the most visited religious centers in the country.

The Ministry of Education of Turkey has opened five schools with a religious bias in the Turkish “Imam-Khatip” type in Baku, Sumgait, Shcheki, Mingechaur and Agdash.

According to the Office of Religious Affairs of the Cabinet of Ministers, in the following years, 26 mosques were built or restored to Turkish charity funds. In these mosques, events are held by Turkish religious figures.

In addition, under the auspices of Turkey in the country operate

- Madrasah “Khafizov and Islamic Sciences” in the cheeks,
- The Aliabad madrasah in Zagatala,
- Madrasah in Agdash
- and madrassas in Badamdar settlement of Baku.

The founders and long-time heads of the Faculty of Theology (İlahiyyət) of the Baku State University were the theologians invited from Turkey, the training was conducted according to the Turkish program, compiled according to the Sunni canons.

Another faculty of Theology was founded in the Guleni University “Caucasus” (today it is closed).

Some of the mosques of Baku Akhunds were appointed by the Ministry of Religious Affairs of Turkey. Aziz Makhmud Khudai (Youth Support Fund), Nur community (Sunuris), Fathulla Gülen communities developed active religious activities.

After the restoration of independence, especially in the mid-1990s, more than 15 Arab religious charitable organizations began to operate in Azerbaijan. The most active among them were the radical Salafist organizations.

Among the 65 mosques operating with financial support from the Arab countries, the 61st mosque was built by the "Fund for the Revival of the Islamic Heritage". Among them – four mosques are built in Baku.

Other Arab religious charities include

- Organization of Help "Al-Haramain",
- Committee of Muslims of Asia Kuwait (Kuwait),
- International Organization of Islamic Charity (Saudi Arabia),
- The World Islamic Youth Assembly (Saudi Arabia),
- International Islam Najat (Saudi Arabia),
- Dar al-Beer (United Arab Emirates).

Most of these organizations controlled the open or secret activities of the madrassas they built.

### ***Control increases***

Since the mid-1990s, the government has gradually begun to tighten religious legislation, but this did not prevent foreign missionaries from freely carrying out religious propaganda. However, since 1998, the authorities began to severely restrict the activities of Arab religious organizations. The most famous propagandist of Salafism in Azerbaijan Sheikh Salim Zaharna (preacher of Arab origin) was deported from Azerbaijan. Pressure on Arab religious organizations increased after the events of September 11, 2001 in New York, many of them were closed, and their leaders were deported from the country. The last Arab organization Dar al Bir was closed several years ago.

It was during this period that the authorities of Azerbaijan

were seriously concerned about the rapid expansion of the religious segment of society. In addition, in those years, reports began to be received that the Azerbaijanis began to join foreign religious armed groups in such regions of the Sunni "jihad" as Afghanistan and Chechnya. Serious concern was also caused by the increased religious influence of Shiite Iran.

The first arrests of radical religious activists began in the mid-1990s. It was during this period that the leadership of the Islamic Party of Azerbaijan (IPA) was arrested, arrests were also made among members of Islamic extremist groups, such as Hizb-ut-Tahrir.

In 2001, by the decree of President Heydar Aliyev, the "Committee for Work with Religious Organizations" (hereinafter – the Committee) was established. A member of the Academy of Sciences, Professor Rafik Aliyev was appointed Chairman of the Committee. Immediately thereafter, by the government's decision, 14 Iranian-controlled madrassas were closed. Gradually, the authorities closed all the independent and sponsored madrasahs and courses of the Koran, except for four madrasahs in Baku, Zagatala, Aghdash and Shcheka, controlled by the Turkish government.

The Committee received the right to register religious communities, formerly belonging to the Ministry of Justice, the right to examine religious literature, as well as control over the activities of religious communities.

During the times of R. Aliyev, the Committee began to take serious measures to streamline and monitor religious activities. Religious communities and mosques were required to register as official communities and soon more than 400 religious communities were registered. At the same time, according to the requirements of the legislation, the religious activity of foreign citizens was banned and these people began to be expelled from the country. This process

continued until the expulsion of the last employee of the Turkish Ministry of Religious Affairs from the country.

The Committee also compiled a list of banned religious literature and banned the import and sale of several Islamic and Christian books "for propagating religious intolerance in them." The government annually updated the list of banned literature. In addition, the Committee's expertise department began to censor religious literature imported and published in the country.

### ***Period of prohibitions (2006-2012)***

In the summer of 2006, the new president, Ilham Aliyev, freed Rafik Aliyev from the post of the head of the Committee and appointed Hidayat Orujov, presidential adviser on national and religious issues. The period of 6 years after this became a period of restrictions and strict interventions of the state in the sphere of religion. The reason for this was the strengthening of religious radicalism in the Middle East (under the influence of wars in Afghanistan and Iraq), the intensification of the propaganda of jihad, the strengthening of radical religious appeals. As a result, bans in the religious sphere of Azerbaijan have become tougher from year to year.

The first acquaintance of our society with the real activity of radical Islamists occurred in connection with the newspaper article of the well-known publicist Rafik Tagi in 2006, in which the author unflatteringly spoke about the Prophet Muhammad. R. Tagi began to receive a large number of threats of violence by phone, and religious activists from Nardaran held a press conference, which already openly threatened Tagi with physical violence. As a result, Tagi and the editor of the newspaper Samira Sadagatoglu were arrested for a short time. On November 23, 2011, Rafik Tagi, who was released, was killed, no killers have been found.

In May 2007, the government banned the transfer of azan (a call to prayer) through radio amplifiers at the beginning in Baku, then and throughout the republic. The ban lasted several days and after a serious discontent of the religious community, the government formally abolished the ban. But despite this, in several mosques, the ban on the adhan still works. In the summer of 2007, the Committee, under the pretext of "the need for a new registration," closed 19 courses of the Koran, working legally. A small number of these courses were registered inside religious communities.

In 2008, the government decided to destroy the "Fatimeï Zahra" mosque in the village of Yeni Gunashli. And in 2009, the mosque "Our Prophet Muhammad" in Baku and the mosque on the Oil Rocks were destroyed, which was accompanied by active protests of believers.

In 2009, the parliament adopted an amendment prohibiting people who received religious education abroad to hold a religious office. The quota for participation in the pilgrimage to Mecca was reduced from 6000 to 2,000 people. Permission to deal with hajj organizations was given only to SAMC, it was forbidden to private companies.

In November 2010, the Minister of Education Misir Mardanov made a statement about the ban on wearing women's head-covers in state secondary educational institutions. This decision caused serious discontent and protests from believers. On December 10, 2010, on May 6, 2011, on October 5, 2012, protests were held in front of the Ministry of Education. Especially memorable was the last action, which ended with a clash with the police. As a result of 36 protesters were arrested.

### ***First armed religious groups and first arrests***

Lieutenant Kamran Aliyev, a member of the Salafi group, serving in Geranboy (on the front line with Armenia), fled his



military unit, in October 2007, arrived in Baku and attacked several facilities, including a gas station. Soon he and members of his group were arrested.

On August 17, 2008, a grenade was thrown at the Salafi mosque of Abu Bakr in Narimanov district. The mosque was closed and as a result of the investigation it became known that the terrorist attack was carried out by a group of radical Khawarijas – “The Forest Brothers”. Members of the group were arrested, their leader Ilgar Mollachiyev was killed.

A terrorist of Arab origin named Abu Jafar was arrested in Sumgayit. Two members of the group “Forest Brothers” were arrested in Pakistan and handed over to the Azerbaijani authorities.

In 2003, about 15 Azerbaijani citizens who arrived from the Pankisi Gorge in Georgia to start partisan activities in Karabakh were arrested during the operation in Ganja and Baku. During the operation, a senior police lieutenant was killed. A large number of arms and ammunition were confiscated from the Raf car belonging to the group. Later, the leader of the group called “Karabakh Partisans” – Rovshan Badalov and all members were sentenced to long terms of imprisonment. One of the members of the group received a life sentence. R. Badalov was released in 2011-2012, it was reported that he went to fight in Syria, joined there the “Islamic State” and was killed during the fighting.

In 2007, about 30 people were arrested in Baku on the “Said Dadashbeyli case”. Some of the detainees were released after a while, and 11 people from this group of prisoners were sentenced to prison terms of 12 to 14 years

In early 2011, the head of the Islamic Party of Azerbaijan Movsum Samedov, senior management and regional representatives of the party were arrested. According to official reports, weapons and ammunition were found in their homes.

Shiites were also arrested, protesting against the ban on wearing the hijab in public schools.

These arrests lasted two years intermittently, dozens of Shiites were arrested under various pretexts. Even the moderate religious preacher Haji Shahin was arrested in 2011 but he was released six hours after the intervention of Sheikh-ul-Islam.

### ***Jihadism and radicalization***

The fighting in Afghanistan, Iraq and Syria led to the rapid spread of the ideas of jihad. The Sunni groups fighting against Bashar Assad declared their struggle sacred, that is, jihad.

For the first time in May 2013, a group of Azerbaijanis in Syria distributed a video on the Internet calling for compatriots to join the jihad in this country. Since then, it has become obvious that Azerbaijani citizens are participating in armed clashes in Syria. The press reported from time to time that many radical Salafis from the northern regions of the country, as well as from Sumgait and Mushvigabad settlement (near Baku) are or are sent to Syria to participate in the jihad against Bashar Assad.

At first, the authorities looked at the jihadists from Azerbaijan through their fingers, but by 2014 the flow of jihadists had increased, such an increase in extremism began to cause concern to the government. In January 2014, after the retreat of Asadov troops in northern Syria, a war broke out in this region for the supremacy between the radical Islamist groups "Islamic State" and "Front Al Nusra." Soon, media reported about the death of hundreds of jihadists from both conflicting sides, among which about 30 Azerbaijani jihadists were killed.

After that, the authorities began to move. Silent earlier Sheikh-ul-Islam issued a fatwa against jihad in Syria. In the

official press, active propaganda began against the jihadists. The legally operating Salafi of Azerbaijan under the leadership of the akhund of the Abu Bakr mosque Haji Gamet also made a statement that what is happening in Syria is not a jihad but a struggle for power and we should not interfere. Further, the authorities passed a law banning the participation of citizens of the country in illegal military formations abroad. After that, the first arrests began. In recent years, about 100 citizens of the country, who returned from Syria, were arrested.

The bloody clashes between Shiites and Sunnis in Syria and influenced the relationship between these religious communities in the country. Between the representatives of various branches of Islam, hostile appeals, mutual accusations, which could be read in social networks, intensified.

Shiite Taleh Bagirzade (Bagirov), who was released in the summer of 2015, was again arrested on April 26, 2015 during a police operation in Nardaran. During the operation, six people were killed, including two policemen. More than 60 believers were arrested both in Nardaran and in other regions of the country, including in Ganja and Lenkoran. Along with Taleh Bagirzade, activists of the movement "Muslim Unity" Zulfugar Mikayilzadeh and Elman Agayev were also arrested.

Earlier, in 2011, the leader of the Islamic Party Movsum Samedov was arrested and sentenced to 12 years imprisonment; Abgul Suleymanov (arrested in 2011, sentenced to 11 years in prison); Faramiz Abbasov (arrested in 2011, sentenced to 11 years in prison).

### ***Government policy in the religious sphere: bans and pressures***

The powers of the country are more often trying to control the situation in the religious sphere through restrictions and prohibitions, generously using the power structures. But a

marked increase in religiosity among the population and the emergence of ever new radical religious leaders cast doubt on the effectiveness of repression. Attempts by the authorities to establish a dialogue with the religious community are limited to communication with legally functioning religious communities and mosques.

Government agencies that are entrusted with the management and control over the activities of religious communities have received from 2014 the authority to conduct religious education and propaganda for the ideas of "true Islam."

On February 28, 2014, the State Service for Multiculturalism, Interethnic and Religious Affairs was established. On May 15, 2014, the "International Baku Center for Multiculturalism" was established by the decree of the President of the Republic.

On October 20, 2014, the head of the Committee Mubariz Gurbanli held a meeting with a group of theologians and representatives of various religious denominations. At this meeting, it was announced that a new "Commission on Religious Studies" had been set up under the Committee, with a view to combating the ideas of religious extremism.

As the government's interference in the religious sphere intensifies, there is a noticeable weakening of the influence, fully supported by the authorities, of the SAMC (Caucasian Muslims Board), led by Sheikh-ul-Islam Allahshykyur Pashazadeh.

According to the current legislation, the Government has entrusted the management and control of the activities of the country's Muslims to the Caucasian Muslim Board, which exercises control over mosques, appoints Akhundov and imams, and makes recommendations to government agencies on the registration of religious communities. But recently this practice is being revised. The main role in the management of the religious sphere was transferred to government agencies.

Since 2014, the government has provided financial assistance to religious communities through the State Committee for Religious Affairs, not through the SAMK (the Spiritual Administration of the Muslims of the Caucasus), as it was previously.

By the way, the Muslim Board as a non-religious organization, according to the Constitution, should not be funded by the state, but in fact, the state aid is as follows: annual Sheikh apply directly to the president with a formal request for financial assistance, and the President allocates funds from its fund maintenance of the SAMK apparatus 2-3 million manat (1.7 manats – 1 dollar). Akhunds and imams of local mosques work on a voluntary basis and live off donations from the population and payments for religious ceremonies, such as wake ceremonies and registration of religious marriages. In February 2013, 2 million manat was allocated from the presidential reserve fund for SAMK; in the summer of 2015 3 million manats; In the summer of 2015 1 million manat [2].

By the end of 2016, the deputy chairman of the Muslim Board Haji Sabir Hasanli said that only about 600 mosques already assigned akhunds and imams, while about 1,500 mosques expect purposes [3], due to lack of personnel. This shortage of personnel resulted from the above-mentioned ban on the activities of persons who received religious education abroad. That is why, at the end of last year, the management of SAMK announced the creation of seven new madrassas in different regions of the country for the preparation of imams and akhunds for mosques.

According to the law, the akhunds and Imams in the mosque appoint the Caucasian Muslims Board, but this appointment is consistent with the State Committee for Religion. Buildings and land of mosques are considered the property of the state or municipality. According to the decision of the Cabinet of Ministers, most mosques (about two-thirds) are on the balance of municipalities. Municipalities provide these mosques to

SAMC or the relevant religious communities for free rent.

Some mosques are on the balance of the "Office of the State Historical and Architectural Reserve" Icherisheher "(Old Town) in Baku.

Mosques, the architecture of which is of historical importance and considered historical monuments are on the balance of the Ministry of Culture and Tourism.

Communities of mosques are registered in the State Committee for Religious Affairs and must report to this state structure.

So, the mosques and the legal sphere in the sphere of religion are managed by three different structures: **the State Committee for Religion, the Spiritual Administration of Muslims of the Caucasus and municipalities.**

### ***Conclusion***

Facing such problems in the religious sphere as extremism and opposition to the authorities, the current government is trying to put religious activity (like any other independent public activity) under maximum control. The legislation is toughened, the possibilities of religious propaganda are limited and rigidly censured, not to mention the use of police measures.

The effectiveness of these measures is questionable because, first of all, the personnel potential and academic centers of the authorities are weak for carrying out an alternative – pro-government religious propaganda. And, of course, it is impossible to change the protest moods in a country that is in an all-embracing crisis with no propaganda. In recent years, independent religious activity has been carried out mainly outside the mosques controlled by the authorities – in illegal communities, prayer houses and independent courses on reading the Koran. Law enforcement structures from time to time expose the secret prayer cells, but this is only a small part in the

overall process of spreading and radicalizing the Islamic religion in the country.

The activities of the State Committee for Religion and the “State Service for Multiculturalism” consist mainly of holding seminars and conferences among official organizations and loyal religious communities. The authorities try to influence the process from above, through the leaders of these communities and pro-government religious authorities. The effectiveness of such a policy is small and then, the last argument of the government in dealing with an independent religious community is the police.

It would seem that SAMK should have an important role in the process of resolving problems in the religious sphere, but this structure, left in the inheritance from the tsarist and soviet times, lost its authority among the population, it is passive and remains outside the process that develops with noticeable intensity.

### **Some important links**

<https://www.azadliq.org/a/prezident-qafqaz-allahshukur/27846544.html>

[http://www.az.azvision.az/Prezident\\_QMI-ye\\_3\\_milyon\\_-65951-xeber.html](http://www.az.azvision.az/Prezident_QMI-ye_3_milyon_-65951-xeber.html)

<http://scwra.gov.az/vnews/366/>

<http://scwra.gov.az/article/22/>

<http://static.bsu.az/w21/14.pdf>

[1] The Council, consisting of religious authorities

[\[2\]](#)

<https://www.azadliq.org/a/prezident-qafqaz-allahshukur/27846544.html>

[3] <http://az.trend.az/azerbaijan/society/2535176.html>

### **HRWF recommended reading**

La crise syrienne vue d'Azerbaïdjan, Bayram Balci (28.03.2013)

<http://www.sciencespo.fr/cei/fr/content/la-crise-syrienne-vue-d-azerbaïdjan>

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# **WORLD: SENTENCING PRISON TERMS TO IMAMS EDUCATED ABROAD IS UNFAIR, HOWEVER...**

## **Willy Fautré, Human Rights Without Frontiers Int'l**

- Imprisonment of imams educated abroad
- Freedom of religion or belief and the state's duty to protect its citizens
- Freedom of religion and security: responses to radicalization from abroad of cultural Muslims in Western societies
- A missing tool in the fight for human and state security
- Conclusions



HRWF (24.07.2017) – Sentencing ‘controversial’ imams to prison terms because they have been educated abroad is a violation of human rights, *however* it is the right of a state to protect its population against radicalization and foreign ideologies that promote degrading and inhumane treatments.

Foreign forms of controversial Islamic teachings introduced in various ways in Muslim majority countries threaten their traditional culture of tolerance and the peaceful relations between their various religious communities.

Iran attracts and trains foreign Shi’a theologians to export its theocratic model and Sharia practices, values which are incompatible with human rights. Salafists and Wahhabis backed by Saudi Arabia and other states of the Arabic Peninsula are increasingly disturbing the homegrown peaceful Islam in Indonesia, the Maldives, Tajikistan, Kyrgyzstan and other countries. The implantation of their Islamic universities and other educational institutions in such countries, in addition to the granting of scholarships for foreign education of imams and young students in theology, are part of their diversified strategies to export forms of Islam that are alien to local Islam and conflict with human rights.

### **Imprisonment of imams educated abroad**

#### ***Azerbaijan: The case of Sardar Babayev***

On 3 July, an Azerbaijani court handed down a three-year prison term to Sardar Babayev for leading Muslim prayers for he had previously received religious education abroad. The imprisonment of Sardar Babayev on such grounds is clearly a violation of international law.

According to an amendment to the Religion Law adopted in 2015, foreign-educated imams can only lead worship in state-recognized mosques if their appointment has been approved by the state-backed Caucasian Muslim Board and the State Committee for Work with Religious Organisations.

After studying Islam in Baku, Shia Imam Babayev completed theological studies at Al Mustafa University in the Iranian city of Qom in 2000.

Qom is Iran's main theological training center for foreigners<sup>[i]</sup>. Its teachings promote theocracy instead of separation of state and religion, and an extreme form of Sharia, as it is practiced in Iran: execution by hanging, stoning, imprisonment of apostates, large scale repression of Baha'is, and so on.

### ***Kazakhstan: The case of Abdukhaliil Abduzhabbarov***

On 17 February, the Kazakh authorities arrested Sunni Imam Abdukhaliil Abduzhabbarov. He had been the subject of an extradition request from Astana for spreading ideas of so-called takfir<sup>[ii]</sup> in western Kazakhstan and for inciting religious hatred in the early 2000s. Additionally, he was accused of 'continued attempts to influence Muslims in Kazakhstan and students who were studying or visiting him in Saudi Arabia' where he had fled in 2006 to avoid prosecution. He had graduated from the Saudi-backed International Islamic University in the Pakistani capital Islamabad in 1999.

In his 2013 paper on the International Islamic University of Islamabad<sup>[iii]</sup>, Qasir Amir notes that the following teachings of the criminal law are instructed in the said institution:

- Apostasy: death
- Adultery/ Illegal sexual intercourse: stoning to death or lashes
- Theft: amputation of the right hand from the joint of the wrist
- Drinking alcohol: 80 lashes

In July 2017, Satymzhan Azatov was jailed for four years eight months for inciting religious hatred and promoting terrorism, which he denied. He was the fourth Muslim who studied in Saudi

Arabia convicted in 2017 in Kazakhstan.

Azerbaijan, Kazakhstan and other countries are confronted with a real threat to public order and state security by the introduction of such ideologies, however harsh repression is not an adequate or efficient response.

### **Freedom of religion and the state's duty to protect its citizens**

States have the duty to protect their citizens and residents on their territory. On the grounds of security, more and more Muslim majority countries try to protect their peaceful homegrown practice of Islam against radical and extremist movements which use or promote the use of violence. To combat this issue, these countries only allow imams to operate if they were trained at home or in other 'safe' countries or institutions – a sort of security label

Sentencing imams to prison terms just because they were educated abroad in 'suspicious' countries or institutions is a violation of human rights. However, punishing hate crimes and hate speech or the promotion of physical punishments, such as stoning and lashes, is in line with international law.

### **Freedom of religion and security: responses to radicalization from abroad of cultural Muslims in Western societies**

In early May 2017, Denmark banned five Islamic clerics and an American evangelical Christian pastor from entering the country, calling them "hate preachers" who posed threats to public order.

In December 2016, Shayk El Alami Amaouch, also known as Alami Abu Hamza, who had double citizenship (Moroccan and Dutch) through his marriage with a Dutch woman, left Belgium after an expulsion order had been issued against him. He was reproached with making 'Salafist' propaganda, preaching violence, calling for jihad, and recruiting ISIS fighters for Syria. He is not

allowed to enter Belgium for ten years.

His family was not concerned by the order. However, his 17-year old son is also under scrutiny of the authorities since he posted a video in which he called for the murder of Christians (see <https://www.memri.org/tv/youth-walks-down-street-verviers-belgium-cursing-christians-and-praying-their-annihilation>). However, he cannot be deported since he was born in Belgium. He afterwards said he regretted 'his error'.

France has also deported dozens of imams since 2012. Other EU member states have followed suit.

The deportation policy based on the prosecution of hate speech and incitement to religiously-based hatred can thwart the radicalization of cultural Muslims in Western societies, which has been exported from ISIS and certain countries in the Arabic Peninsula, but other legal avenues need to be explored.

### **A missing tool in the fight for human and state security**

A legal basis for the 'management' of imams and students in theology educated in controversial religious centers exists in international law: Article 5 of the ICCPR which reads as follows:

Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized herein or at their limitation to a greater extent than is provided for in the present Covenant.

Under Article 17 of the European Convention on Human Rights, which is identical to Article 5 of the ICCPR, Strasbourg has declared inadmissible the application (no. 31098/08) of **Hizb Ut-Tahrir and Others v. Germany** against the ban imposed on them by German courts on the ground that their ideology aims

at the destruction of any of the rights and freedoms recognized in Article 5 of the ICCPR or at their limitation.

The groups teachings in a number of foreign countries and religious institutions are in egregious contention with Article 5 of the ICCPR. They promote an "Untermensch" worldview in which Muslims are superior to and have more rights than non-Muslims. They promote segregation between men and women leading to gender inequality. They promote judicial practices which blatantly contradict Article 7 of the ICCPR: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." The UN and its member states, EU member states, the USA, and other liberal democracies, have not done enough, if any, to reduce and eradicate such judicial practices and their implementation.

## **Conclusions**

Since the beginning of this century, the expansion of violent and totalitarian Islamist political ideologies have been accompanied by the spread and the strengthening of the Sharia law, in its most discriminatory and violent forms, in an increasing number of Muslim majority countries. This has been achieved inter alia by offering young people free education or scholarships for theological studies in Saudi Arabia, in Pakistan, and in Iran, just to name a few countries, which results in fueling the worldwide radicalization of Islam. During their studies, the youth sent to overseas madrasas are converted to Salafist, Wahhabi and other totalitarian forms of Islam that are alien to the traditional Islam of their country of origin. Along with 'returnees' from the battlefields of Syria and Iraq, these educated 'returnees' from radical religious training centers abroad are then expected to import their newly discovered ideology back home.

When these 'returnees' are arrested, they are first and foremost a threat to the international human rights system, which includes the equal right to religious freedom for all,

rather than victims of religious rights violations. Organisations and activists defending human rights and religious freedom should keep this in mind.

All states, whatever their political system, should unite their efforts, in the framework of the UN or not, to prevent the expansion of a totalitarian ideology that 'aims at the destruction of any of the rights and freedoms' recognized in Article 5 of the ICCPR or at their undue limitation. A black list of countries and religious institutions to be banned from study-abroad options and imposing an embargo for such studies is not to be excluded from the proactive measures to be taken by Muslim majority states and countries with Muslim minorities.

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[i] Hojatiye School (Qom) was established 70 years ago by a Shia cleric. It had around 600 foreign students in 2010 and 200 professors (<http://hawzahnews.com/TextVersionDetail/233956>). Many well-known clerics have studied in this school including Ayatollah Khamenei, the current Supreme Guide of Iran. Hojatiye School mainly accommodates students coming from other countries while Feyziye School is for Iranian students.

Professors of Hojatiye School are among Shia clerics that have close ties with the Iranian government. Ayatollah Sobhani is one of them. In various speeches he has clarified his ideas about how a Shia society should look. For instance, according to his teachings, police should definitely forbid people from eating and drinking in public places during the holy month of Ramadan.

In addition, he has called western television channels harmful for the Shia beliefs (having access to these channels through satellite is illegal in Iran, although most people watch them). Sobhani has also emphasized the important role

of *Velayat-e Faghih* (Islamic government). Referring to the necessity of increasing the Iranian population, as it is the general policy that was determined by the supreme guide, he teaches that abortion is against the policy and regulations of the Islamic Republic (<http://www.asriran.com/fa/tag/>).

The General policies of the school as mentioned on its website

<http://feqh.miu.ac.ir/index.aspx?fkeyid=&siteid=19&pageid=4531>  
) include:

- Clarifying and establishing the ideals of Islamic Revolution as well as Ayatollah Khomeini and Khamenei's political and religious opinions
- Training religious scholars for other countries especially Islamic countries for researching, teaching, preaching and translating
- supporting researching projects based on the social and cultural needs of countries

Moreover, the Graduation Office is one of the important departments of the school that it organizes and helps graduated students in their future job. This office has various responsibilities mainly: Identifying and supporting graduated students that returned to their country, organizing them and guiding them (<http://en.feqh.miu.ac.ir/index.aspx?fkeyid=&siteid=19&pageid=6845>)

This footnote was prepared by an Iranian student during her internship with *Human Rights Without Frontiers*.

[ii] The identification by a Muslim of others as being infidels. This term is as strong as "infidel" in English or « mécréant » in French. It presupposes that non-Muslims are second-rank citizens and conveys the concept that they are some sort of "Untermensch".

[iii] See

# KAZAKHSTAN: ANOTHER JAIL TERM

By Felix Corley

Forum 18 (13.07.2017) –

[http://forum18.org/archive.php?article\\_id=2296](http://forum18.org/archive.php?article_id=2296) – Satymzhan Azatov was jailed for four years eight months for inciting religious hatred and promoting terrorism, which he denied. He is the fourth Muslim who studied in Saudi Arabia convicted in 2017. The trial of Imam Abdukhilil Abduzhabbarov, punished in Investigation Prison for observing Ramadan, is imminent.

The last of four Sunni Muslims who had studied their faith at a Saudi Arabian university has been jailed. On 10 July a court in Kazakhstan's capital Astana sentenced Satymzhan Azatov to a four year eight month prison term. Two days later a criminal case against Sunni Muslim Imam Abdukhilil Abduzhabbarov – who lived and worked in Saudi Arabia for ten years and was arrested in February on his return to Kazakhstan – reached Oral (Uralsk) City Court in West Kazakhstan Region. His trial is likely to begin soon.

The 27-year-old Azatov was convicted on charges of inciting religious hatred and promoting terrorism, charges he denied (see below).

However, prosecutors have withdrawn charges of promoting terrorism against 42-year-old Imam Abduzhabbarov and he now



faces charges only of “inciting religious hatred”, which he denies (see below).

Imam Abduzhabbarov spent at least ten days in the Investigation Prison punishment cell in late June for praying and fasting in the Muslim holy month of Ramadan, which ended on 24 June. While in the punishment cell he was given only black bread and water, and had to stand. The prison head refused to comment to Forum 18 (see below).

The conviction of Azatov in Astana brings to 19 the number of individuals known to have been given criminal convictions in Kazakhstan so far in 2017 to punish them for exercising the right to freedom of religion or belief. Of these, 17 were Sunni Muslims and 2 Jehovah’s Witnesses. Of the 19 (all of them men), 17 received prison terms and 2 received restricted freedom sentences, where they live at home under restrictions (see F18News 30 June 2017 [http://www.forum18.org/archive.php?article\\_id=2292](http://www.forum18.org/archive.php?article_id=2292)).

Forum 18 has been unable to find out if the Judge also banned Azatov from exercising freedom of religion or belief after his prison term. This is a frequent additional punishment, though it remains unclear how it will be implemented. He – and Imam Abduzhabbarov if he is convicted – are also likely to have their bank accounts frozen (see below).

### ***Criminal charges***

The broadly-framed Criminal Code Article 174 is widely used to punish those the government does not like. It punishes “Incitement of social, national, clan, racial, or religious hatred or discord, insult to the national honour and dignity or religious feelings of citizens, as well as propaganda of exclusivity, superiority or inferiority of citizens on grounds of their religion, class, national, generic or racial identity, committed publicly or with the use of mass media or information and communication networks, as well as by

production or distribution of literature or other information media, promoting social, national, clan, racial, or religious hatred or discord”.

Kazakh and international human rights defenders, including the United Nations (UN) Special Rapporteur on the rights to Freedom of Peaceful Assembly and of Association and the UN Human Rights Committee, have strongly criticised Criminal Code Article 174 and its wide application (see F18News 2 February 2017

[http://www.forum18.org/archive.php?article\\_id=2252](http://www.forum18.org/archive.php?article_id=2252)). Criminal Code Article 174, Part 1 punishes these actions committed by individuals. If convicted, they face two to seven years imprisonment, or two to seven years restricted freedom. Typically, during sentences of restricted freedom individuals live at home, but are not able to leave their town or city without seeking permission. They are often also banned from visiting restaurants, cafes or places of public entertainment.

Part 2 punishes these actions “committed by a group of persons, a group with prior planning, repeatedly, with violence or threat of violence, or by an official, or by the leader of a public association”. If convicted they face five to 10 years’ imprisonment, “with deprivation of the right to hold specified positions or to engage in specified activity for up to three years”.

Azatov – and, if convicted, Imam Abduzhabbarov – are likely to be added to the Finance Ministry Financial Monitoring Committee List of individuals “connected with the financing of terrorism or extremism”. All known prisoners of conscience convicted under Criminal Code Article 174 have been added to this List, thus freezing any bank accounts they may have, without any additional due legal process. As individuals are not told when they are added to the List, they normally only find out they have been added when they or relatives attempt to withdraw money from their bank (see F18News 10 June 2016

[http://www.forum18.org/archive.php?article\\_id=2187](http://www.forum18.org/archive.php?article_id=2187)). Criminal Code Article 256 (“Propaganda of terrorism or public calls to commit terrorism”), which includes the production, storage for distribution or distribution of [unspecified in the Article] specified materials, carries a punishment of five to nine years’ imprisonment plus confiscation of property. If committed by an individual using a state or non-state official position, or with the use of the mass media or other communication networks, or with foreign support, or in a group, the punishment is seven to 12 years’ imprisonment with confiscation of property.

### ***Astana: Nearly five-year prison term***

An Astana court jailed Sunni Muslim Satymzhan Bagytzhanuli Azatov (born 17 September 1989) on the afternoon of 10 July. Judge Bolat Pazylov of Saryarka District Court No. 2 found him guilty of violating Criminal Code Article 174, Part 1 and Article 256, Part 1. He handed down a four year, eight month prison term. Azatov rejected the charges against him. “The Judge did not read out anything about any restrictions after his prison term,” his lawyer Bauyrzhan Azanov told Forum 18 on 12 July. “We’ll see the exact terms when we get the written decision in a few days’ time.”

Judge Pazylov’s telephone went unanswered each time Forum 18 called on 13 July.

Like Kuanysh Bashpayev (sentenced in April), Denis Korzhavin (sentenced in May) and Nariman Seytzhanov (sentenced in June), Azatov had studied his faith at Medina Islamic University before returning to Kazakhstan in 2014 (see F18News 30 June 2017 [http://www.forum18.org/archive.php?article\\_id=2292](http://www.forum18.org/archive.php?article_id=2292)). Astana KNB opened a case against Azatov in late December 2016 under Criminal Code Article 174, Part 1 (“Incitement of social, national, clan, racial, or religious hatred or discord”). He had met with other Muslims in Astana without state permission. He was arrested on 4 January 2017 (see

[http://www.forum18.org/archive.php?article\\_id=2273](http://www.forum18.org/archive.php?article_id=2273)). Azatov was accused of “inciting religious hatred” in his remarks to guests at a meeting in a cafe in Astana in September 2016 (of which the KNB secret police obtained a recording) and at a subsequent meeting in a home in the city.

Azatov and Seytzhonov (who was also present at the cafe) were given administrative fines in November 2016 to punish them for the meeting (see F18News 6 February 2017 [http://www.forum18.org/archive.php?article\\_id=2253](http://www.forum18.org/archive.php?article_id=2253)). The KNB secret police later added charges against Azatov under Criminal Code Article 256, Part 1. The case reached court on 11 May, with the first hearings on 29 May.

The prosecution was based on secret recordings of the two September 2016 meetings in Astana. KNB secret police-appointed “expert” Roza Akbarova, deputy director of Astana’s Centre for Judicial Expert Analysis, had found that Azatov’s words contained “elements of extremism and the incitement of religious hatred”. She claimed that he had “spoken negatively of Shia Muslims, that they blew up a mosque” and “by intonation emphasised certain forms of jihad, but did not openly call for any action”, Radio Free Europe’s Kazakh Service noted after the 8 June hearing which it attended.

Akbarova refused to discuss her “expert analysis” which had helped convict Azatov. “You have the right to accept or reject my expert analysis,” she told Forum 18 from her Institute in Astana on 13 July. “But the law forbids me from discussing anything. Ask your questions of the Judge.”

Akbarova similarly refused to discuss her analyses which helped imprison Seventh-day Adventist prisoner of conscience Yklas Kabduakasov in 2015 and Jehovah’s Witness prisoner of conscience Teymur Akhmedov in 2017 (see F18News 15 June 2017 [http://www.forum18.org/archive.php?article\\_id=2286](http://www.forum18.org/archive.php?article_id=2286)). During the trial, the lawyer Azanov tried to have the secret KNB

recordings removed as evidence until an analysis could be undertaken as to whether they were of Azatov's voice and had not been tampered with. He also sought to have the "expert analysis" deemed inadmissible. In his closing address to the court, Azanov insisted that his client had committed no crime and should therefore be acquitted, he noted on his page on the Russian social network VKontakte.

### ***Oral: Trial imminent***

The trial of Sunni Muslim Imam Abdukhaliil Abdukhamidovich Abduzhabbarov (born 6 April 1975) in Oral appears imminent. Prosecutors handed the criminal case to Oral City Court on 12 July, according to court records. The case was assigned the same day to Judge Ruslan Zhumagulov.

No date has yet been set for the trial to begin, Judge Zhumagulov's assistant told Forum 18 on 13 July. He insisted the trial would be open. He said Abduzhabbarov is facing trial only under the equivalent of Criminal Code Article 174, Part 1. He said the case makes no mention of Criminal Code Article 256, Part 2.

Imam Abduzhabbarov is accused of actions that took place before the current Criminal Code came into force. He is therefore facing trial under Article 164 of the old Criminal Code, which similarly punished "inciting religious hatred".

The Judge's assistant said the case makes no mention of who will represent the Prosecutor's Office in the trial. The Astana-based lawyer Zhandos Bulkhair will represent Imam Abduzhabbarov, he added.

Imam Abduzhabbarov's relatives insist he is innocent of any crime. "He has no connection with any actions they are accusing him of," one told Forum 18. "It is all lies and slander."

The KNB secret police arrested Imam Abduzhabbarov, extradited

from Saudi Arabia at Kazakhstan's request, as he arrived at Almaty Airport on 18 February. He was then transferred to Oral in West Kazakhstan Region. His wife Dinara and their ten children went to stay with relatives in Shymkent in South Kazakhstan Region (see F18News 21 February 2017 [http://www.forum18.org/archive.php?article\\_id=2259](http://www.forum18.org/archive.php?article_id=2259)).

### ***Oral: Prison punishment for observing Ramadan***

Abduzhabbarov has been held in Oral's Interior Ministry Investigation Prison since soon after his arrest and transfer to the city in February. (The KNB secret police does not have its own Investigation Prison in Oral.)

Abduzhabbarov was punished in mid-June for praying and fasting during the Muslim holy month of Ramadan, which ran from late May to late June. He was sent to the Prison's punishment cell for at least ten days, family members complained to Forum 18. "He had to stand as it is impossible to sit or lie, there is no food except water and black bread," they noted.

Prison authorities released Abduzhabbarov from the punishment cell on 30 June, relatives told Forum 18. "You can imagine his state when he emerged from the punishment cell. We are still denied permission to hand in food for him and we are not allowed any meetings. Maybe they are torturing him there."

Relatives have had no telephone calls from Abduzhabbarov since May. "As soon as the new Investigator was named to his case he has not been allowed to call." Investigators have to give permission for meetings and telephone calls.

The head of the Investigation Prison, Mustafin Ismagulov, refused to explain why Imam Abduzhabbarov was punished for praying and fasting. "I can't comment by telephone," he kept repeating to Forum 18 on 13 July. He then put the phone down.

Many prisoners of conscience imprisoned for exercising the right to freedom of religion or belief have complained of

being unable to pray visibly in prison or have religious literature. Other prisoners too have complained of these restrictions (see F18News 3 May 2017 [http://www.forum18.org/archive.php?article\\_id=2277](http://www.forum18.org/archive.php?article_id=2277)).

The UN Standard Minimum Rules for the Treatment of Prisoners (known as the Mandela Rules, A/C.3/70/L.3) require governments to respect the freedom of religion or belief and other human rights of prisoners – including those in pre-trial detention.

Four prisoners in a strict-regime labour camp UG-157/9 in Atyrau were put in the punishment cell on 29 May after they began the daytime Ramadan fast, human rights defender Asel Nurgaziyeva told Radio Free Europe's Kazakh Service. She said the prison authorities had used a pretext to hand down the extra punishment (see F18News 21 June 2017 [http://www.forum18.org/archive.php?article\\_id=2289](http://www.forum18.org/archive.php?article_id=2289)).

Abduzhabbarov's prison address is:

Zapadno-Kazakhstanskaya Oblast g. Oral, Ul. Mukhita 124  
Sledstvenny izolyator RU-70/1, Kazakhstan

### **HRWF Comment about the Medina Islamic University in Saudi Arabia**

Like Kuanysh Bashpayev (sentenced in April), Denis Korzhavin (sentenced in May) and Nariman Seytzhanov (sentenced in June), Azatov studied at the Medina Islamic University which teaches the Salafi ideology, prevalent in Saudi Arabia. The admission is open to every Muslim individual based on scholarships programs and provides accommodation and living expenses. The university also provides Arabic Language for Non-Native speaker Institute for those who do not have basic in this language.

Salafism promotes a form of sharia which includes the death penalty for apostasy and physical punishments such as flogging and amputation of hands for thieves, all practices in blatant

contradiction with international human rights standards.

Since the beginning of this century, the expansion of a violent and totalitarian Islamist political ideology has been accompanied by the spread and the strengthening of the sharia law in its most discriminatory and violent forms in an increasing number of Muslim majority countries. This has been achieved inter alia by offering young people free education or scholarships for theological studies in Saudi Arabia, in Pakistan, in Iran..., just to name a few countries fueling the worldwide radicalization of Islam. During their studies, the youths sent to overseas madrasas are converted to Salafist, Wahhabi and other totalitarian forms of Islam that are alien to the traditional Islam of their country of origin. Along with “returnees” from the battlefields of Syria and Iraq, these educated “returnees” from radical religious training centers abroad are then expected to import back home their ideology which threatens the historically tolerant culture of the local traditional Islam.

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## **RELIGIOUS FREEDOM IN THE MALDIVES: PRESENT AND FUTURE CHALLENGES**

HRWF (22.07.2017) – In the last few years, the expansion of radical Islam across the Maldives has been accompanied by the gradual introduction of Sharia law. Several scholars believe that there is even worse to come, especially as youths sent to overseas madrasas return home with Salafist and Wahhabi forms of Islam. Those “returnees” then import back home the Islam they have learnt in Saudi Arabia and Pakistan, just to name the two main countries behind the worldwide radicalization of



Islam, and further undermine the island's historically tolerant Islam and democratic credentials. Religious education abroad of the youth is a crucial issue in the Maldives and in Muslim majority countries. It is also a major avenue for the radicalization of the future intellectual, political and social elite of those countries. All states, including liberal democracies with Muslim minorities, should adopt appropriate proactive policies to stop such a process as those "returnees" educated abroad in controversial religious institutions and countries are promoters of religious and political ideologies that challenge the values of the Universal Declaration of Human Rights.

See for example

**The Rising Tide of Islamic Radicalism in the Maldives by Raamy Majeed, Cambridge University, September 2014**

[https://www.academia.edu/8515955/The\\_Rising\\_Tide\\_of\\_Islamic\\_Radicalism\\_in\\_the\\_Maldives](https://www.academia.edu/8515955/The_Rising_Tide_of_Islamic_Radicalism_in_the_Maldives)

**The Perils of Rising Religious Fundamentalism in the Maldives by Djan Sauerborn for South Asia Democratic Forum, September 2013**

[https://www.academia.edu/7428520/The\\_Perils\\_of\\_Rising\\_Religious\\_Fundamentalism\\_in\\_the\\_Maldives](https://www.academia.edu/7428520/The_Perils_of_Rising_Religious_Fundamentalism_in_the_Maldives)

**Maldives: Country Overview by Xavier Romero-Frias in Maldives: Country Overview by Xavier Romero-Frias**

[https://www.academia.edu/4679385/Maldives-Religious\\_Practices](https://www.academia.edu/4679385/Maldives-Religious_Practices)

**Islamism and Radicalism in the Maldives, a thesis by Hasan Amir**

[https://www.academia.edu/6646445/Islamism\\_and\\_Radicalism\\_in\\_the\\_Maldives](https://www.academia.edu/6646445/Islamism_and_Radicalism_in_the_Maldives)

In May 2015, the human rights records of the Maldives were reviewed in the framework of the Universal Periodic Review (UPR). The European Center for Law and Justice contributed to it with a submission about the situation of religious freedom in the country. See hereafter excerpts of their contribution, the full version with footnotes being accessible at <http://bit.ly/2vsChh1>

### ***The Constitution and Freedom of Religion or Belief***

The Maldives, after transferring power to its first democratically elected government in 2008 under the presidency of Mohamed Nasheed, implemented a new constitution that

purports to ensure the equal protection of human rights; however, it only grants those freedoms to the extent they are compatible with Sunni Islam, under Sharia law.

The Constitution's Non-Discrimination Clause provides that "[e]veryone is entitled to the rights and freedoms included in this Chapter without discrimination of any kind, including race, national origin, colour, sex, age, mental or physical disability, political or other opinion, property, birth or other status, or native island". Noticeably, religion does not appear in the Clause. Instead, "it is the responsibility of every [Maldivian] citizen . . . to preserve and protect the State religion of Islam".

Thus, there is no freedom of religion or religious expression in the Maldives as the Constitution forbids the practice of any religion other than Islam. Only Muslims are granted citizenship, while formerly-Muslim religious converts are punished by revocation of citizenship. Therefore, it is unlikely that the Maldives is making any effort to work towards religious freedom for non-Muslims because Islam, as the official religion, holds both religious and political power. "Islam is so intertwined with politics in the Maldives that it is the only country in the world where it is illegal [for citizens] to be anything other than a Muslim".

The Maldivian Constitution stipulates that "a non-Muslim may not become a citizen of the Maldives". Additionally, the Maldivian government has incorporated an aspect of Sharia law into its legal system which provides that "citizens who convert to another religion can have their citizenship revoked" or be sentenced to death.

### ***Protection of Religious Unity Act***

The Protection of Religious Unity Act of 1994 maintains that "both the government and the citizens of the country must protect the religious unity that they have created". Despite the 2010 Working Group's "grave concern" for religious freedom under the religious unity regulations, which enforce the Religious Unity Act, the Maldivian government ratified and published the new draft of the regulations in 2011. The religious unity regulations of the Act make it "illegal in the Maldives to propagate any faith other than Islam or to engage in any effort to convert anyone to any religion other than

Islam". It is also illegal to publically carry or display non-Islamic religious books and writings, and is illegal to translate non-Islamic religious writings into Dhivehi, the Maldivian language. Only the following remain exempt: "articles that disseminate information about various disciplines, intellectual studies carried out, comparative studies between Islam and other religions, description of sayings and expressions about Islam by people of other religions, and dissemination of Muslim expressions on other religions".

Further, it is "illegal to display in public any symbols or slogans belonging to any religion other than Islam, or creating interest in such articles". This regulation-in addition to the Regulation on the Protection of Religious Unity forbidding the media from publicising material that "humiliates Allah or his prophets or the holy Quran or the Sunnah of the Prophet (Mohamed) or the Islamic faith"-authorised the Maldivian Ministry of Islamic Affairs to block eight websites in 2008 and 2009 "for allegedly publishing anti-Islamic and pro-Christianity content in [] Dhivehi [language]".

In November 2011, the Ministry of Islamic Affairs also banned a controversial blog written by Ismail 'Hilath' Rasheed, a Maldivian freelance journalist and religious freedom campaigner. Rasheed spoke against the Maldivian Constitution's proscription against Islamic schools outside the "Sunni school of Islam". Rasheed's blog was banned for containing anti-Islamic statements. In a statement defending his blog's Islamic character, Rasheed stated, "I am a Sufi Muslim and there is nothing on my website that contradicts Sufi Islam".

### ***Apostasy Law***

A major concern to the country is the Islamists' rising influence. In addition to the constitutional provisions granting equal protection of human rights only to the extent they are compatible with Islam, there has also been talk about fully integrating and implementing Sharia law in the country. Even under current law, however, aspects of Sharia are incorporated into the legal system. For example, starting at age seven, apostasy is punishable by death.

In May 2010, during a public question-and-answer session with Islamic speaker Dr. Zakir Naik, Mohamed Nazim stated that he

was “Maldivian and not a Muslim”. Nazim was the first Maldivian to publicly announce he was not a Muslim. The Islamic Foundation, a local religious non-governmental organisation, called for Mohamed Nazim to be stripped of his citizenship and sentenced to death if he did not repent and return to Islam. Nazim’s statement challenged the constitutionality of revocation for renouncing the Muslim faith. The 2008 Maldivian Constitution states that anyone who was a Maldivian citizen at the commencement of the Constitution is a citizen of the Maldives. It also states that “[n]o citizen of the Maldives may be deprived of citizenship”. Thus, Maldives’ adherence to Sharia law, which punishes apostasy with revocation of citizenship, is contradictory to the Maldivian Constitution. Nazim said, “When I did what I did, legally I was absolutely convinced that there was no way I could not be a Maldivian”.

Ultimately, Nazim re-embraced Islam, after being detained for five days at the Dhoonidhoo prison where he received counseling from religious scholars. He said, however, “[t]he extremism that was taking hold in the Maldives was increasing so rapidly. . . . I needed to speak about it”. Nazim stated that “[s]omebody had to do it, it needed to be spoken about. The repression of thought, the lack of debate and a lack of a proper public sphere in which such discussion can take place, is dangerous”.

### ***Conclusion***

While the Constitution of Maldives grants rights and freedoms to its citizens, it limits those freedoms based on the government-authorised, Sunni Islam. There is no freedom of religion or religious expression in the Maldives as the practice or propagation of any religion other than Sunni Islam is not only forbidden but is punishable by revocation of citizenship or death. With Islamic extremists gaining political power in the Maldives, religious freedom will continue to diminish, even within the Muslim community. Currently, there have only been limited demonstrations of religiously motivated instability and violence. But, as radical Islamic groups continue to gain power, moderate Muslims and non-Muslims will begin to experience severely restricted religious freedom. Thus, the Working Group must

stress the importance of the freedom of religion and its free expression, and specifically urge the Maldivian government to resist embracing radical Islamic ideals.

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## **MALDIVES: USCIRF CONDEMNS THREATS TO THE LIFE OF UN SPECIAL RAPPOREUR ON FREEDOM OF RELIGION**

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USCIRF (20.07.2017) – The U.S. Commission on International Religious Freedom (USCIRF) strongly condemns the verbal and online attacks against UN Special Rapporteur Ahmed Shaheed. The statements by the ruling Progressive Party of Maldives (PPM) and the online postings of at least one religious scholar include harsh criticism and accusations that Shaheed is an apostate from his Muslim faith. The denunciations of this advocate for religious freedom have even resulted in calls online for his beheading.

According to reports, statements from the PPM, the party of current President Abdulla Yameen Abdul Gayoom, accuse Dr. Shaheed of spreading “evil deeds” among Maldivians. “As if this were not enough,” said USCIRF Vice Chair Kristina Arriaga, who recently met with him in Oxford to discuss religious freedom, “the party also called on the public to speak out against Shaheed’s ‘irreligious’ activities, which resulted in online postings accusing him of apostasy and calling for his beheading. Coming from the ruling party, this is nothing less than government-sanctioned incitement to violence. That is unacceptable in the Maldives or any other country.”

Shaheed is currently the United Nations Special Rapporteur on freedom of religion or belief. In this key position, he is

mandated to “identify existing and emerging obstacles to the enjoyment of the right to freedom of religion or belief and present recommendations on ways and means to overcome such obstacles.” Freedom of religion or belief is intimately linked to freedom of expression. Dr. Shaheed is being attacked by political and religious figures in his home country for exercising his freedom of expression on a variety of issues spanning several countries.

One reported Facebook posting by an alleged religious scholar called for Muslims who have expressed views such as Shaheed’s to “repent,” and if they do not, “Their heads will have to be removed [from their bodies] as a non-believer. [This has to be] implemented by the ruler.” Postings and statements such as this and those by the PPM have resulted in numerous explicit, violent threats against Dr. Shaheed as well as his family.

USCIRF Chairman Daniel Mark added, “The PPM should retract its statements threatening Dr. Shaheed and condemn in the strongest possible terms any calls for action against him. Rather than inciting violence against a fellow citizen, the PPM should protect Dr. Shaheed and indeed any other Maldivian citizen who exercises his or her right to freedom of expression. A government is responsible for protecting its citizens, not being complicit in threats to their lives.”

**HRWF footnote:**

On 1 November 2016, Ahmed Shaheed who was born in the Maldives in 1964 assumed his mandate as Special Rapporteur on freedom of religion or belief. He is Deputy Director of the Essex Human Rights Centre. He was the first Special Rapporteur of the Human Rights Council on the situation of human rights in the Islamic Republic of Iran since the termination of the previous Commission on Human Rights mandate in 2002. A career diplomat, he has twice held the office of Minister of Foreign Affairs of Maldives. He led Maldives’ efforts to embrace international human rights standards between 2003 and 2011. See Ahmed Shaheed’s full resume at [http://www.ohchr.org/Documents/Issues/Religion/Shahed-One\\_pageCV.pdf](http://www.ohchr.org/Documents/Issues/Religion/Shahed-One_pageCV.pdf)