

## **Table of Contents**

- ***Theologian challenges state's book ban***
  - ***Raids on mosques, jailings, fines***
  - ***State's theological review bans book on Islam***
  - ***Sufis raided, initial fine, Protestants raided***
  - ***Azerbaijan wrestles with rising Iranian influence***
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## **Theologian challenges state's book ban**

By Felix Corley, Forum 18

Forum 18 (14.05.2018) - <https://bit.ly/2s3MD66> - Muslim theologian Elshad Miri is challenging in court the State Committee for Work with Religious Organisations decision to ban one of his books on theological grounds. The Committee operates the prior compulsory censorship of all religious materials. A court fined another bookshop owner for selling religious literature without permission.

Muslim theologian Elshad Miri is challenging the ban on one of his books on Islam imposed by the State Committee for Work with Religious Organisations because an official disagreed with it theologically. A court in the capital Baku is due to continue hearing Miri's suit tomorrow afternoon (15 May).

Soon after the February ban on Miri's book, the State Committee told a local news agency that it was considering ways to ban religious books that had received permission for publication or import in the 1990s. It said that while such retrospective bans are "difficult", it had persuaded several publishers not to reprint such religious books (see below).

A State Committee official confirmed to Forum 18 that it makes public no lists of religious publications it has banned. The official refused to discuss any other aspect of the state's prior compulsory censorship of all religious materials (see below).

Following raids on shops selling religious literature in the southern town of Masalli in March, one shop owner was fined the equivalent of four months' average wages for those in formal work. A bookseller in Baku failed to overturn a similar fine (see below).

However, a shop owner in the northern city of Sheki overturned his fine for selling religious books without the required state permission as the case against him had been prepared by the police. Only State Committee officials are allowed to bring such cases. It remains unknown if he will face a further attempt to punish him (see below).

### ***Complete religious literature censorship***

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 (each costing 0.02 Manats) noting that they have State Committee approval. State officials have repeatedly denied that this represents censorship (see F18News 1 October 2015 [http://www.forum18.org/archive.php?article\\_id=2107](http://www.forum18.org/archive.php?article_id=2107)).

"One of the main directions of our activity is to prevent the spread of unauthorised religious literature," a Deputy Chair of the State Committee, Siyavush Heydarov, told the local Trend news agency on 27 January 2017.

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" (see F18News 6 May 2014 [http://www.forum18.org/archive.php?article\\_id=1955](http://www.forum18.org/archive.php?article_id=1955)).

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. People who sell religious literature and materials without such permission are routinely fined, with the materials being seized (see F18News 10 May 2017 [http://www.forum18.org/archive.php?article\\_id=2278](http://www.forum18.org/archive.php?article_id=2278)).

In 2017 the European Court of Human Rights in Strasbourg asked the Azerbaijani government to respond in several Jehovah's Witness cases where the State Committee banned the import of their publications or police and the courts detained and punished individuals for distributing religious literature "illegally" (see F18News 13 February 2018 [http://www.forum18.org/archive.php?article\\_id=2351](http://www.forum18.org/archive.php?article_id=2351)).

In January and February 2018, the State Committee sold 45,540 stickers to be placed on 34 religious titles (books, magazines or electronic materials), "Expertise" Department head Nahid Mammadov told the State Committee board on 27 February, according to its website.

In 2017, the State Committee sold 765,151 stickers for 601 titles, deriving income from sticker sales that year of 15,303.02 Manats (72,000 Norwegian Kroner, 7,500 Euros or 9,000 US Dollars).

In 2017, out of 1,540 titles submitted for the State Committee censorship, 63 were considered unsuitable for import and distribution, Mammadov added. In 2017, out of 210 titles submitted to the State Committee for permission to publish in country, 4 were considered unsuitable and 206 were given permission to be published.

In 2017, legal and police organs sent 2,106 titles to the State Committee for assessment, Mammadov said. Of these, 99 were pronounced harmful or not given permission for import or manufacture.

Jehovah's Witnesses told Forum 18 on 14 May that the State Committee has not banned the import of any of their publications since November 2015.

### ***No published "banned" list***

The official who answered the phone of the State Committee's "Expertise" (Censorship) Department – who would not give his name – confirmed that the State Committee has not published any list of religious books or materials it has banned. "We don't have such a list," he claimed to Forum 18 on 14 May.

However, the official refused to discuss anything else about the state's religious censorship. "Our Department head Nahid Mammadov and his deputy are out of the office," he told Forum 18. "We're not authorised to answer questions."

### ***Theologian's challenge to state's book ban***

Baku-based Islamic theologian Elshad Miri lodged a suit to court, challenging the State Committee's ban on his book "Things Not Existing in Islam". The book covers seven of what he regards as myths about what Islam teaches. Chapters include "There is no magic in Islam" and "There is no child marriage in Islam".

Judge Aygun Abdullayeva of Baku's Administrative Economic Court No. 1 began hearing Miri's suit against the State Committee decision on 4 April, according to court records. After further hearings on 1 and 10 May, the case is due to resume on the afternoon of 15 May.

Miri's publisher handed the text of his book on Islam to the State Committee in January, as required by law. On 2 February, the State Committee banned it in a one-page document signed by Chief Specialist Namiq Jiriyev. He questioned Miri's interpretation of Islam on theological grounds, and concluded: "The investigation found ideas in the book that could have a negative influence on religious stability in the country. The book is, therefore, deemed unsuitable for publication."

In his response, Miri told the State Committee officials "it is not correct to ban a book I wrote in a country which does not [officially] have censorship". Jiriyev refused to discuss his ban on Miri's book with Forum 18 in February (see F18News 13 February 2018 [http://www.forum18.org/archive.php?article\\_id=2351](http://www.forum18.org/archive.php?article_id=2351)).

### ***Persuasion a means of retrospective banning?***

The State Committee admitted that it has talked to publishers to stop them republishing religious books that had originally received state permission for publication or import in the 1990s. "After discussions with publishers of these books, the process of renewed publication of several of them was not carried out," it declared in a statement to the local Report.az news agency, published on 21 February.

"Over the past 10 years, the State Committee for Work with Religious Organisations has not given permission for publication of new books," Report.az quoted the State Committee statement.

"Simply, the agency has not objected to the republication of books published earlier, and books whose import from abroad had been permitted. This is because from a legal point of view, it is very difficult to ban books which were published in their time after receiving a positive analysis."

### ***Masalli: Bookshops raided, owner fined***

On 14 March, officials of the Masalli Department of the State Committee for Work with Religious Organisations raided several shops selling religious literature, goods and products, the State Committee noted on its website the following day. It claimed the monitoring was to determine whether shops were abiding by legal provisions requiring all religious materials on sale to have undergone religious censorship and to have the State Committee sticker.

Officials seized 29 items from a shop owned by Panah Azizli in the Old Market district of the southern town of Masalli. They drew up a record of an offence against Azizli under Administrative Code Article 516.0.2.

This 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.

A fine of 2,000 Manats (9,400 Norwegian Kroner, 980 Euros or 1,200 US Dollars) represents nearly four months' average wages for those with a formal job. However, for those in rural areas, those without a formal job, or pensioners, such fines represent a far heavier financial burden.

Judge Anar Almammadov of Masalli District Court found Azizli guilty on 30 March and fined him 2,000 Manats, court officials told Forum 18 on 10 May. They added that Azizli did not appeal against the fine.

The official who answered the phone at the regional department of the State Committee in Masalli on 10 May refused to discuss anything with Forum 18.

### ***Baku: Bookseller's appeal rejected***

Ruhiyya Mehdiyeva, owner of the Ansar shop in Baku's Sabunchu District, has failed to overturn a large fine for offering for sale 400 religious books which had not undergone state censorship.

State Committee officials and police officers raided the Ansar shop on 17 January. State Committee officials then prepared a case against Mehdiyeva under Administrative Code Article 516.0.2. On 1 February, Sabunchu District Court found Mehdiyeva guilty and fined her the minimum of 2,000 Manats (see F18News 13 February 2018 [http://www.forum18.org/archive.php?article\\_id=2351](http://www.forum18.org/archive.php?article_id=2351)).

Mehdiyeva appealed against the punishment. However, on 4 April, Judge Mirpasha Huseynov of Baku Appeal Court dismissed her appeal, according to court records.

### ***Sheki: Bookseller's case sent back***

On 2 August 2017, officials raided the Rahla bookshop in Sheki owned by Baylar Mardanov. They seized 64 religious books which they said he was offering for sale without the required state permission and took them to the police station.

On 23 October 2017, Police Captain Parviz Ahmadov prepared a record of an offence against Mardanov under Administrative Code Article 516.0.2. However, police officers are not allowed to prepare such records – this can only be done by a State Committee official.

Despite this, on 27 November 2017, Judge Elchin Mehdiyev at Sheki District Court found Mardanov guilty and fined him 2,000 Manats.

Mardanov appealed against the punishment, arguing that the police had not prepared the record of an offence correctly. On 15 December 2017, a panel of judges chaired by Imanverdi Shukurov at Sheki Regional Court upheld Mardanov's appeal. The Court sent the case back to the lower court to be reconsidered, according to the decision seen by Forum 18.

On 10 January 2018, the same Judge Mehdiyev at Sheki District Court ruled that the case should be sent to the "appropriate body". Forum 18 cannot find that Mardanov's case has been returned to court.

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## **Raids on mosques, jailings, fines**

By Felix Corley, Forum 18

Forum 18 (10.05.2018) - <https://bit.ly/2KMfdQS> - Secret police, police and religious affairs officials raided and closed another "illegal" mosque in Baku, complaining that young people "were involved in religious ceremonies". The secret police are investigating the owner. A Sheki court issued four one-month jailings and fines for protests against a plan to turn a mosque into a museum.

The State Security Service (SSS) secret police is investigating the leader of an "illegal" mosque where religious education of young people also took place. Officers raided and closed down the mosque in a joint operation in the capital Baku in late April.

The SSS secret police, the police and the State Committee for Work with Religious Organisations carried out two similar joint raids on mosques in Baku's Khazar District in February. The local court subsequently fined the two mosque leaders (see below).

A group of Muslims were punished in the northern city of Sheki for protesting against the transformation of the city's historic Khan Mosque into a museum. Four were given one month jail terms and nine in total were fined (two of them twice), for both the protest and their community's worship without state approval (see below).

A woman in Sheki was fined in February for unregistered worship (see below).

No officials of the SSS secret police, the police or the State Committee would explain why they raided places where people meet for worship.

The importance of the State Committee appears to be rising. Its head is among other senior officials who have joined the Cabinet of Ministers, while it is actively recruiting dozens of new staff (see below).

### **Strict controls**

The government imposes severe controls on who is allowed to meet for worship and where. All religious communities must have state registration before they can legally function. However, many communities (like the Baptist church in Aliabad) are arbitrarily denied such registration. Muslim communities outside the framework of the state-backed Muslim Board are banned, although this is not enshrined in any law (see Forum 18's Azerbaijan religious freedom survey [http://www.forum18.org/archive.php?article\\_id=2081](http://www.forum18.org/archive.php?article_id=2081)).

Fines for "illegal" meetings for worship are typically 1,500 Manats (7,000 Norwegian Kroner, 740 Euros or 880 US Dollars). This represents nearly three months' average wages for those with a formal job. However, for those in rural areas, those without a formal job, or pensioners, such fines represent a far heavier financial burden.

Officials from the police, State Security Service (SSS) secret police, State Committee for Work with Religious Organisations, and Religious Affairs Commissions attached to city or district administrations frequently raid meetings for worship and help punish those

exercising their right to freedom of religion or belief (see F18News 18 December 2017 [http://www.forum18.org/archive.php?article\\_id=2343](http://www.forum18.org/archive.php?article_id=2343)).

In contrast to earlier years, Jehovah's Witnesses told Forum 18 that so far in 2018, officials have not raided their meetings or fined any of their members. Police continue to detain individuals speaking about their faith to others on the street, but are now releasing them after an hour or so with no further charges, Jehovah's Witnesses added.

### ***Qaradag District: Raid and closure of mosque, investigation***

The State Security Service (SSS) secret police, the police and the State Committee for Work with Religious Organisations launched a joint raid on a mosque in a home in Baku's Qaradag District, the three agencies announced on their websites on 23 April. The home in Shikhlar in the settlement of Alat along the coast south of Baku is owned by Rahman Rahmanli.

The three agencies complained that young people "were involved in religious ceremonies" at the unregistered "non-traditional" mosque. Officials seized a large quantity of religious literature which they claim incited discord and "properly documented violations of the law", the three agencies declared. They ordered the mosque to stop functioning.

The mosque appears to be linked to a Naqshbandi Sufi community which draws its inspiration from Mahmud Afandi (1810-77), a Muslim told Forum 18 from Baku on 27 April.

The man who on 10 May answered the phone of Ali Ibrahimov, head of Qaradag District Police, said no officers from the District Police took part in the raid.

The SSS secret police launched an investigation into Rahmanli, the State Committee noted. Forum 18 asked the official who answered the phone at the SSS secret police press office on 3 May, who would not give his name, about whether Rahmanli is being investigated on criminal or administrative charges and why. "I don't know who you're talking about," the official responded and put the phone down.

No administrative case against Rahmanli appears to have been lodged at Qaradag District Court, court officials told Forum 18 on 8 May.

Officials at the Baku department of the State Committee told Forum 18 on 10 May that the head, Anar Kazimov, was on holiday. Officials refused to say why they took part in a raid on a place of worship.

Asked on 8 May about the raid on the mosque in Rahmanli's home, Yusif Nasibov, the head of the Religious Affairs Commission at Qaradag District Administration, told Forum 18 he could not hear and put the phone down. All Forum 18's subsequent calls went unanswered.

### ***Khazar District: Mosque raid, fine***

On 7 February, the SSS secret police, the police and the State Committee for Work with Religious Organisations launched a joint raid on a mosque in the settlement of Bina in Baku's Khazar District. They were joined by officials from the religious department of Khazar District Administration. The raid was launched to check for violations of the law, the State Committee announced on its website the same day.

Officers said Valeh Bashirov had violated the law by leading religious worship at the mosque without state registration. State Committee officials prepared a case against him under Administrative Code Article 515.0.2.

Administrative Code Article 515.0.2 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. This is equivalent to between three and four months' average wages for those in formal work (see F18News 2 June 2016 [http://www.forum18.org/archive.php?article\\_id=2184](http://www.forum18.org/archive.php?article_id=2184)).

On 8 February, Judge Rashad Hasanov of Khazar District Court found Bashirov guilty and fined him, court officials told Forum 18 on 3 May. However, they refused to say how much Bashirov was fined.

Bashirov does not appear to have appealed against his fine to Baku Appeal Court.

### ***Khazar District: Another mosque raid, fine***

On 22 February, the SSS secret police, the police and the State Committee for Work with Religious Organisations launched a joint raid on the unregistered Imam Zeynalabdin Mosque in the settlement of Buzovna in Baku's Khazar District, the State Committee announced on its website the following day. The raid was to check whether "illegal" worship was being held there.

Photographs issued by the State Committee show the house with a notice outside clearly indicating that it is Imam Zeynalabdin Mosque, and the prayer room inside.

Officers said Farhad Ahmadov had violated the law by leading religious worship at the mosque without state registration. State Committee officials prepared a case against him under Administrative Code Article 515.0.2 ("Violating legislation on holding religious meetings, marches, and other religious ceremonies").

On 26 February, Judge Rashad Hasanov of Khazar District Court found Ahmadov guilty and fined him, court officials told Forum 18 on 3 May. However, they refused to say how much Ahmadov was fined.

Ahmadov does not appear to have appealed against his fine to Baku Appeal Court.

### ***Sheki: Jailings, fines for protesting against mosque transfer***

A group of Muslims were punished in the northern city of Sheki for protesting against the transformation of the historic Khan Mosque into a museum. Four were given one month jail terms and nine in total were fined (two of them twice). The men had gathered at the Qishlaq Mosque (known officially as Topqaragaj Mosque), Azadliq.info website noted on 23 January.

The men were part of the New Azeri Islamic Society which took over Sheki's Khan Mosque in the early 1990s, renovated the building and held prayers there. The community repeatedly rejected state attempts to pressure them into seeking registration. It argued that state registration provided no benefits for it. The city authorities have long sought to hand the building to the Culture Department for use as a museum.

In a succession of cases on the evening of 23 January, Judges at Sheki District Court fined the six men on charges of "hooliganism" under Administrative Code Article 510, according to court records. Four of the men - Jabir Latifov, Qazanfar Hajiyev, Yunus Mustafayev and Nazim Sadiqov – were handed 30-day jail terms. Alfaddin Rizvanov and Shirin Aliyev were each fined 200 Manats, Azadliq added.

In February and March, State Committee officials brought further charges against the six and three other Muslims for holding meetings for worship without state permission under several provisions of the Administrative Code:

- Article 515.0.1, which punishes "A religious association's leader evading registration of the association with the relevant executive authority [State Committee]" with a fine for individuals of 1,500 to 2,000 Manats.

- Article 515.0.2, which 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.

- Article 515.0.3, which punishes "clergy and members of religious associations holding special meetings for children and young people, as well as the organising or holding by religious bodies of organised labour, literary, or other clubs and groups unassociated with holding religious ceremonies" with fines for individuals of between 1,500 and 2,000 Manats.

It appears all nine Muslims were punished only under Article 515.0.2, with Sheki District Court dismissing the other charges.

In separate hearings on 8 February, Judge Jahid Imanov fined Latifov and Mustafayev, according to court records. On 19 February, the same Judge fined Rizvanov. On 21 and 26 February, Judge Kamran Suleymanov fined Aliyev and Hajiyev. On 14 March, the same Judge fined Sadiqov.

Judges fined three further Muslims - Badraddin Mammadov, Sadiq Abdullayev and Shirin Bayramov - on 13 and 19 February and 14 March. Abdullayev's fine was 1,500 Manats.

Abdullayev appealed against his fine. But on 16 March, Judge Imanverdi Shukurov of Sheki Appeal Court rejected his appeal, according to the decision seen by Forum 18.

All Forum 18's calls to Taleh Abdullayev, the regional representative for the State Committee in Sheki who prepared the cases for court, went unanswered on 10 May.

### ***Sheki: Another fine for worship***

On 25 January, Judge Elchin Mehdiyev of Sheki District Court found Vafa Salamova guilty and fined her under Administrative Code Article 515.0.2 ("Violating legislation on holding religious meetings, marches, and other religious ceremonies").

### ***Increased staff for State Committee – and power?***

The State Committee for Work with Religious Organisations appears to be gaining increased importance. Under a 23 April Decree signed by President Ilham Aliyev, the State Committee Chair Mubariz Qurbanli was among 16 officials added to the Cabinet of Ministers.

The State Committee is also seeking to recruit a further 38 new staff. The recruitment is being handled by the State Examination Centre. In its 2 May announcement on its website, the Centre noted that the State Committee is by far the government agency with the highest number of positions for which it is seeking candidates.

The State Committee has in recent years been steadily building up its staff at the head office in Baku, as well as in local branches, which now total 15. Local branches now employ a total of 86 officials, with most having 5, according to the State Committee

website. The Baku branch has 12, with Sumgait [Sumqayit] and Gyanja [Gäncä] each having 8.

Despite its large staff, the State Committee managed to register 34 mosques in 2017 and only 13 in 2018. Among non-Muslim communities, it registered none in 2017 and only 3 (Seventh-day Adventists in Gyanja, New Apostolic Church in Baku and Vineyard Protestant Church in Baku) in 2018. Many other communities have waited in vain for registration for many years.

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## **State's theological review bans book on Islam**

By Felix Corley, Forum 18

Forum18 (13.02.2018) - [http://forum18.org/archive.php?article\\_id=2351](http://forum18.org/archive.php?article_id=2351) - The State Committee for Work With Religious Organisations has banned a so-far unpublished book on Islam by prominent Muslim theologian Elshad Miri. The State Committee conclusion that Miri's book is "deemed unsuitable for publication" and could therefore "have a negative influence on religious stability" is based entirely on theological objections to his interpretation of his faith, Forum 18 notes.

Miri complained to Forum 18 that the ban on his book was based on "subjective considerations". He also condemned the system of state censorship of religious literature. "I think that in a world where media exist on the internet, it is not right to forbid anyone to think freely," he told Forum 18. The official who wrote the review refused to speak to Forum 18 (see below).

Following a police and State Committee raid on her shop in the capital Baku, yet another bookseller has been fined for selling religious books without state permission. Ruhiyya Mehdiyeva was fined about four months' average wage on 1 February (see below).

Religious censorship appears to take a lot of State Committee attention. "One of the main directions of our activity is to prevent the spread of unauthorised religious literature," a Deputy Chair of the State Committee, Siyavush Heydarov, told the local Trend news agency in January 2017 (see below).

In 2017 the European Court of Human Rights in Strasbourg asked the Azerbaijani government to respond in several Jehovah's Witness cases where the State Committee banned the import of their publications or police and the courts detained and punished individuals for distributing religious literature "illegally" (see below).

### ***Complete religious literature censorship***

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"One of the main directions of our activity is to prevent the spread of unauthorised religious literature," a Deputy Chair of the State Committee, Siyavush Heydarov, told the local Trend news agency on 27 January 2017.

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" (see F18News 6 May 2014 [http://www.forum18.org/archive.php?article\\_id=1955](http://www.forum18.org/archive.php?article_id=1955)).

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. People who sell religious literature and materials without such permission are routinely fined (see F18News 10 May 2017 [http://www.forum18.org/archive.php?article\\_id=2278](http://www.forum18.org/archive.php?article_id=2278)).

### ***Another banned religious book***

The prominent Baku-based Muslim theologian and journalist Elshad Miri handed over the text of his book "Things Not Existing in Islam" to a publisher on 15 January, he told Forum 18 from Baku on 12 February. The book covers seven of what he regards as myths about what Islam teaches. Chapters include "There is no magic in Islam" and "There is no child marriage in Islam".

In line with the state's censorship requirements, the publisher then handed the text of Miri's book to the State Committee for approval.

"No [religious] book can be published without the State Committee's approval," Miri lamented to Forum 18. "No printing house can print any religious book without this permission."

### ***"Expert analysis" is theological analysis***

On 2 February, the State Committee banned Miri's book on Islam in a one-page document signed by Chief Specialist Namiq Jiriyev (and seen by Forum 18). Jiriyev, who studied Islam in universities in Izmir and Baku between 1998 and 2003, has worked for the State Committee since 2008.

"The author's superficial approach to the questions, his failure to refer to classical sources on the issues, his showing as sources ayahs [verses of the Koran] or hadiths [sayings attributed to the Muslim prophet Muhammad] that in most cases are irrelevant are evidence that he does not know the views of scholars on these issues," Jiriyev claimed in his analysis.

"One of the most problematic aspects of the book is that it casts doubt on the innocence of the prophets, something that is accepted by all religious scholars," Jiriyev added. "The author makes persistent reference to the outward meaning of some ayahs and says that the prophets, especially the prophet Muhammad, sinned and made mistakes."

Jiriyev also questions Miri's "personal approach" in saying that descendants of Muhammad through his daughter Fatima cannot be considered sayyids. Jiriyev also objects that Miri rejects giving sayyids a privileged position in society. "The latter sections of the book reject the approaches taken by many religious scholars."

Jiriyev's conclusion is brief. "The investigation found ideas in the book that could have a negative influence on religious stability in the country. The book is, therefore, deemed unsuitable for publication."

Jiriyev refused to discuss his ban on Miri's book. As soon as Forum 18 had introduced itself on 13 February he put the phone down. Subsequent calls went unanswered.

Miri told Forum 18 he had learnt about the ban only on the evening of 5 February after he returned from the Far East. He went to the State Committee the following day, where he met the head of the "Expert Analysis" (Censorship) Department, Nahid Mammadov, and one of the State Committee Deputy Chairs.

On 8 February Miri posted a 48-minute video on YouTube, detailing his objections to the State Committee ban on his book (<http://www.youtube.com/watch?v=M8TSAz2uqSY&t=176s>).

### ***"It is not right to forbid anyone to think freely"***

Miri objected to both the specific ban on his book, as well as to the system of state censorship of religious literature, he told Forum 18.

"I objected to the ban on the book due to an expert's negative commentary on subjective considerations," Miri told Forum 18. He added that in his 6 February meetings with State Committee officials, he mentioned "the absurdity of an ordinary theologian's review of the work of a person who spent a number of years studying this discipline". He also complained to them that Jiriyev, who signed the State Committee review, admitted that he had not read the whole book.

Moreover, Miri told the State Committee officials "it is not correct to ban a book I wrote in a country which does not [officially] have censorship".

And Miri believes state censorship is wrong. "I think that in a world where media exist on the internet, it is not right to forbid anyone to think freely," he told Forum 18.

Miri said he has not posted the text of his book on the internet, as he could then be accused of distributing a banned book.

### ***Punishments***

Prosecutors can bring cases against those who violate the state censorship of all religious literature 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

### ***Bookseller raided, fined***

On 17 January, police officers (including from the 13th Police Station) and State Committee officials raided the Ansar shop in Baku's Sabunchu District, the Interior Ministry noted on its website the same day. They searched the shop and seized 400 religious books which had not undergone state censorship by the State Committee. State Committee officials prepared a record of an offence against the shop owner, Ruhiyya Mehdiyeva, under Administrative Code Article 516.0.2.

The head of Sabunchu Police's 13th Police Station was out of the office when Forum 18 called on 12 February, the duty officer said. He claimed not to know about the raid on the Ansar shop. "I don't know who here was involved – it wasn't me," he said.

The official who answered the phone of the Baku representative of the State Committee Anar Kazimov told Forum 18 on 13 February that Kazimov was out of the office. Asked why State Committee officials had taken part in the raid on the Ansar shop and prepared the case for court, the official repeatedly said "I don't know" and put the phone down.

On 1 February, Judge Ziya Shirinov of Sabunchu District Court found Mehdiyeva guilty of violating Administrative Code Article 516.0.2, the Court chancellery told Forum 18 on 12 February. The Judge fined her the minimum of 2,000 Manats. This is equivalent to about four months' average wages for those in formal work. The Court said Mehdiyeva has not appealed against her punishment.

### ***Jehovah's Witnesses challenge censorship internationally***

After the State Committee banned a number of Jehovah's Witness publications from being imported into the country, the community tried to challenge these denials through the local courts. Such challenges failed.

Jehovah's Witnesses have lodged four challenges to the European Court of Human Rights (ECtHR) in Strasbourg over Azerbaijan's state religious censorship, as well as another to the United Nations Human Rights Committee.

On 31 October 2017, the ECtHR asked Azerbaijan to respond to claims in the case of Arif Tagiyev and Others, including Baku's Jehovah's Witness community (Application No. 66477/12) that their rights had been violated by seven State Committee decisions between October 2010 and May 2011. These decisions had restricted the numbers of copies Jehovah's Witnesses could import of some publications and completely banned others. Azerbaijan had until the end of January 2018 to submit its response.

Jehovah's Witnesses have also brought cases to the ECtHR over fines on individuals for offering religious literature to others while they share their faith with them.

On 18 May 2017, the ECtHR asked Azerbaijan to respond to claims in the case of Nina Gridneva (Application No. 29578/11) that her rights had been violated when, in 2010, police in Baku stopped her while offering religious literature on the street, seizing the literature, and a court subsequently fined her for "illegal" religious literature distribution (see F18News 10 December 2010 [http://www.forum18.org/archive.php?article\\_id=1520](http://www.forum18.org/archive.php?article_id=1520)). Azerbaijan had until mid-August 2017 to submit its response.

On 30 August 2017, the ECtHR asked Azerbaijan to respond to claims in the case of Famil Nasirov and six others (Application No. 58717/10) that their rights had been

violated in three separate incidents in 2010 in Baku, Agstafa and Sumgait [Sumqayit]. In all three incidents, police stopped individuals as they were sharing their faith from door to door and seized religious literature. Courts initially fined the individuals for "illegally" distributing banned religious literature, although most of these fines were overturned on appeal.

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## **Sufis raided, initial fine, Protestants raided**

***Sufi Muslim Rashad Abidov was fined in Sheki for hosting a religious meeting raided by police, but managed to overturn the fine on appeal. Police raided Star in the East Pentecostal Church in Gyanja during Sunday worship. Police phoned the schools of children present. Fines might follow.***

By Felix Corley

Forum 18 (06.02.2018) - <http://bit.ly/2H9I8h1> - In December 2017, Sufi Muslim Rashad Abidov, whose home in the northern town of Sheki was raided by police during a religious meeting, managed to overturn the large fine handed down for holding a meeting without state permission. Police had brought the case rather than officials of the State Committee for Work with Religious Organisations.

On 28 January 2018, police raided a Sunday worship service of a Protestant church in Azerbaijan's second city Gyanja. Police phoned the schools of children present at the service. Fines might follow (see below).

On 31 January, Azerbaijan's Constitutional Court in the capital Baku wrote to Baptist pastor Hamid Shabanov in Aliabad in the northern Zakatala [Zaqatala] District to tell him it would not be considering his further appeal against a large fine for meeting for worship without state permission handed down in December 2016. Pastor Shabanov – a former prisoner of conscience – must now pay the fine of more than three months' average wages for those in formal work. Another Baptist from the same church, Mehman Agamammadov, has now paid all three instalments of his fine.

Their Baptist church in Aliabad has been seeking registration – in vain – since 1994. Police and state officials have warned church members not to meet. "If we meet again for worship, we'll get double the fine," Pastor Shabanov told Forum 18 officials had warned them (see below).

### **Strict controls**

The government imposes severe controls on who is allowed to meet for worship and where. All religious communities must have state registration before they can legally function. However, many communities (like the Baptist church in Aliabad) are arbitrarily denied such registration. Muslim communities outside the framework of the state-backed Muslim Board are banned, although this is not enshrined in any law (see Forum 18's Azerbaijan religious freedom survey).

Fines are typically 1,500 Manats (6,900 Norwegian Kroner, 715 Euros or 890 US Dollars). This represents nearly three months' average wages for those with a formal job. However, for those in rural areas, those without a formal job, or pensioners, such fines represent a far heavier financial burden.

Officials from the police, State Security Service (SSS) secret police, State Committee for Work with Religious Organisations, and Religious Affairs Commissions attached to city or

district administrations frequently raid meetings for worship and help punish those exercising their right to freedom of religion or belief.

### ***Criminal prosecutions***

These raids come as prisoner of conscience Imam Serdar Babayev is challenging his three-year prison term handed down in July 2017 to punish him for leading services in a Shia Muslim mosque after gaining his religious education abroad. His first appeal failed in September 2017. The Supreme Court in the capital Baku is due to begin hearing his latest appeal on the morning of 13 February.

Another prisoner of conscience, Shia Muslim Taleh Bagirov, is facing a further criminal case. His trial at Baku's Qaradag District Court began on 6 February on charges of illegally having memory cards with the Koran and Koranic-related material while in prison. The trial is due to resume on the morning of 13 February, his lawyer Javad Javadov told Forum 18 from Baku on 6 February (see forthcoming F18News article).

Bagirov, seized during an armed police assault on the village of Nardaran near Baku in November 2015, is already serving a 20-year jail term for leading the Muslim Unity Movement.

### ***Sheki: Police raid Sufi meeting, fine eventually overturned***

On 18 August 2017, Police in the northern town of Sheki raided the home of 44-year-old Rashad Abidov at the behest of Chief Criminal Investigator Major Ilham Mammadov. Investigator Lieutenant Ayaz Bayramov led the raid, where officers found Sufi Muslims meeting without state permission. Officers seized 13 books by the Turkish Sufi leaders Imam Iskender Ali Mihr and Abdulcabbar Boran, as well as discs and three computers.

On 10 October 2017, Investigator Bayramov intended to open a criminal case against Abidov but this was rejected. On 23 October 2017, Captain Shamil Bazarov instead opened a case against him 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.

The case against Abidov was handed to Sheki District Court. On 14 November 2017, Judge Jahid Imanov found him guilty and fined him 1,500 Manats (6,900 Norwegian Kroner, 715 Euros or 890 US Dollars).

Abidov appealed against the fine to Sheki Appeal Court. On 15 December 2017 Judge Rafail Aliyev upheld Abidov's appeal, as the wrong officials had prepared the administrative case, according to the decision seen by Forum 18. A 3 May 2017 presidential decree said only State Committee officials could prepare cases for court under Administrative Code Article 515 (all parts) and Article 516.0.1. Police had prepared the case against Abidov.

Lieutenant Bayramov of Sheki Police refused to explain why officers had raided Abidov's home, seized religious literature and other items, tried to bring a criminal case and then brought an administrative case because he was hosting a meeting with others in his home about his faith. "No criminal case is underway," he told Forum 18 on 6 February 2018 via a colleague. The colleague then said he refused to answer any other questions and left the office.

Officers told Forum 18 the same day that Major Mammadov and Captain Bazarov were out of the office. The duty officer told Forum 18 that the raid on Abidov's home and the case against him "did not happen".

Taleh Abdullayev, the representative in Sheki of the State Committee, refused to answer any of Forum 18's questions about the August 2017 raid – including whether or not he or his colleagues had been present – about what had happened to the religious literature seized from Abidov and why he was originally fined. "Don't call here again," he told Forum 18 on 6 February before putting the phone down.

### ***Gyanja: Police raid worship meeting***

On 28 January, Police in Gyanja's Nizami District raided the Sunday meeting for worship of Star in the East Pentecostal Church, held in the home of 45-year-old church member Adalat Sariyev. About 100 people – 40 of them children – were present at the meeting when the police arrived, Report.az news website noted on 30 January.

"The invasion came during the service, and officers filmed everyone present with video-cameras and took their personal details, including of children," one church member told Forum 18 from Gyanja.

Police detained Sariyev and sent information about him to the State Committee for Work with Religious Organisations, Report.az noted.

Following the raid, schools attended by the children received calls from the police, church members told Forum 18.

The man who answered the phone of Nizami District Police chief – who would not give his name – refused to explain why officers raided a meeting for worship in a home. "Ask the Interior Ministry," he told Forum 18 on 5 February. The officer then admitted that local police, not officers from the Ministry in Baku, had conducted the raid, but still refused to explain why it had been launched. "We work according to the laws of Azerbaijan," he insisted and then put the phone down.

An official of the Gyanja branch of the State Committee, who refused to give his name, told Forum 18 on 5 February that the head of the branch Asif Aliyev was away for the whole of the week. The official insisted the police had raided the church "to take a look only" and to "ask questions" of Sariyev.

Asked what church members had done wrong to merit a police raid during a religious meeting, the official responded: "They didn't do anything wrong. They simply have no registration." The official refused to explain why a religious community should be raided for meeting for worship without state registration. He claimed Sariyev would face no court case.

Like many Protestant churches (as well as non-Muslim Board mosques, and communities of other faiths), Star in the East Church in Gyanja does not have state registration.

Church members do not know whether Sariyev or others will face any court case. "Nothing is certain at the moment," church members told Forum 18. "From what officials say it is possible some further action will follow."

### ***Aliabad: Constitutional Court refuses to consider appeal***

On 31 January, Azerbaijan's Constitutional Court Baku wrote to 61-year-old Baptist pastor Hamid Shabanov in Aliabad to tell him it would not be considering his further appeal against a fine of 1,500 Manats for meeting for worship without state permission handed down in December 2016.

"The Constitutional Court wrote to say that I lodged the appeal too late," Pastor Shabanov told Forum 18 from Aliabad on 6 February. "I must now pay the fine. The law demands that I pay – they warned me that if I don't, they'll be further action."

Another Baptist from the same church, Mehman Agamammadov, has now paid all three instalments of his 1,500 Manat-fine at the insistence of the court bailiff. Despite being repeatedly refused the written decision and despite objecting to being fined for exercising his right to freedom of religion or belief he paid the first instalment of 500 Manats in early December 2017. "Mehman has now paid the other two instalments," Pastor Shabanov told Forum 18.

The fines followed a November 2016 raid by police and the local State Committee official on an "illegal" meeting for prayer in Pastor Shabanov's home. Police detained 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 State Committee in Baku for alleged "expert analysis". The literature was all returned the following month.

In a 15-minute hearing on 12 December 2016, Zakatala District Court found both Pastor Shabanov and Agamammadov guilty and fined them each the minimum fine, 1,500 Manats. Both Baptists were punished under Administrative Code Article 515.0.2 ("Violating legislation on holding religious meetings, marches, and other religious ceremonies").

Pastor Shabanov managed to get the written decision only in January 2017. Agamammadov never received the written decision, despite repeated attempts to get it from the court. Pastor Shabanov lodged his appeal to the Constitutional Court in October 2017 after Sheki Appeal Court refused in June 2017 to extend the period for him to lodge his appeal against the December 2016 fine.

The Aliabad Baptist Church has been seeking registration – in vain – since 1994. Former prisoner of conscience 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 fabricated. He was arrested a month after another Aliabad Pastor, Zaur Balaev, was freed after nearly a year in prison on false charges (see F18News 12 February 2009).

The Aliabad Church has been unable to meet together for worship since the November 2016 raid. In November 2017, the head of the State Committee Legal Department Sabina Allahverdiyeva wrote to the Church warning that it cannot meet for worship without state registration.

"If we meet again for worship, we'll get double the fine," Pastor Shabanov quoted officials as having told church members, he told Forum 18.

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## **Azerbaijan wrestles with rising Iranian influence**

By *Zaur Shiriyev*

EURASIANET (27.12.2017) - <http://www.eurasianet.org/node/86596> - Azerbaijan's government is growing increasingly concerned about what it sees as growing Iranian manipulation of the country's Shia Muslim believers.

Azerbaijan's security services recently presented senior government officials with a report describing how Iran has "increased its capabilities in Azerbaijan's regions," one analyst close to the government told Eurasianet.org. "Many more people are now under Iran's influence, and this has sounded alarm bells inside the government," the source said, speaking on condition of anonymity.

In 2013, Azerbaijan relaxed restrictions, in effect an informal ban, on religious figures linked to Iran on preaching in public. This tactical embrace of Shiism was aimed at stemming the flow of Azerbaijanis joining ISIS and fighting in Syria and Iraq, a trend that Baku believed was inspired by a rise in hardline Sunni tendencies.

But now it appears the policy is having unintended consequences, resulting in what authorities believe is increased control by Iran over Shia practice in Azerbaijan. According to official data, 22 of the 150 Shia madrassas in the country are "under the control of Iran," wrote Kenan Rovshanoglu in a recent report for the Azerbaijani news agency Turan.

Many secular Azerbaijanis have been alarmed by the increasing visibility of Shia practices in the country. During the Ashura celebrations in September in Baku, some children participated in the ritual, which involves self-flagellation. "When I saw children, who do not have a real understanding of religion, wearing hijab and attending Ashura ceremonies, I thought they are going to become kamikazes to be sent in the future to Syria," [said](#) MP Zahid Oruc.

In response, in early October, the State Committee for Family, Women and Children Affairs of Azerbaijan proposed legislation that would prohibit children from taking part in Ashura commemorations and similar religious rituals. The legislation has not yet been voted on.

Iran's Supreme Leader, Ayatollah Ali Khamenei, appeared to publicly criticize the proposed law during a November meeting with Azerbaijan President Ilham Aliyev in Tehran. "We should appreciate this great opportunity and the glorious mourning ceremonies of the Shiites in Azerbaijan, because they will strengthen the identity of Azerbaijan's nation and country," Khamenei [said](#).

Azerbaijan, however, has been wary of publicly calling out Tehran. The two countries have had uneasy relations since Azerbaijan gained independence in 1991, as Baku fears Iran's religious influence and Tehran is concerned about Azerbaijan's potential influence over the large ethnic Azeri population in northern Iran. Each also has close ties to the other's biggest enemy: Azerbaijan with Israel, and Iran with Armenia.

Since President Hassan Rouhani's coming to power in 2013, Iran has been forced to recalibrate its relations with Azerbaijan. Official bilateral contact has increased dramatically since then, with the two sides signing more than 20 cooperation agreements in the economic sphere.

In one project that would have been unimaginable before 2013, Azerbaijan has provided a loan to build a 100-mile stretch of a railroad in Iran, from the Azerbaijani border to the city of Rasht, part of the North-South Transport Corridor. Baku hopes that the initiative can derail plans to develop rail links between Iran and Armenia.

The government has not publicly claimed that Iran influenced the Ashura commemorations, but one official, Deputy Chairman of the State Committee for Work with Religious Organizations Gunduz Ismayilov, pointedly [said](#) that "there are some forces in Azerbaijan who seek to bring political elements into Ashura commemorations in the country."

In early December, the government-connected website [Haqqin.Az](#) published an [article](#) accusing Iran of trying to recruit Shia pilgrims visiting the holy city of Karbala in Iraq. The article claimed that 30,000 Azerbaijanis visited Karbala for Ashura this year, an increase of 33 percent over the previous year.

The article also alleged that the Iranian Islamic Revolutionary Guard and its associated Shiite militia, "Hasdi Shabi," have recruited Azerbaijanis to gather intelligence and conduct anti-government propaganda against Baku. Some of the propaganda, the article claimed, was focused on Nardaran, a center of Shia conservatism in Azerbaijan.

In 2015, security services carried out a series of [raids in Nardaran](#), arresting religious activists they accused of plotting to overthrow the government. Azerbaijan's authorities also believed that Nardaran's religious leaders were under Iranian influence, and that after the operation, that influence has been curbed. The Iranian propaganda, the Haqqin article said, criticized the Nardaran events as an "infringement of rights and persecution of Shias."

Some in Baku question the government's focus on Iran's influence over its Shia. "It would be too easy to claim that all the people who went to Iraq for holy visits end up under Iran's influence," one mid-level government official told [EurasiaNet.org](#) on condition of anonymity. The official added, though, that "falling under the influences of foreign intelligence is much easier there than anywhere else."

The official suggested that more Azerbaijanis visiting Iraq and Syria are recruited by ISIS: The number of Azerbaijanis joining ISIS has been on the rise in the last two years, and last year 151 people were stripped of their Azerbaijani citizenship for fighting in the ranks of terrorist organizations. "This is the main threat," the official said.

Another [article](#), by a government think tank, the Center for Strategic Studies (SAM), also appeared to speak to Baku's concerns about Iran, this time about its relations with Armenia.

The unsigned article raised eyebrows among Baku's foreign policy community, both for its tone – reading more like an official statement than a piece of analysis – and its language. It was published in Azerbaijani, instead of Russian and English, suggesting the topic wasn't SAM's usual international audience, but a message to the Iranian government via its embassy in Baku.

The piece criticized increasing contacts between Tehran and the de facto authorities of Nagorno Karabakh, whom Baku regards as a separatist regime on Azerbaijani territory. It described recent appearances of Karabakh officials in the Iranian media and the publication of two books on Karabakh. And it highlighted a November 15 conference in Iran devoted to Karabakh. "The Iranian International Studies Association, one of the founders of which is the Iranian Foreign Minister Mohammad Javad Zarifi, has created a kind of platform for the conduct of anti-Azerbaijani propaganda by Armenian scientists," the author wrote.

While Azerbaijani criticism of Iran-Armenia relations is not new, it appears to have reached a new level, one analyst with close links to the Azerbaijani government told [EurasiaNet.org](#), speaking on condition of anonymity. Baku is unsure why Tehran is emphasizing ties with the de facto Karabakh authorities, and fears that it will serve to legitimize them in Iran and create sympathy for them, which Baku regards as a threat to its interests, the analyst said.

**Editor's note:**

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