



**Permanent Mission
of the Republic of Azerbaijan
to the UN Office and other
International Organizations**

GENEVA

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The Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and, with reference to the joint communication (Ref: AI AZE 1/2016 dated 29 November 2016) sent by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on minority issues, and the Special Rapporteur on freedom of religion or belief, has the honour to transmit herewith the relevant information of the Ministry of Internal Affairs of the Republic of Azerbaijan and the State Committee for Work with Religious Organizations of the Republic of Azerbaijan.

The Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 23 January 2017

Enclosure: 2 pages

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High Commissioner for Human Rights
GENEVA

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On the joint appeal of the Special Rapporteur on the promotion and protection of the rights to freedom of opinion and expression; the Special Rapporteur on minority issues; and the Special Rapporteur on freedom of religion or belief

Azerbaijan is one of the unique places where different cultures and civilizations meet at the crossroads between the East and the West, the North and the South and absorbing the values of both civilizations enables Azerbaijan to assume a role of genuine bridge.

According to the Constitution of the Republic of Azerbaijan (Article 18. Religion and state) and the Law on "Freedom of Religious Belief" all religions are equal before the law. No religion or religious association has advantage or restriction in relation to others. The state provides for equal rights to representatives of all religious groups. It provides equal support and assistance, including financial one to representatives of all religious communities (in 2015 registered Muslim communities received 3 mln. AZN, whereas non-Muslim religious communities received 400 thousand AZN financial support from the State). Religious tolerance in the country is exemplary and any discrimination on the ground of religion is prohibited.

The Government of Azerbaijan does not target any religious community, including followers of "Jehovah's Witnesses". Article 12 of the Law "On Freedom of Religious Belief" of the Republic of Azerbaijan stipulates that "all religious associations can operate only at praying houses described as legal addresses in respective documents submitted for the state registration". In the case of "Jehovah's witnesses", while being officially registered in the legal address (Sabunchu district, Sayyid Hussein street, house 23, apartment 10, Baku), the followers of the community organized unsanctioned religious gatherings in various cities and regions of the country. However, according to Article 515 of the Code of Administrative Offences (CAO), functioning of religious associations outside the legal registration address is considered violation of legal grounds of establishment and functioning of religious communities and results in administrative responsibility.

Information on regular law infringement by members of the "Jehovah's Witnesses" in Azerbaijan over the past years have been submitted to the State Committee for Work with Religious Associations (the Committee). If there is a violation of the rules of establishment and operation of religious associations, individuals are fined from 1500 manat to 2000 manats, whereas fines set for officials amount from 7000 manats to 8000 manats in accordance with relevant provisions of the Code of Administrative Offences (CAO). According to Article 516 of the CAO, for violation of legislation on freedom of religious belief, citizens are fined from 2000 manats to 2500 manats, officials are fined from 8 000 to 9 000 manats, legal entities are fined from 20000 manats to 25000 manats.

The Committee ensures religious expertise of religious literature, religious items, and other religious informative materials and conducts control over their production, import and distribution in accordance with its mandate. The Committee prevents distribution and import of harmful religious literature which incites confrontation in interfaith relations, encourages religious extremism and inhumane ideas and intolerance to other religions, as well creating tensions in religious situation in the country.

During elapsed period, it was only "Jehovah's Witnesses" which was dissatisfied with the work of the Committee regarding expertise and import of religious literature. The Committee doesn't have any problems with other religious organizations. "Jehovah's Witnesses" imported a large number of religious literature promoting intolerance with respect to other religions or inciting violation of current legislation which was subsequently prohibited. As a result, the community was not satisfied with this and brought numerous lawsuits against the Committee.

At present, "Jehovah's Witnesses" religious community has no lawsuit against the State Committee in connection with religious literature.

The issue of increasing number of arrests of the members of "Jehovah's Witnesses", including 14 incidents of administrative responsibility mentioned in the appeal does not reflect the reality.

2 cases concerning the unlawful activity of "Jehovah's Witnesses" were recorded in 2016.

As a result of joint measures by local authorities, the Committee and the Ministry of Internal Affairs the administrative reproach measures were taken with respect to 18 followers of the "Jehovah's Witnesses" violating the provisions on religious assemblies, rallies and the organization of the other religious ceremonies in Mingachevir, on 9 January, 2016. According to the decision of the Mingachevir Court one of the abovementioned persons was fined in accordance with the Code of Administrative Offences and the other 17 persons were issued an oral warning.

Besides this, 39 followers of the "Jehovah's Witnesses" were fined by the decision of Sheki Appeal Court for operating outside of the legal registration address in Gakh region on 23 March, 2016.