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Fined for home religious meetings, picnic

More than 20 Muslims, fined three months' average wages for a religious meeting in a home in Quba, failed in their appeals. A Baptist Pastor similarly fined will appeal to the Constitutional Court. A Muslim was fined for reading religious books aloud at a picnic.

By Felix Corley

Forum 18 (06.07.2017) - <http://bit.ly/2u3Qr9P> - Sumgait Appeal Court has rejected appeals by more than 20 Muslims from the north-eastern Quba District fined more than three months' average wages for a religious meeting in a home in March which was raided by police. In two separate cases at Sheki Appeal Court, a Sunni Muslim and a Baptist Pastor have failed to overturn similar fines imposed to punish them for holding religious meetings with others. The Baptist Pastor is preparing to challenge his punishment in Azerbaijan's Constitutional Court.

Azerbaijani law bans and imposes punishments for religious meetings without state permission, including such meetings in homes.

On various dates in April and May, Sumgait [Sumqayit] Appeal Court upheld fines of 1,500 Manats on many of the 21 Muslims from Quba District punished for taking part in a religious meeting in a home raided by police.

On 31 May, Sheki Appeal Court upheld the fine of 1,500 Manats on Sunni Muslim Shahin Ahmadov. Police detained him for reading aloud from the works of the late Turkish Muslim theologian Said Nursi to three friends while enjoying a picnic in the mountains near his home in the northern town of Qakh. Police refused to tell Forum 18 if they routinely patrol forests and mountains to discover people reading religious books aloud.

On 21 June, Sheki Appeal Court upheld the fine – also of 1,500 Manats – on Baptist Pastor Hamid Shabanov, rejecting his attempt to have the deadline for lodging an appeal extended. He was punished for meeting with fellow church members in the village of Aliabad in the northern Zakatala [Zaqatala] District which was raided by police. The church has been seeking state registration since the mid-1990s, so far in vain.

A fine of 1,500 Manats (7,500 Norwegian Kroner, 780 Euros or 900 US Dollars) represents more than three months' average wages for those in work. However, wages in remote northern regions - such as Quba, Qakh and Zakatala - are much lower than the national average.

All the Muslims and the Baptist Pastor were fined under Administrative Code Article 515.0.2. This punishes "Violating legislation on holding religious meetings, marches, and other religious ceremonies". The fine for individuals for this "offence" is between 1,500 and 2,000 Manats.

Meanwhile, an Imam in the central Goychay District, Ruslan Mammadov, was removed from his role as Muslim Board approved Imam and punished for "illegal activity" by setting up a mosque in a village near his home.

The State Committee for Work with Religious Organisations in the capital Baku has warned an Imam for holding an "illegal" meeting during the Muslim holy month of Ramadan in a city mosque from which he was forcibly ousted in 2004.

State permission compulsory – but frequently denied

Azerbaijan insists that state permission is needed for people to meet together to exercise freedom of religion or belief, in defiance of its international human rights obligations. Religious communities have repeatedly complained of arbitrary registration and re-registration denials. Lack of state registration can lead to police raids, confiscations of religious literature, fines and even criminal prosecutions.

Azerbaijan's harsh Religion Law also imposes specific restrictions on Muslim communities which are not imposed on communities of other faiths. Mosques cannot gain state registration independently and must be subject to the Muslim Board, which has to appoint the clergy.

The State Committee – which is supposed to register religious communities – has persistently refused to process registration applications by communities it does not like. Particular targets of obstruction to registration or re-registration attempts are Sunni Muslim communities, other Muslim communities outside the control of the state-backed Caucasian Muslim Board, Protestant churches and Jehovah's Witness communities.

Quba: Mass punishments for meeting in home

Police in the north-eastern town of Quba raided a religious meeting in the home of local resident Tehran Amiraslanov on 4 March, the Interior Ministry noted on its website the same day. Police accused participants of violating the Religion Law by holding a religious meeting without state permission.

Officers seized 54 religious books and 16 audio tapes and sent them to the State Committee for Work with Religious Organisations for "expert analysis". Officers also detained the 22 Muslims present and drew up records of an offence against them under Administrative Code Article 515.0.2.

Police then sent the cases to Quba District Court. At least 21 of the accused were found guilty and each fined 1,500 Manats at hearings on 5 March, the day after the raid.

Judge Farid Yaqubov punished 12 of the Muslims: the host of the meeting Amiraslanov, as well as Fakhraddin Khanlayev, Sadulla Mursalov, Ramiz Asadov, Sarvat Rzamov, Vuqar Rafiyev, Elmar Aliyev, Azad Qasimov, Natiq Amrahov, Lutfaddin Gulaliyev, Ismayil Mammadov, and Murad Piraliyev.

Judge Elman Ahmadov punished 9 of the Muslims: Ilham Alkhasov, Akram Badirkhanov, Etibar Pashayev, Sakhavat Seyfalov, Vasif Quliyev, Khaspulad Shikhmammadov, Eldeniz Hajiyev, Vuqar Ahmadov, and Seyran Muradov.

The men appealed against their punishments to Sumgait Appeal Court. At hearings in April and May, various Judges rejected their appeals, according to court records. On 23 May, for example, Judge Mubariz Zeynalov rejected the appeals by Rzamov, Amrahov and Shikhmammadov.

"The Muslims were punished for conducting religious meetings without state permission," the assistant to Judge Zeynalov told Forum 18 from the court on 5 July. Asked why individuals should be punished for this, she responded: "The law prescribes such punishments."

Judge Yaqubov of Quba District Court confirmed that he had handed down fines of 1,500 Manats on each of the 12 Muslims whose cases he had heard. "I can't discuss the decisions with you as you are not a party to the case," he told Forum 18 from Quba on 5 July. He said all of those fined had appealed against their punishments. "The appeals were all considered and rejected."

Asked if the punished Muslims were planning to appeal to the European Court of Human Rights in Strasbourg, Judge Yaqubov said he did not know. "But they have the right to lodge cases there."

Two of those punished in Quba, Hajiyev and Mammadov, were among a group of five Sunni Muslim men sentenced for taking part in an April 2014 home religious study meeting in Baku. Armed police raided the meeting and arrested many participants. The five subsequently received prison terms of between 1 year, 7 months and 5 years, 5 months. In April 2016 these were reduced on appeal.

Hajiyev and Mammadov were transferred in September 2016 from prison to a Baku detention centre where they were free to leave in the daytime, provided they remained in the city, but had to return to the centre at night.

Qakh: Fined for reading religious books at picnic

Shahin Ahmadov, a 25-year-old Sunni Muslim from Qakh, was studying his faith with others using the works of Said Nursi at a picnic in the open air on the afternoon of 18 April, according to the subsequent court decision seen by Forum 18.

Ahmadov and three acquaintances, Dostmammad Qurbanov (who was visiting from Goychay), Khazar Rustamli and Nizamaddin Abdulrahimov, were drinking tea near Kilsaburun in the mountains near Qakh. Ahmadov and Abdulrahimov also took with them to read their copies of the book "Shualar" (Rays of Light) from the series "Risale-i-Nur" by the late Turkish theologian Said Nursi.

Half an hour after Ahmadov began reading aloud, a plain-clothed police officer Elburus Eminov came upon them and asked what they were reading. He then ordered them to accompany him to Qakh District Police Station. There Ahmadov and Abdulrahimov "voluntarily" handed over their books. Ahmadov told officers he had no banned books or other items at his home in the town and did not object to the police making a search, according to the court decision.

The police then went to his home in Qakh. There, in the presence of witnesses, they seized three copies of the Koran, 68 books by Nursi, other religious books, one disc and three exercise books with Koranic verses written inside. They wrote out a confiscation record which they read out and Ahmadov signed, according to the court decision.

Officers sent the two copies of "Shualar", which Ahmadov had been reading aloud, as well as books and other materials seized from his home to the State Committee. They sought its assessment as to whether "they contained anti-state ideas or promoted radical religion

or broke the Religion Law". They also sought information "on whether permission has been given for the activity of the Nurchu religious movement and for information about the scope of its activity, but it has not yet been possible to receive a letter of reply", the court decision added.

Captain Matlab Khalilov drew up a record of an offence under Administrative Code Article 515.0.2 on 19 April, accusing Ahmadov of holding an "illegal" religious meeting.

The case was then handed to Qakh District Court. On 3 May the Court's Judge Atabay Kichibayov found Ahmadov guilty and fined him the minimum fine of 1,500 Manats. The police officer Eminov, who found the four men, and another officer Azer Mammadov submitted statements to the court.

Ahmadov appealed against the punishment to Sheki Appeal Court. However, on 31 May, Judge Imanverdi Shukurov left the fine unchanged, according to the decision seen by Forum 18.

Captain Khalilov was unable to say whether police officers regularly patrol mountains and forests near Qakh in case people are reading from religious books. He insisted that Ahmadov was reading from "banned" religious books, but struggled to explain why reading religious books in the open air should be an offence. "We just drew up the record of an offence and the court took the decision," he told Forum 18 from Qakh on 5 July. He then put the phone down.

An official of Qakh District Court told Forum 18 on 6 July that Ahmadov was the first person to be punished at that court in 2017 for exercising freedom of religion or belief. The court official put the number of such cases in 2016 at 40 to 45, adding that Jehovah's Witnesses had been among them.

Among known cases in Qakh District Court in 2016, Judge Kichibayov dismissed cases against four Jehovah's Witnesses in May and June 2016. He similarly dismissed cases against 27 Jehovah's Witnesses in May 2016, though the Appeal Court overturned the acquittals and fined them. In August 2016 he fined seven Jehovah's Witnesses.

Aliabad: 25 years of meetings, new punishment, Constitutional Court challenge

A quarter of a century after a Baptist community began meeting for worship regularly in the town of Aliabad in the northern Zakatala District, the community's Pastor (and former prisoner of conscience) Hamid Shabanov is preparing a legal challenge to the authorities' latest punishment on him.

The church has been repeatedly been denied state registration despite numerous attempts to apply to the State Committee and its predecessors.

On the morning of 26 November 2016, about 10 uniformed police officers and several men in plain clothes (including local State Committee representative Mehman Ismayilov) raided Pastor Shabanov's home. About 30 adults and several children had gathered there for a meeting for worship. Officers ordered them to halt the meeting, "saying it was illegal because of the lack of state registration".

Officers wrote down the names and identity document details of all those present. Police then took 26 church members (16 women and 10 men) to the District Police Station, where officers demanded that they each write a statement. By 10 pm officers had released all 26 of those detained.

Officers also seized 16 religious books which they sent to the State Committee for "expert analysis". These were later returned.

Police prepared records of an offence under Administrative Code Article 515.0.2 against two church members, Pastor Shabanov and Mehman Agamammadov. In a 15-minute hearing at Zakatala District Court on 12 December 2016, Judge Arif Ismayilov found both Pastor Shabanov and Agamammadov guilty and fined them each the minimum fine, 1,500 Manats.

The Court sent Pastor Shabanov the written decision only in January 2017. It never sent any written decision to Agamammadov.

Pastor Shabanov did not lodge an appeal within the prescribed ten days of receiving the written decision. On 24 April he lodged a petition to Zakatala District Court to have the appeal deadline extended, arguing that his trial had been unfair because he does not know Azeri well (he is from the Ingilo Georgian minority) and the Court provided no translator. However, on 27 April the same Judge Ismayilov rejected his petition in a decision seen by Forum 18.

Pastor Shabanov then challenged this rejection of his petition to Sheki Appeal Court. However, at a 15-minute hearing on 21 June, Judge Rovshan Rafiyev upheld the 27 April decision, according to the Sheki Appeal Court decision seen by Forum 18. "The court session passed with violations of the laws," a fellow Baptist who attended the hearing told Forum 18. "The judge openly stated that he knows well the judge of the first instance court and left his decision in force. It all shows that this case was opened against Pastor Hamid Shabanov with someone's order."

The 21 June decision cannot be challenged further. However, Pastor Shabanov and his fellow Baptists are preparing an appeal to the Constitutional Court in Baku about the original December 2016 punishment for exercising the right to freedom of religion or belief. "This will be a very long and hard process, because we will go against not only the police, but the judges of the first instance court and the appeal court," a fellow Baptist told Forum 18.

"Pastor Hamid's rights and those of his community have been violated," Pastor Ilya Zenchenko, head of Azerbaijan's Baptist Union who also attended the Sheki Appeal Court hearing, told Forum 18 from Baku on 6 July. "All this is a violation of their rights under Article 48 of our Constitution, which guarantees freedom of religion, and Article 49, which guarantees freedom of assembly."

Pastor Zenchenko points out that the Aliabad congregation which Pastor Shabanov leads has existed for a quarter of a century, has sought state registration in vain since the mid-1990s and the authorities know that it has met in the same location for all those years. "The authorities know who they are."

Pastor Shabanov was held in pre-trial detention from June to November 2008. In February 2009 he was given a two-year suspended sentence on charges he and his fellow-Baptists insisted were also fabricated to punish him for exercising his freedom of religion and belief.

The Aliabad Church wrote to the head of the State Committee, Mubariz Qurbanli, in January 2017 outlining their concerns about the November 2016 raid, the fine the following month and the continuing refusal to process their registration application. As they had received no reply they wrote again to him in June.

"We expect from you within the legally-determined timescale your agreement and guarantee of our possibility to meet once a week to express our religious and spiritual requirements: to jointly worship the Almighty and jointly study Holy Scripture," the Church told Qurbanli.

Goychay: Imam removed, punished - fined?

An Imam in the central Goychay District, Ruslan Mammadov, was removed from his role as Muslim Board approved Imam and punished for "illegal activity" and "organising a secret community", the APA news agency noted on 25 May.

Imam Mammadov had performed religious rituals at the mosque in the nearby village of Ikinchi Arabjabirli not according to the Muslim Board-dictated calendar. He was also accused of illegally creating a mosque in the village of Duruja in Qabala District. "He called it a mosque and acted illegally there," APA noted.

Following Mammadov's removal as Imam, the local authorities handed his case to the State Committee, which investigated his activity.

It appears Mammadov was then fined. Officials at Goychay District Court refused to tell Forum 18 on 6 July if it had heard a case against him. An official of Sheki Appeal Court told Forum 18 the same day that it had heard no appeal against any lower court punishment related to Mammadov's religious activity.

Azim Rafiyev, the State Committee representative with responsibility for Goychay District, refused to discuss Imam Mammadov's removal and punishment with Forum 18 on 6 July.

Baku: State Committee warning

Officials of the State Committee read in the media on 18 June that Shia Imam Ilgar Ibrahimoglu Allahverdiev had held a meeting in the Juma (Friday) Mosque in Baku's Old City on the third night of Laylat al-Qadr in the Muslim holy month of Ramadan. The State Committee immediately issued Imam Ibrahimoglu with a warning, according to a 19 June announcement on the State Committee website.

"I would like to note that Ilgar Ibrahimoglu has no legal connection with the Old City's Juma Mosque and the religious community operating there," the State Committee representative for Baku Anar Kazimov was quoted as declaring. He complained that Ibrahimoglu's conduct was "unacceptable and illegal".

"If Ilgar Ibrahimoglu continues such illegal actions," Kazimov warned, "he will answer before the law and the State Committee will take all necessary measures in connection with this."

The State Committee also called on Muslims not to take part in events organised outside mosques.

Officials forcibly expelled Imam Ibrahimoglu and the independent community he led from Baku's Juma Mosque in 2004. Officers beat community members and many were subsequently fined. The Muslim Board then installed its own community and named an imam, with the backing of the State Committee.

Fined for selling religious books

Kifayat Maharramova was fined four months' average wages in Gyanja in early May for selling religious books and discs without the state permission required to sell religious books or items. Police and State Religion Committee officials often seize religious books in raids.

By Felix Corley

Forum 18 (10.05.2017) - <http://bit.ly/2r4mMck> - Kifayat Maharramova is the most recent individual known to have been fined to punish her for selling religious literature without the required approval from the State Committee for Work with Religious Organisations. She was fined in Azerbaijan's second city Gyanja [Gäncä] on 1 May. In 2017, two booksellers in the capital Baku failed to overturn similar fines on appeal. All three were fined 2,000 Manats each, equivalent to about four months' average wages for those in work.

In the southern town of Astara close to the southern border with Iran, Police are investigating after officers seized "banned" religious books.

However, in Baku in March a court handed down an acquittal after a bookshop that sells Christian books proved that the items it had on sale had State Committee approval or were sample copies to be submitted for such approval. Eight years after it first applied, the State Committee has finally given the shop the licence it needs to sell religious books and items.

Meanwhile, two female Jehovah's Witnesses who spent 50 weeks in pre-trial detention before being convicted of offering one religious book without state permission may have been acquitted at the Supreme Court. At a February hearing the Judge told them verbally they were acquitted. However, three months on he has not yet issued a written verdict.

State Committee officials involved in implementing the compulsory religious censorship deny that religious books have been "banned". They insist that they simply deny permission for them to be distributed or imported as "inappropriate".

Forum 18 was unable to reach Nahid Mammadov, head of the State Committee "Expert Analysis" (Censorship) Department in Baku. His colleagues told Forum 18 on 10 May that he was not in the office and no one else was able to answer any questions about the religious censorship system.

Complete religious literature censorship

Religious literature and other materials can be sold or distributed only at specialised outlets which have been approved both by the State Committee and the local administration.

In addition, all religious literature produced in, published in (including on the internet) or imported into Azerbaijan is subject to prior compulsory censorship. When the State Committee does give permission to publish or import a work it also specifies how many copies can be produced or imported. All religious materials sold must have a sticker noting that they have State Committee approval. State officials have repeatedly denied that this represents censorship.

The stickers from the State Committee cost religious communities or bookshop owners 0.02 Manats each. However, acquiring them can be difficult. Jehovah's Witnesses complained that between April and October 2016, the State Committee told them that it had run out of stickers. This meant that even publications the State Committee had given Jehovah's Witnesses permission to import could not be distributed without fear of punishment.

The State Committee does not publish any list of books it has banned, despite promises by the then State Committee Head in 2013 that it would do so "soon".

The Old Testament, the 14-volume "Risale-i Nur" (Messages of Light) collection of writings by the late Turkish theologian Said Nursi, and several Jehovah's Witness publications were included on a police list of alleged "banned" religious literature, based on State Committee "expert analyses".

Police often seize these and other religious works in raids on homes. Such seizures happened during Police and State Committee raids on 9 April on two homes in Lokbatan in Baku's Qaradag District where Jehovah's Witnesses were meeting.

Punishments

Those who violate the state censorship of all religious literature face punishment. Prosecutors can bring cases under both the Criminal Code and Administrative Code.

Criminal Code Article 167-2 punishes: "Production, sale and distribution of religious literature (paper and electronic formats), audio and video materials, religious items and other informational materials of religious nature with the aim of import, sale and distribution without appropriate authorisation".

Punishments under Criminal Code Article 167-2 for first time offenders acting alone are a fine of between 5,000 and 7,000 Manats or up to two years' imprisonment. Such an "offence" by a group of people "according to a prior conspiracy", by an organised group, by an individual for a second time or by an official would attract a fine of between 7,000 and 9,000 Manats or imprisonment of between two and five years.

Administrative Code Article 516.0.2 punishes "Selling religious literature (printed or on electronic devices), audio and video materials, religious merchandise and products, or other religious informational materials, which have been authorised for sale under the Religion Law, outside specialised sale outlets established with the permission of the relevant government authority distributing religious literature, religious objects and information material without State Committee permission".

Punishment under Article 516.0.2 entails confiscation of the literature, merchandise and products or other materials concerned. Additional punishments under Article 516 are: for individuals fines of between 2,000 and 2,500 Manats; for officials fines of between 8,000 and 9,000 Manats; for organisations fines of between 20,000 and 25,000 Manats; and for foreigners and stateless persons fines of between 2,000 and 2,500 Manats with deportation from Azerbaijan.

Police and State Committee officials raided many shops in Baku and other cities and towns in autumn 2016 hunting for unapproved religious literature or for religious literature being sold in places that had not been approved. Many individuals selling such literature were fined.

Punishments are also handed down when police raid individuals' homes and seize religious literature which they claim is "banned".

Gyanja: Bookseller punished

Police and local officials of the State Committee raided a shop selling religious books in Gyanja's Nizami District without the required State Committee permission, the Interior Ministry noted on its website on 27 April. The bookshop was run by local resident Kifayat Maharramova. Officers seized 58 religious books and 16 CDs.

On 1 May, Judge Emin Akhundov of Gyanja's Nizami District Court found Maharramova guilty of violating Administrative Code Article 516.0.2, according to court records. He fined her 2,000 Manats (10,300 Norwegian Kroner, 1,100 Euros or 1,200 US Dollars).

The duty officer at Gyanja's Nizami District Police defended the seizure of religious books from Maharramova. "We protect social order," he told Forum 18 on 10 May. He refused to explain how seizing religious books would protect social order. He refused to answer any other questions by telephone.

Astara: Books seized

On 5 May, the State Security Service secret police and the Police of Astara District in southern Azerbaijan on the border with Iran raided homes in the villages of Tangarud and Vaqo in an operation to seize "banned" religious literature, the Interior Ministry website noted the same day. Officers seized 365 religious books and 13 CDs from five homes. However, the Interior Ministry gave no information on what books and discs were seized and why they had been banned.

Qagayi Mammadov, the regional representative of the State Committee, insisted the raid and religious literature seizures were nothing to do with him. "No one has complained to me," he told Forum 18 from Lenkoran on 10 May. He said Police are still conducting an investigation. "It's not clear if any cases will go to court or not."

Baku: Fines upheld on appeal

At Baku Appeal Court on 6 May, Shahmerdan Imamaliyev failed to overturn a fine of 2,000 Manats under Administrative Code Article 516.0.2 imposed for selling religious literature without state permission, according to court records. Judge Qadim Babayev rejected his appeal against the fine handed down on 30 December 2016 by Judge Rauf Ahmedov at Baku's Nizami District Court.

Officers of Nizami District's 25th Police Station raided the Abituriyent (University Entrant) bookshop in December 2016. They seized 30 copies of 15 different religious books.

The man who answered the phone of the head of the 25th Police Station – who did not give his name – said that officers had taken part in a "joint operation". He insisted though that his officers had merely been accompanying others, whom he would not identify. He would not explain why a shop selling religious books should be raided and the owner punished. He then put the phone down.

Similarly, on 31 January, Judge Mirpasha Huseynov of Baku Appeal Court rejected the appeal by Islam Mammadov against a fine of 2,000 Manats under Administrative Code Article 516.0.2 for selling religious materials without state permission. Islam Mammadov had appealed against a fine handed down on 20 December 2016 by Judge Habil Mammadov of Baku's Khatai District Court.

Baku: Case dropped

On 1 December 2016, about 15 police officers and State Committee officials raided a Baku bookshop which includes Christian books among its stock, local Protestants told Forum 18. Officials seized for examination 396 books in Russian and Azeri. They later initiated a case under Administrative Code Article 516.0.2, which was handed to the city's Sabail District Court.

However, the State Committee found that 387 of the seized books had its permission for distribution. The remaining nine were sample copies awaiting its approval.

Hearings began at Sabail District Court on 21 February 2017, but in March the Judge dismissed the case, pointing out that the bookshop had not violated the law. The bookshop welcomed the acquittal, as well as the return of all the books.

The bookshop also welcomed the State Committee decision in mid-April to grant it a licence to sell religious literature and other items. The bookshop has been seeking such a licence since 2009, when compulsory licences were introduced with the amendments to the Religion Law.

Gulen's books banned

All the books by Turkish retired imam Fethullah Gulen (who now lives in the United States) are banned from import into Azerbaijan, a State Committee official revealed. The State Committee declared his works "inappropriate" for import in 2008, Nahid Mammadov, head of the State Committee "Expert Analysis" (Censorship) Department, told Turan news agency on 23 August 2016.

Mammadov claimed that the decision to declare Gulen's works "inappropriate" for import was because they allegedly promote the superiority of followers of his movement over other people.

Mammadov made his comments after police claim to have found copies of Gulen's works when they searched the homes and vehicles of several opposition political figures arrested in August 2016.

No works "banned"?

In the August 2016 interview, Nahid Mammadov claimed that no such concept as religious literature "banned" for import exists. He insisted that the State Committee gives a conclusion on the "appropriateness" or "inappropriateness" of the import of a particular work.

Mammadov said religious works are deemed "inappropriate" if they promote religious enmity, hatred or superiority of one person over another.

Works by another Muslim theologian, Said Nursi, have variously been restricted or banned. The State Committee told Baku-based Muslim Zeka Miragayev in May 2014: "In reply to your question, we inform you that since 2009 the State Committee has considered literature which is part of the complete works of Risale-i Nur and is used to spread the sect (Nurculuq) inappropriate for import in large quantities or publication, and has not objected to it being brought into the country only in special cases when there is no intention of propaganda (and on condition of no more than one copy)."

"As you can see, the State Committee has not based its response on any official document," a friend of Miragayev complained to Forum 18 from Baku in June 2014. "They didn't use the term 'forbidden' or 'banned', but the term 'inappropriate'. This is incomprehensible in terms of legislation, isn't it?"

One of the State Committee deputy chairs, Gunduz Ismayilov, repeated at a press conference on 27 December 2016 that Nursi's works had been deemed "inappropriate" for import in more than one copy. He said this was not because they contain "propaganda of radicalism", but because they promote "sectarianism". "From this year it is permitted to import them for personal reading, but not for distribution," the local media quoted Ismayilov as declaring.

Acquitted or not?

On 8 February, the Supreme Court in Baku acquitted Jehovah's Witness former prisoners of conscience Irina Zakharchenko and Valida Jabrayilova of their convictions for distributing religious literature without state permission, Jehovah's Witnesses told Forum 18. Judge Hafiz Nasibov announced verbally that the Court had found no crime in the actions of the two and had annulled the decisions of the lower courts.

However, three months after the hearing the Supreme Court has still not issued its verdict in writing, Jehovah's Witnesses told Forum 18 from Baku on 9 May.

Forum 18 was unable to reach Judge Nasibov on 10 May. On 13 March, his assistant had told Forum 18 that the written decision would be issued by the end of March.

Zakharchenko and Jabrayilova were arrested in February 2015 to punish them for exercising their right to freedom of religion or belief by offering one religious booklet without the compulsory state permission. They were held by the then National Security Ministry (NSM) as prisoners of conscience for ten months before they were transferred to an ordinary prison.

The United Nations Working Group on Arbitrary Detention called in December 2015 for the two women to be freed and compensated. In January 2016 the two were convicted under Criminal Code Article 167-2.2.1 and given a large fine. At the same time the fine was waived and the women freed, but they were not compensated for their wrongful imprisonment as the Working Group had demanded.

Zakharchenko and Jabrayilova appealed against their conviction. On 29 March 2016, Baku Appeal Court left the sentence unchanged. The two women's further appeal reached the Supreme Court on 19 September 2016.

During the February 2017 Supreme Court hearing, lawyers for Zakharchenko and Jabrayilova "highlighted the government's breach of fundamental human rights in the unwarranted and abusive treatment of the two Witness women", Jehovah's Witnesses noted. The Court allowed both women to relate what they had endured through more than 11 months of pre-trial detention and how it had affected them.

Jabrayilova described conditions as bad in the then-NSM secret police Investigation Prison. The two women were held there from February until December 2015. "She called her confinement room a 'cage', rather than a cell, in that there was no privacy and everything was exposed to the sight of others," Jehovah's Witnesses noted. "The smell of sewage in this 'cage' was suffocating." Prison officials constantly demanded money from prisoners.

Other prisoners of conscience have faced torture in prison. Shia Muslim theologian and prisoner of conscience Taleh Bagirov (also known as Bagirzade) was subjected to "severe torture" and a broken nose while in detention at the Interior Ministry's Main Directorate for the Struggle with Organised Crime in December 2015.

In a separate case, Jehovah's Witnesses Zakharchenko and Jabrayilova tried to gain compensation for their imprisonment. However, Baku's Administrative Economic Court No. 2 rejected their appeal for compensation. On 6 December 2016, Judge Valeh Agayev of Baku Appeal Court rejected the women's appeal against that decision.

Religious meeting of Jehovah's Witnesses dispersed

HRWF (12.04.2017) - <http://bit.ly/2nE0ReD> - On 9 April The State Committee for Work with Religious Structures together with law enforcement agencies cracked down on a meeting of Jehovah's Witnesses in the Qaradag district of Baku at two addresses. Thirty-three, including ten children, were participating in the religious gathering.

In addition, a large quantity of religious literature of Jehovah's Witnesses was seized. An investigation is being conducted.

Azerbaijan Supreme Court Exonerates Irina Zakharchenko and Valida Jabrayilova

JW.org (10.02.2017) - <http://bit.ly/2m7Keqd> - On February 8, 2017, the Supreme Court of Azerbaijan acquitted Irina Zakharchenko and Valida Jabrayilova of their convictions for distributing religious literature without State permission. Judge Hafiz Nasibov, of the Criminal Board of the Supreme Court, announced that the Court had found no crime in the actions of the two Witness women and had annulled the decisions of the lower courts.

During the hearing, lawyers for Ms. Zakharchenko and Ms. Jabrayilova highlighted the government's breach of fundamental human rights in the unwarranted and abusive treatment of the two Witness women. The Court allowed both women to relate what they had endured through more than 11 months of pretrial detention and how it had affected them.

International human rights lawyer Jason Wise commented: "We are very pleased that the Criminal Board of the Supreme Court canceled the convictions. For Jehovah's Witnesses in Azerbaijan, it is an unprecedented reversal of lower court decisions. We hope the Baku Sabail District Court will also recognize the right to compensation for these two women."

Regime jails Muslims, doesn't arrest torturers

Eighteen people accused of association with the Muslim Unity Movement have been given long jail terms on fabricated charges. Other trials are continuing. Despite Azerbaijan's binding international human rights obligations, no officials have been arrested or put on criminal trial for torturing those convicted.

By Felix Corley

Forum 18 (09.02.2017) - <http://bit.ly/2l6hnBT> - On 25 January the Serious Crimes Court in Azerbaijan's capital Baku sentenced Imam Taleh Bagirov, the leader of the Muslim Unity Movement, and a deputy leader Abbas Huseynov, to 20 years each in prison. Judge Aliovsat Abasov also sentenced 16 others to long prison terms. All have already spent more than a year in prison.

The charges – which the accused strongly disputed - included terrorism, an attempt to seize power violently, illegal firearms possession, and murder.

Local human rights defenders, including former prisoner of conscience Khadija Ismayilova, have stated that there is no evidence for these charges. "These people didn't commit any violence," she told Forum 18 in June 2016. "The government sees them as a threat because they are popular and they are not controlled by the government" (see F18News 22 June 2016).

The regime has frequently used charges of alleged possession of drugs and weapons to jail prisoners of conscience for exercising their freedom of religion or belief and other rights.

Of the 18 convicted, one of them prominent opposition politician Fuad Qahramanli, 17 told the court that they had been tortured after their arrests to extract confessions and "testimony" against others. Despite Azerbaijan's binding international human rights obligations, no officials have been arrested or put on criminal trial for torturing people.

Two other trials are continuing against those the authorities accuse of being associated with the Muslim Unity Movement. Just days before the verdicts on the 18 were announced

in Baku, one journalist human rights defender and a Muslim Unity Party activist were arrested and jailed, for 30 days and 10 days respectively.

Convictions

Those convicted were:

1. Taleh Kamil oglu Bagirov (also known as Bagirzade), 20 years' imprisonment (first 7 years in Qobustan strict regime prison)
2. Abbas Mammadbagir oglu Huseynov, 20 years' imprisonment (first 7 years in Qobustan strict regime prison)
The Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) stated in 2008 that prisoners in Qobustan Prison are tortured. The CPT also witnessed the authorities attempting to stop prisoners complaining.
3. Jabbar Amirkhan oglu Jabbarov, 19 years' imprisonment
4. Rasim Mirzabala oglu Jabrayilov, 17 years' imprisonment
5. Shamil Adil oglu Abdulaliyev, 14.5 years' imprisonment
6. Bahruz Rahib oglu Askarov, 14.5 years' imprisonment
7. Jahad Balahuseyn oglu Balakishiyev, 14.5 years' imprisonment
8. Farhad Nasreddin oglu Balayev, 14.5 years' imprisonment
9. Etibar Rasim oglu Ismayilov, 14.5 years' imprisonment
10. Ibrahim Mamed oglu Khudaverdiyev, 14.5 years' imprisonment
11. Zakir Tapdiq oglu Mustafayev, 14.5 years' imprisonment
12. Ali Hazrat oglu Nuriyev, 14.5 years' imprisonment
13. Abbas Abdulrahman oglu Quliyev, 14.5 years' imprisonment
14. Abbas Hafiz oglu Tagizada, 14.5 years' imprisonment
15. Javad Alibala oglu Valiyev, 14.5 years' imprisonment
16. Fuad Ali oglu Qahramanli, 10 years' imprisonment Gahramanli
17. Ramin Maharram oglu Yariyev, 10 years' imprisonment
18. Aqil Azer oglu Ismayilov, 10 years' imprisonment

All – except for opposition politician Qahramanli – were arrested on 26 November 2015 during a police raid on Muslims praying in Nardaran which left seven people dead. The village north of Baku is known as a stronghold of Shia Islam.

Police arrested Qahramanli – the Deputy Head of the opposition Popular Front party – on 8 December 2015. He published a Facebook commentary denouncing the assault on Nardaran. He suggested that the government among other motives intended to persuade the international community that it was countering alleged "terrorism" and so justify the continuance of the dictatorship. The commentary noted that "such inhuman behaviour" as the raid encourages violence, and called for Nardaran's villagers and those detained to be given their full legal rights.

Background

The trial follows a 26 November 2015 raid while Muslims were praying in the village of Naradarn. During the raid, at least seven people were killed - five men in the village and two police officers – with others in the village being wounded. More than a dozen Muslim Unity Movement members – including leader former prisoner of conscience and then-recently tortured Imam Taleh Bagirov – were detained. Others were also detained later elsewhere in Azerbaijan.

Immediately after the raid, Etibar Najafov, Chief Adviser on Multiculturalism, Ethnic and Religious Affairs in the Presidential Administration, told Forum 18 that "they've done wrong things – they violated established rules". But he struggled to explain what rules they had

broken. Asked if the Muslim Unity Movement had killed or proposed killing anyone, he replied "No".

On 1 November 2013 Imam Bagirov was sentenced to his second prison term as a prisoner of conscience, on apparently fabricated drugs-related charges. As well as politically opposing the regime, Bagirov and other Muslims had opposed the Caucasian Muslim Board's attempt to impose an imam on Mastaga's Hazrat Abulfaz Aga Mosque. Among other topics in his sermons, he strongly opposed the authorities attempts to impose total control of of Muslims exercising the right to freedom of religion or belief.

In January 2015, while Imam Bagirov was in jail, a group of Shia Muslims founded the Muslim Unity Movement with Bagirov chosen to be its leader. He was freed in July 2015.

The authorities quickly began to try to suppress the new Movement, which has both religious and political goals and aims to unify the Islamic and secular opposition to the regime of President Ilham Aliyev.

Shortly before the Nardaran raid, on 3 November 2015 police detained and tortured Imam Bagirov when he began to pray in a police station. Two days later, police elsewhere in Baku imprisoned his deputy Elchin Qasimov (also known as Qasimli), imam of Mastaga's Hazrat Abbas Mosque, and a colleague. Eight Muslims who demonstrated outside the Baku police station where Qasimov was initially held were also arrested. A total of 10 prisoners of conscience, including Qasimov, were given prison terms of up to one month.

The torture of Imam Bagirov was just a week before the 11 and 12 November consideration of Azerbaijan's record under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) at the United Nations (UN) Committee Against Torture.

Mosques closed, imams imprisoned

Following the November 2015 assault, officials closed at least four mosques in Nardaran, claiming that as they do not have state registration it is illegal for them to host prayers. Officials said some could reopen, but only after they submitted to the state-backed Caucasian Muslim Board and gained the compulsory state registration.

Two of Nardaran's Imams - Nuhbala Rahimov of the Rahima Hanum Mosque, and Atamali Nur, prayer leader of the Juma (Friday) Mosque – were imprisoned in early December 2015. A Baku court handed Nur a 30-day prison term. Imam Rahimov was given an 18-month prison term on 27 May 2016, apparently without a trial.

On 6 September 2016, the State Committee for Work with Religious Organisations presented a new registration certificate to a Shia Muslim "community" for Nardaran's Rahima Hanum Mosque. It appears the state created the community to replace the previous community. The State Committee had already decided that only one mosque community will be allowed to exist in Nardaran, with all mosques there being subject to it. The legal basis for such a demand is unclear.

Apart from Rahima Hanum Mosque, no other religious communities in Nardaran are listed on the State Committee website as having state registration as of 8 February 2017.

Against Azerbaijan's international human rights obligations, no religious or belief community is allowed to exist without state permission. Also against international human rights law, the regime forces all mosques to be controlled by the Caucasian Muslim Board.

Torture

Seventeen of the 18 defendants testified in court that they were tortured by the Interior Ministry's Main Directorate for the Struggle with Organised Crime in Baku, and by police. Among the testimonies of torture, Imam Bagirov stated: "It is one thing to beat or put an electric current through a person, but we are speaking here of horrific tortures".

Under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Azerbaijan is obliged to arrest and try under criminal law any person suspected on good grounds of having committed torture. The Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) has strongly criticised Azerbaijan's record.

No officials were arrested or tried for torturing the prisoners of conscience when they testified to being tortured. Instead, officials denied that torture happened.

The UN Working Group on Arbitrary Detention and the UN Committee Against Torture have both also condemned the government's record.

No arrests for tortured

Forum 18 tried to find out whether Azerbaijan had carried out its binding international legal obligations, by arresting and opening criminal cases against any officers of the Interior Ministry's Main Directorate for the Struggle with Organised Crime suspected of torture.

The duty officer at the Main Directorate in Baku replied on 9 February "I have no information on that." He then put the phone down.

The assistant to the General Prosecutor, Zakir Qaralov, declined to put Forum 18 through to him on 9 February and added that "we don't have this information". She directed Forum 18 to the General Prosecutor's Office International Department. The official who answered the phone the same day listened to Forum 18's questions and then put the phone down. Subsequent calls went unanswered.

The assistant to Baku City Prosecutor Aziz Seyidov claimed to Forum 18 on 9 February that he was not in the office. She directed Forum 18 to the City Prosecutor's Office spokesperson Gunel Akberova. Reached the same day, she asked for the questions in writing, which Forum 18 sent mid-afternoon in Baku on 9 February. Forum 18 had received no response by the end of the working day in Baku.

Jafar Jafarov, head of the Investigation Department at Baku City Prosecutor's Office, refused to give any information. "We don't give out such information," he told Forum 18 on 9 February before putting the phone down.

Nardaran case No. 2

A second criminal trial – widely described as Nardaran case No. 2 - is also underway. The trial began under Judge Mayil Bayramov at Baku's Serious Crimes Court with a preliminary hearing on 20 December 2016. A deputy chair of the Muslim Unity Movement, Elchin Qasimov (also known as Qasimli), imam of Mastaga's Hazrat Abbas Mosque, and 11 others are facing a wide range of similar criminal charges. They all reject the accusations.

Imam Qasimov is one of the many who have been tortured by the regime in the course of his trial.

Qasimov was arrested after protesting against the torture of Imam Bagirov. The state-controlled Caucasian Muslim Board claimed in a statement that: "Elchin Qasimli and others are not members of the clergy and their religious communities have not applied to the Caucasian Muslim Board and the State Committee for Work with Religious Organisations,"

Haydarov warned. "They have no official permission to carry out religious rites in places of worship. However, under the guise of performing religious rites, they repeatedly attempted to disrupt public order".

Nardaran case No. 3

A third criminal trial – widely described as Nardaran case No. 3 - is also underway. The trial began under Judge Zeynal Agayev at Baku's Serious Crimes Court with a preliminary hearing on 19 January. Theologian Zulfuqar Mikayilzade (also known as Mikayilov) and 10 others are facing charges of trying to overturn the constitutional order, terrorism and other serious crimes, and has been detained since the Nardaran raid.

Mikayilzade has previously been fined after an April 2014 police raid on his home, where he was teaching Islam to two groups of men and women without state permission.

On the day of the Nardaran raid, a General Prosecutor's Office statement claimed that the Muslim Unity Movement was planning "a violent change to the constitutional system of government" to establish "a religious state governed by Sharia law". It claimed that the "armed criminal group" stockpiled ammunition and explosives. Theologian Mikayilzade, Imam Bagirov, Abulfaz Bunyatov, and Elman Agayev (also known as Agazade) were identified as the creators of the "illegal" movement.

Agayev, who is also being tried in this case, has also been tortured. He too is accused of a wide range of serious crimes including terrorism and plotting to seize power. He vehemently denies the charges, and his lawyer thinks that "the authorities intend to use the convictions from the Bagirov trial in the next court case".

Nardaran elders on trial

The trial of two of Nardaran's elders (an honorific village title) began at Baku's Serious Crimes Court under Judge Ahmad Quliyev with a preliminary hearing on 17 January. Natiq Karimov and Inqilab Ahmadov are facing charges of treason for Iran.

After the Nardaran raid, Karimov protested when the regime refused in December 2015 to allow Shia Muslim commemorations in the village. On 6 January 2016 the State Security Service (SSS) secret police arrested him for treason.

Journalist's one-month imprisonment, activist's 10-day imprisonment

Journalist Rovshan Mammadli was arrested in Baku on 23 January accused of swearing at police. The following day, Yasamal District Court sentenced him to 30 days' imprisonment. The lawyer Elchin Sadygov told Caucasian Knot news agency on 25 January that police had fabricated the case against Mammadli and that he was punished for writing about the torture of the defendants in the Nardaran trial and publishing an interview with Bagirov portraying him in a favourable light.

Sadygov complained that Mammadli had not been able to inform his family of his arrest, nor to choose a lawyer to defend him in court.

Many journalists who work as human rights defenders have been arrested and imprisoned in Azerbaijan, including Mehman Huseynov and former prisoner of conscience Ismayilova.

Muslim Unity Movement activist Ahsan Nuruzada disappeared in Baku on 24 January, the day before the verdicts were announced in the trial of Bagirov and the other 17 defendants. It subsequently emerged that he had been kidnapped outside his home by three men in civilian clothes.

Only on 30 January did officers phone his lawyer Yalchin Imamov to say the Interior Ministry's Main Directorate for the Struggle with Organised Crime was holding Nuruzada, the lawyer told Caucasian Knot on 2 February. Officers also told him that on 24 January, a court had sentenced Nuruzada to 10 days' imprisonment for failure to submit to a police order, apparently under Administrative Code Article 535 ("Disobeying a police officer").

Lawyer Imamov lodged an appeal against the imprisonment, but on 2 February Judge Abid Abdinbayov of Baku Appeal Court rejected the appeal. Nuruzada later said he had been pressured to sign a police statement incriminating himself, Caucasian Knot noted.

Police claim "everything was done well"

Three Jehovah's Witnesses, two Baptists, and a bookseller have each been fined three to four months' average wages. Their "offences" include discussing beliefs, offering religious literature, and meeting for prayer. And an unlicensed mosque has been raided and had allegedly "superstitious" items confiscated.

By Felix Corley

Forum 18 (17.01.2017) - <http://bit.ly/2k3w8oY> - In early January 2017, a higher court rejected the appeal by three Jehovah's Witnesses from Goranboy District in western Azerbaijan against large fines, imposed for discussing their faith with others and offering religious literature. The accused were not allowed to prepare a defence or speak in court.

Two Baptists in the northern Zakatala [Zaqatala] District were fined in December 2016 for leading worship services without state permission after a large police raid two weeks earlier. The Saturday morning raid on an "illegal" meeting for prayer resulted in the detention of more than 30 adults and children present, after which 16 women and 10 men were questioned at the local police station until 10 pm at night. Police sent confiscated religious literature to the capital Baku for alleged "expert analysis". "Everything was done well," police Major Amil Muradov told Forum 18 before putting the phone down.

Also, a Baku court fined local resident Elnara Qasimova for selling religious materials without the compulsory permission from the State Committee for Work with Religious Organisations and the local administration. However, on 17 January 2017 Baku Appeal Court cancelled the fine and sent the case back to the lower court for a new hearing.

It appears that Qasimova's prosecution was a result of raids by State Committee officials as well as police officers on at least five shops selling religious literature in Baku's Sabail and Nasimi Districts, announced on 2 December 2016. Officials said five shops were selling religious literature "illegally".

The three Jehovah's Witnesses, two Baptists and Baku bookseller Qasimova were each fined about three to four months' average wage. (The State Statistics Committee gives the average monthly wage for those in work between January and October 2016 as nearly 494 Manats.)

Also, officials in Baku confiscated 59 religious books, 19 videotapes, 27 DVDs and 80 CDs which they claimed had not passed state censorship, adding that unspecified items "included elements of khurafat [prejudice or superstition]". This term does not appear in published law. The confiscation followed a December 2016 raid on a Shia Muslim community operating without state permission.

Fined for discussing faith

Trouble began in mid-November 2016 for two Jehovah's Witnesses in Goranboy District, Jaarey Suleymanova and Gulnaz Israfilova. The two women had been visiting a woman "who had enjoyed their Bible discussions for many months", Jehovah's Witnesses told Forum 18. Subsequently, the Goranboy District Police charged the two women under the Code of Administrative Offences' Article 515.0.4 ("Religious associations operating away from their registered legal address"). The fine for individuals for this "offence" is between 1,500 and 2,000 Manats.

Police handed the case to Goranboy District Court. On 17 November 2016, Judge Ismayil Abdurahmanli handed them each the maximum fine of 2,000 Manats, more than four months' average wages for those in work, according to court records.

Suleymanova and Israfilova lodged appeals against the fines to Gyanja [Gäncä] Appeal Court. However, on the afternoon of 5 January 2017, Judge Fikrat Aliyev rejected their appeals, according to court records.

Goranboy District Police brought exactly the same charges against another local Jehovah's Witness, Ziyad Dadashov. "Four men from his village testified that Ziyad Dadashov had spoken of his beliefs and offered Bible literature," Jehovah's Witnesses told Forum 18.

Police handed the case to Goranboy District Court. On 2 December 2016, Judge Shirzad Huseynov found Dadashov guilty under Administrative Code Article 515.0.4. The Judge fined him 1,500 Manats, more than three months' average wages for those in work, according to court records.

Dadashov similarly appealed against the fine to Gyanja Appeal Court. However, on the morning of 5 January 2017, Judge Badal Aliyev rejected his appeal, according to court records.

"In neither case did the defendants have the opportunity to prepare their defence, nor did they have the opportunity to speak during court hearings," Jehovah's Witnesses complained to Forum 18.

Reached on 17 January, an official of Goranboy District Police refused to discuss anything with Forum 18 and put the phone down.

Meeting for prayer raided

On the morning of Saturday 26 November 2016, about 10 uniformed police officers and several men in plain clothes (including local State Committee representative Mehman Ismayilov) raided the home of a Baptist leader in the village of Aliabad in Zakatala District. They arrived about half an hour after a regular prayer meeting had begun in the home of Hamid and Hinayat Shabanov, fellow Baptists told Forum 18. About 30 adults and several children were present at the prayer meeting.

The officers ordered Hamid Shabanov and his fellow Baptists to halt the prayer meeting, "saying it was illegal because of the lack of state registration".

An Interior Ministry statement on the day of the raid said State Committee representatives accompanied Zakatala Police on the raid. The statement did not identify the community as Baptist, speaking only of "an illegal religious gathering aimed at spreading a religious sect banned under the law". It added that 16 items of religious literature had been confiscated and sent for "expert analysis" to the State Committee in Baku.

Alleged "expert analysis" is used to justify the stringent imposition of state censorship.

Colleagues of Zakatala State Committee representative Ismayilov told Forum 18 on 17 January 2017 that he was not in the office. They refused to comment on the raid on the Baptists.

Over several hours on 26 November 2016, officers held those present for the prayer meeting in a room in Shabanov's home. They allowed individuals out only to go to the toilet, one at a time. Officers wrote down the names and identity document details of all those present. They also compiled a list of all the religious literature they could find belonging to the church or its members, Baptists complained to Forum 18.

Police then took 26 church members (16 women and 10 men) to the District Police Station, where officers demanded that they each write a statement. Police had already confiscated several of the individuals' phones. By 10 pm officers had released all 26 of those detained.

Only on 29 November did police return the confiscated identity documents to the church members. The same day the investigator announced that charges were being brought against church members for meeting "illegally" without state registration. The investigator did not say how many cases had been prepared and when they would be handed to court.

Against international human rights law, all exercise of freedom of religion and belief by more than one person without state permission is banned.

All those detained during the raid signed an appeal to the State Committee in Baku for their Church to be allowed to worship freely, Shabanov told Forum 18. The Church has received no response.

Two fined, church banned from meeting

Police summoned to Zakatala Police Station on 12 December all 26 church members who had been detained during the 26 November raid.

Police had prepared records of an offence against two church members, Hamid Shabanov and Mehman Agamammadov under Administrative Code Article 515.0.2 ("Violating legislation on holding religious meetings, marches, and other religious ceremonies"). The fine for individuals for this "offence" is between 1,500 and 2,000 Manats.

The cases were handed to Zakatala District Court. There in a 15-minute hearing on 12 December 2016, Judge Arif Ismayilov found both Shabanov and Agamammadov guilty and fined them each the minimum fine, 1,500 Manats, the Judge told Forum 18 from the Court on 17 January.

Judge Ismayilov claimed to Forum 18 that both men had admitted their guilt in court. Shabanov denied this. "I told the court it was not our fault, as we applied but they won't give us registration," he told Forum 18.

Judge Ismayilov insisted that Shabanov and Agamammadov had been given the court decisions in writing, though he refused to say when or how. However, Shabanov denied this. "We rang the court and visited it, but they wouldn't send or give us the decision," he told Forum 18. "We had 10 days to appeal against the fine but that's now gone. But they haven't demanded the money either."

On 15 December 2016 officials returned all the confiscated books to the church. "The State Committee in Baku looked at them and could find nothing wrong with them," Shabanov told Forum 18.

However, police and the Judge told the Church that it is illegal for church members to meet for worship. They were warned that if they do so they will be fined.

One Zakatala Police officer who prepared the prosecution materials in Agamammadov's case for the court, Major Amil Muradov, refused to discuss the ban on the church's activity or the raid. "Everything was done well," was all he would tell Forum 18 on 17 January 2017 before putting the phone down.

History of raids, fines, imprisonments, registration denial

Shabanov's church and a fellow Baptist congregation in Aliabad have been seeking state registration since the mid-1990s. However, state officials have consistently refused to process the applications, including the most recent application the Church submitted in 2010 after changes to the Religion Law.

State officials have repeatedly harassed Aliabad's Baptists since the 1990s, with repeated police raids on worship meetings and confiscation of religious literature. Several church members were sacked from their jobs because of their faith, including a nurse from a hospital and the head of the local kindergarten. Baptists were banned from using the collective farm's agricultural machinery for their plots, and from receiving state subsidies provided to other farmers, Ilya Zenchenko, the head of the Baptist Union, complained to Forum 18 from Baku. Officials have in the past denied registration to children of local Baptists who had chosen Biblical names for their new-born children.

One of the Church's pastors, former prisoner of conscience Zaur Balaev, was imprisoned on false charges from May 2007 to March 2008. Another pastor of the Church, former prisoner of conscience Hamid Shabanov, was held in pre-trial detention from June to November 2008. In February 2009 he was given a two-year suspended sentence on charges he and his fellow-Baptists insisted were also fabricated to punish him for exercising his freedom of religion and belief.

"Despite all this they continue to meet to this day," Pastor Zenchenko noted, "under the leading of their hearts – which love God – and in accordance with Azerbaijan's Constitution guaranteeing freedom of assembly, freedom of speech and freedom of conscience and religious belief." But Baptists feel angry that police action had violated the alleged 2016 Year of Tolerance declared by President Ilham Aliyev. The regime uses claims of its alleged "religious tolerance" to camouflage its multiple human rights violations.

Police and religious affairs officials raid Baku bookshops

State Committee officials and police officers raided at least five shops selling religious literature in Baku's Sabail and Nasimi Districts, the Interior Ministry and the State Committee announced on 2 December 2016. State Committee officials said five shops were selling religious literature and other religious items "illegally".

Police confiscated 433 different religious titles being sold without the compulsory hologram sticker showing that the books had the required permission from the State Committee to be sold. Officers drew up records of an offence in each case.

The latest Baku bookshop raids appear to be a continuation of earlier raids. Police and officials of the State Committee raided at least 26 shops and six homes across Azerbaijan in October and early November 2016 to seize religious literature being distributed without the compulsory state permission. Some book sellers were then punished. All the literature confiscated from shops appears to have been Muslim.

Religious literature and other materials can be sold or distributed only at specialised outlets which have been approved both by the State Committee and the local administration.

In addition, all religious literature produced in, published in (including on the internet) or imported into Azerbaijan is subject to prior compulsory censorship. When the State Committee does give permission to publish or import a work it also specifies how many copies can be produced or imported. All religious materials sold must have a sticker noting that they have State Committee approval. State officials have repeatedly denied that this represents censorship.

The stickers from the State Committee cost religious communities or bookshop owners 0.02 Manats each. However, acquiring them can be difficult. Jehovah's Witnesses complained that between April and October 2016, the State Committee told them that it had run out of stickers. This meant that even publications the State Committee had given Jehovah's Witnesses permission to import could not be distributed without fear of punishment.

Fined for religious literature, but fine overturned

One case is known to have been brought to court in Baku's Sabail District, though it remains unclear if this was as a result of the raids.

On 28 December 2016 Judge Rauf Ahmadov of Sabail District Court fined local resident Elnara Qasimova 2,000 Manats for selling religious items without the compulsory permission from the State Committee and the District administration, the court told Forum 18 on 16 January.

Qasimova was fined under Administrative Code Article 516.0.2 ("Selling religious literature (printed or on electronic devices), audio and video materials, religious merchandise and products, or other religious informational materials, which have been authorised for sale under the Religion Law, outside specialised sale outlets established with the permission of the relevant government authority distributing religious literature, religious objects and information material without State Committee permission").

Punishments under Article 516.0.2 entails confiscation of the literature, merchandise and products or other materials concerned. Additional punishments under Article 516 are: for individuals fines of between 2,000 and 2,500 Manats; for officials fines of between 8,000 and 9,000 Manats; for organisations fines of between 20,000 and 25,000 Manats; and for foreigners and stateless persons fines of between 2,000 and 2,500 Manats with deportation from Azerbaijan.

Qasimova's appeal against her punishment was handed to Baku Appeal Court on 11 January. On the morning of 17 January Judge Ilqar Murquzov partially upheld Qasimova's appeal. He cancelled the fine, but sent the case back to the lower court for a new hearing, according to court records.

The official who answered the phone of the Baku city representative of the State Committee on 17 January, who refused to give his name, refused to answer any of Forum 18's questions as to why officials raided the bookshops, confiscated religious literature or brought a case to punish Qasimova.

Baku Muslim community raided

State Committee officials, together with officers of the police, State Security Service (SSS) secret police and officials from Baku's Sabail District local administration raided a Shia

Muslim community, State Committee officials told the local media on 8 December 2016. They claim to have been responding to information that the community in Badamdar in south-western Baku was functioning "in violation of procedures governing the activity of religious organisations".

The Muslim community is not one of the four mosques the State Committee allows to function in Sabail District. The regime has a policy of closing mosques operating without state permission and without a leadership the State Committee has appointed. Sunni mosques are especially severely targeted for forcible closure.

During the raid, State Committee officials confiscated 59 religious books, 19 videotapes, 27 DVDs and 80 CDs which they claimed did not have the required State Committee permission. Officials added that they found unspecified items "which included elements of khurafat [prejudice or superstition]". They claimed to have then launched an investigation.

Azerbaijan's legal database does not include the term "khurafat" in any law or legal document. It remains unclear why State Committee officials think the unspecified confiscated items are illegal.
