

Current situation of Jehovah's Witnesses

HRWF (14.01.2019) - On 5-6 February 2019, the 6th EU-Azerbaijan Subcommittee (SC) on Justice, Freedom, Security and Human Rights and Democracy will take place in Baku. In 2018 and 2017, no Jehovah's Witness was in prison for the exercise of his/her religious freedom while in 2016 and 2015, two and four of them were respectively behind bars.

In September last, the European Association of Jehovah's Witnesses participated in the OSCE/ODIHR Human Dimension Implementation Meeting in Warsaw and filed a report about their situation in Azerbaijan (<https://www.osce.org/odihr/394640?download=true>). HRWF presents you an updated version of this report:

Update Regarding Jehovah's Witnesses in Azerbaijan

Over the past year, Jehovah's Witnesses in Azerbaijan have experienced less governmental interference in manifesting their religious beliefs. Jehovah's Witnesses are grateful for the decrease in state-sponsored harassment.

Positive Developments

- **Rental of facilities for holding large religious assemblies.** Since 2016 the Witnesses have received assistance from the State Committee for Work with Religious Associations (SCWRA) and have been able to rent large venues in Baku for annual religious events.
- **Compensation for arbitrary detention.** In early October 2018, Irina Zakharchenko and Valida Jabrayilova finally received compensation for their unjust conviction and 11-month imprisonment during 2015 and 2016.
- **Import of religious publications.** The SCWRA has not refused permission to import any new publications of Jehovah's Witnesses since November 2015.
- **Registration in Baku.** On 8 November 2018 Jehovah's Witnesses in Baku received State registration. 'Jehovah's Witnesses in Baku Religious Community' now appears on the SCWRA website among the list of 'Non-Islamic Religious Communities.'

Current Difficulties

Denial of Right to Conscientious Objection to Military Service

- (1) **Barda.** Barda District Court convicted Mr Emil Mehdiyev on **6 July 2018**, and ordered a one-year probationary arrangement.

- (2) **Aghdam.** On **6 September 2018**, Aghdam District Court sentenced Mr Vahid Abilov to a one-year probationary arrangement.
- (3) **Baku.** In **July 2018**, Mr Emin Tahmazov was informed that his case would be sent to the Prosecutor's Office.
- (4) **Gakh.** On **4 August 2018**, Mr Levani Otarashvili was summoned to the State Service for Mobilisation and Conscription (SSMC) and asked to sign a document concerning the transfer of his case to the Prosecutor's Office.
- (5) **Khachmaz.** On **28 June 2018**, the SSMC Chief threatened to send Mr Fuad Hasanaliyev's case to the Prosecutor's Office.

Harassment by Officials and Interference with Religious Services

- (1) **Lankaran.** On **20 January 2018**, approximately ten police officers raided the home of Ms Sharafat Azizova during a social gathering of several families of Jehovah's Witnesses (not a religious meeting). The police searched the home, seized personal literature, recorded personal details and took statements from those in attendance. The men were required to give statements at the Lankaran Police Department and were released an hour later.
- (2) **Gakh.** On **10 February 2018**, two officials came to the home of Ms Mzia Otarashvili in mid-afternoon. Without introducing themselves or providing credentials, the officials accused Ms Otarashvili of conducting "unauthorised" religious meetings in her home, which they alleged were in violation of Azerbaijan's laws.
- (3) **Oghuz.** On **9 July 2018**, at 10 a.m. Ms Saadat Mammadova was called to the Prosecutor's Office. The employee asked Ms Mammadova various questions about her religious beliefs, and warned her to be careful and not to distribute illegal religious publications; otherwise, he would take measures against her. She was allowed to leave at about 11.05 a.m.
- (4) **Sumgayit.** On **14 July 2018**, at about 5 p.m., Police Officer Shakhmar Gahramanov and two other officials interrupted a religious meeting in the private home of Ms Sona Mammadova.
- (5) **Baku.** On **15 August 2018**, Ms Sevda Aliyeva, a resident of Baku, went to the Housing and Communal Services Committee concerning document issues. The manager of the Committee told her in a friendly way that she had received several phone calls from the State Security Service (SSS) enquiring about Ms Aliyeva's religion.
- (6) **Sumgayit.** On **30 August 2018**, Ms Raisa Shpakovskaya was visited by Field Inspector Elmar Huseynov and another official in civilian clothing, who neither

introduced himself nor showed his credentials. About 30–40 minutes later, after searching the entire flat, including the kitchen and the closet, they left.

- (7) **Ganja.** On **16 September 2018**, about 70 Jehovah's Witnesses from Ganja decided to hold an outdoor meeting in Khanlar. At about 12.10 p.m., after the meeting had finished, five police officers arrived. The police telephoned representatives of the SCWRA, two of whom subsequently attended. The police officers recorded the names of all the detainees and then sent the names for verification, receiving photographs in return.

Interference with Manifestation of Belief

During 2018, there were 18 reported cases where police detained individual Witnesses while they were sharing their religious beliefs with others. Typically, police officers stop the persons concerned, take them to the police station, verbally abuse them, and threaten them with administrative charges and heavy fines. On most of these occasions, the Witnesses were detained for several hours.

- (1) **Lankaran.** On **19 February 2018**, a police officer called and asked Ms Gulnaz Nasirova to come to the police department the next day. On 20 February 2018, at 12.10 p.m. she went to the police department and the police officer, whose name was Adam, questioned her about her religion and religious beliefs. She wrote a statement and was released at about 2 p.m.
- (2) **Siyazan.** On **25 February 2018**, at 3.45 p.m. Mr Elmir Mursalov and Ms Firangiz Aghasanova were approached by two police officers and taken to the police department. Two officers in civilian clothing, who did not identify themselves, insulted, humiliated and threatened the Witnesses, demanding that they practise Islam and asserting that they 'have no rights.' An official of the SCWRA, who was present, confirmed that the publications were permitted by law, since they bore control stamps. Despite this, he retained them for examination. The Field Inspector drew up a Report on Seizing Publications. They were released at 8.10 p.m.
- (3) **Sahil.** On **28 February 2018**, at about 12.30 p.m. Ms Khalida Rasulova, was taken to Police Department No. 38 and asked to write a statement, but she refused to write or sign anything. One of the officers told her that she had violated the law, and read an article in the law about a fine. At about 1.45 p.m. she was released.
- (4) **Baku.** On **25 March 2018**, at about 1.45 p.m. Mr Emil Mehdiyev and Mr Rizvan Babayev were taken to Police Department No. 19 against their will. In the department, Mr Mehdiyev's pockets were searched. They were allowed to leave at about 3 p.m.

- (5) **Baku.** On **23 April 2018**, at about 11.50 a.m. Ms Rahifa Guliyeva and Ms Targul Seyidova were taken to Police Department No. 33 against their will. The Witnesses wrote and signed statements. At about 4.05 p.m. the Witnesses were released.
- (6) **Yevlakh.** On **4 May 2018**, at about 11 a.m., the police took Ms Hasa Mammadova to a mosque, and questioned her about the literature and religion of Jehovah's Witnesses. Then officers took her to the police department. She was released at about 2 p.m.
- (7) **Baku.** On **21 May 2018**, between 12 and 12.30 p.m., Ms Yegana Salahova was visited at home by three officials, one of whom was Field Inspector Mahammad. She was asked to write in a statement that she was not one of Jehovah's Witnesses and that she did not share her beliefs with others. Ms Salahova refused. The officials left at 2 p.m.
- (8) **Salyan.** On **27 May 2018**, at about 2.25 p.m., Mr Elgiz Aliyev and Mr Ali Amirzada were taken to the police department against their will. The officers insulted the Witnesses' religion, and said that they must preach Islam. The men were released at about 3.10 p.m. after their personal details had been recorded.
- (9) **Siyazan.** On **1 July 2018**, at about 12.40 p.m., Ms Ismat Zohrabova and Ms Maryam Aliyeva, along with Mr Eldar Aliyev who had been detained while conducting a Bible study in a park, were taken to the police department against their will. The Deputy Chief, named Goshgar, said that they were engaged in illegal activities and had no right to share their beliefs. Eventually, Goshgar returned their publications and said that this time the police would let them go, but if they returned to Siyazan they would be detained. Their personal details were recorded and at about 1.15 p.m. they were released.
- (10) **Lankaran.** On **11 July 2018**, at about 10.15 a.m., Ms Bahar Aliyeva and her daughter Ms Aysel Aliyeva were approached by four or five police officers, and told that they must accompany them to the police department. If they refused they would be taken there by force. The women were ordered to empty their bags and all their publications were seized. After the police had taken their statements, they were released at about 3.30 p.m.
- (11) **Baku.** On **27 July 2018**, at about 8.40 a.m., Ms Natalya Moroz and Ms Sevil Teymurova were taken to Police Department No. 22. They wrote statements and were not released until 7 p.m.
- (12) **Baku.** On **20 August 2018**, at 12.55 p.m., Ms Natella Azimova was summoned to Badamdar Police Department No. 41. A police officer, Agil, informed Ms Azimova that the husband of a woman with whom she studied the Bible had complained about her. At 4.45 p.m. she was released.

- (13) **Astara.** On **23 August 2018**, at about 1.30 p.m., police officers of the Astara Police Department detained six Jehovah's Witnesses: Mr Roman Mukhtarov, Mr Elshan Aghalarov, Mr Ruslan Taghiyev, Ms Khatira Gubadova, Ms Bahar Aliyeva, and Ms Sharafat Azizova. The police seized from Mr Aghalarov's car all the religious publications and his personal laptop. He was told to empty his bags, which contained his and his wife's personal items. When he objected, one of the officers pushed him. Their personal details were recorded and statements were taken. At about 6.30 p.m. all were released.
- (14) **Yevlakh.** On **28 August 2018**, at about 1.30 p.m., when Ms Sevda Aliyeva and Ms Sama Natigzada were sharing their religious beliefs in public, they were stopped by seven or eight police officers and taken to the police department. They were released at 4.30 p.m.
- (15) **Shamakhi.** On **29 September 2018**, at about 11.45 a.m. Ms Aytaj Rahmanova and Ms Telli Samadova were approached by three police officers while sharing their beliefs. After writing statements, they were released at about 1 p.m.
- (16) **Baku.** On **16 October 2018**, at about 1.10 p.m., three of Jehovah's Witnesses, Mr Yavar Abbasov, his wife Ms Khuraman Abbasova, and Mr Mahabbat, were approached by Rufat Ismayilov, a police officer in civilian clothing. They were taken to Police Department No. 35. At 4.30 p.m. they were released.
- (17) **Hajigabul.** On **4 November 2018**, a group of Jehovah's Witnesses shared their religious beliefs. When they were leaving the city a man, who said he was a representative of the executive authority for religious affairs, stopped them and stated that each time they come to the district they have to inform the executive authority. He threatened to take them to the police department, but after ten minutes he let them go.
- (18) **Siyazan.** On **11 November 2018**, at about 11.10 a.m., a police officer who introduced himself as Nazim stopped Mr Eldar Aliyev and demanded that he get his companions and leave the city. Nazim told him that "he does not want to see them preaching in Siyazan." At 11.50 a.m. Nazim left. The Witnesses subsequently proceeded to share their beliefs without hindrance.

Denial of Ganja Registration

- (1) **Ganja.** Since **1 July 2010**, Jehovah's Witnesses in Ganja have filed six applications for registration. Every application was returned on the basis of alleged errors. On **14 September 2016**, representatives of the EAJW met with Mr Gurbanli, who indicated that no progress would be made with this application until re-registration of the Baku Community was resolved.

- (2) **Elsewhere in Azerbaijan,** there is not the required number of Jehovah's Witnesses to apply for registration. According to the Law, a minimum of 50 founders is required. In some cities, such as Sumgayit, Barda and Mingachevir, there are several dozen Jehovah's Witnesses but the available number does not reach 50, and for this reason an application to register the local religious community cannot be filed. Although law-enforcement agents have not disrupted religious meetings in recent months, Jehovah's Witnesses outside Baku live in constant fear that their meetings for worship may be disrupted by police officers and that they will be fined for 'illegal' religious activity.
- (3) **National Registration.** As mentioned above, Jehovah's Witnesses live and worship in many cities and smaller towns. In some cities they number in the tens, and in others there are fewer than 10. Because these groups are unable to apply for local registration, during 2009 documents seeking national registration were filed with the SCWRA. However, the application was rejected, with the sole reason given: *"According to the first part of Article 12 of the Azerbaijan Republic Law on Freedom of Religious Beliefs, a religious community can conduct activity at the place of worship that is indicated as the legal address mentioned in the information that is presented in order to obtain state registration."*

Jehovah's Witnesses in Azerbaijan will be pleased to provide additional details on request:

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