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AZERBAIJAN: Baptists "stunned" as court confirms Pastor's jail sentence

By Felix Corley, Forum 18

A court in Azerbaijan has today (3 October) rejected the appeal of Baptist Pastor Zaur Balaev against a two-year prison sentence, Forum 18 News Service has learnt. "We're stunned at the result the court handed down," the head of the Baptist Union Ilya Zenchenko told Forum 18 from the steps of the court building. "We don't know what to do. It is a tragedy for his wife and children." Officials have refused to explain to Forum 18 why Balaev has been targeted to punish him for his religious activity with his congregation. Zenchenko of the Baptist Union told Forum 18 that "It was all over in two minutes." He added that "Zaur's son is very distressed, complaining that there is no hope and no law in Azerbaijan. He is young but his emotional reaction is understandable." Baptists from another congregation in Balaev's home village, who unlike Balaev's congregation reject state registration on principle, are also being threatened with imprisonment by the authorities.

Baptists are "in shock" over the failure of the appeal court in Sheki [Saki] today (3 October) to overturn the two-year prison sentence imposed in August on Baptist Pastor Zaur Balaev. "We're stunned at the result the court handed down half an hour ago," the head of the Baptist Union Ilya Zenchenko told Forum 18 News Service from the steps of the court building in Sheki on 3 October. "We don't know what to do. It is a tragedy for his wife and children." He said the Baptists had been optimistic that the sentence would be overturned or at least reduced. Officials have refused to explain to Forum 18 why Balaev has been targeted to punish him for his religious activity with his congregation. Other Baptists in his home village of Aliabad near Zakatala [Zaqatala] have also been targeted.

Zenchenko said he and other church members had been able to speak in court in the morning session, but that the verdict was handed down "very quickly" in the afternoon. "It was all over in two minutes," he added.

"Zaur's son is very distressed, complaining that there is no hope and no law in Azerbaijan," Zenchenko added. "He is young but his emotional reaction is understandable." He said Balaev's wife and two children had been able to hold a brief meeting with him, take his dirty clothes and give him warm clothes in exchange, as the weather has turned very cold. "Zaur is still in Sheki and will now be sent to a labour camp to serve his sentence, we don't yet know where." Zenchenko said Balaev would be appealing to the Supreme Court and is prepared to take his case as far as the European Court of Human Rights in Strasbourg if necessary.

No-one in the State Committee for Work with Religious Organisations would talk to Forum 18 about the appeal verdict. The receptionist told Forum 18 that committee chairman Hidayat Orujev is away from the office for the next two weeks. She said the committee spokesperson is Yagut Alieva. However, Alieva said after some discussion with a colleague that the issue was in the competence of her colleague Jeyhun Mamedov. However, he categorically refused to discuss anything with Forum 18 and put the phone down.

The Baku office of the Organisation for Security and Cooperation in Europe (OSCE) told Forum 18 in early September that it had been following Balaev's case "closely" and had been in contact with the authorities about it (see F18News 6 September 2007 http://www.forum18.org/Archive.php?article_id=1015).

The 44-year-old Balaev led a Baptist congregation in Aliabad in the far north-west of Azerbaijan, close to the border with Georgia. Like most of the population of the village, he is from the Georgian-speaking Ingilo minority. The congregation has repeatedly over many years had its applications for legal status refused. It has faced years of harassment from the local authorities, backed up by some of the villagers and the imam of the village's Juma Mosque, Darchin Mamedov (see F18News 9 August 2007 http://www.forum18.org/Archive.php?article_id=1005).

Balaev was arrested on 20 May after police raided what they claimed was an "illegal" religious service. Police alleged he had attacked them and he was prosecuted under Article 315, Part 1 of the Criminal Code, which punishes: "Use of violence, resistance with the use of violence against a representative of authority in connection with performance of official duties by him, or the use of violence not dangerous to life or health concerning his close relatives, as well as threat of the use of such violence". He was sentenced to two years in prison by a court in the regional centre of Zakatala on 8 August after a trial that was repeatedly delayed

without explanation. Balaev appealed against the sentence on 15 August.

The Baptists had originally been optimistic about the appeal, as the judge decided to re-question the police officers and the witnesses (see F18News 6 September 2007 http://www.forum18.org/Archive.php?article_id=1015).

Zenchenko of the Baptist Union told Forum 18 that he had spoken up at the appeal hearing earlier in the day to defend Balaev. "I told the hearing that our church teaches all our members not to resist with violence. I testified today that Zaur would not commit violence." Zenchenko added that Balaev's father – who witnessed the 20 May raid – also testified earlier in the day. "He told the appeal hearing that on the contrary, it was not Zaur but the authorities who used violence."

On 3 October Forum 18 reached Chingiz Askerov, head of the Unit for Human Rights Protection Issues in the Department for Coordination of Law Enforcement Agencies at the Presidential Administration. His office's responsibility is coordination with international bodies like the United Nations, Council of Europe and OSCE on human rights issues. He said he was not able to comment on a judicial decision and declined to make any on the record comment.

In the wake of the imprisonment of Balaev, the police have also been harassing the leader of another Baptist congregation in Aliabad, led by Novruz Eyvazov. Unlike Balaev's congregation, which belongs to the Baptist Union, Eyvazov's congregation belongs to the Council of Churches Baptists, who refuse on principle to register, regarding this as unacceptable state interference.

Council of Churches Baptists told Forum 18 in mid-September that the police conducted searches in the homes of two church members in Aliabad and confiscated religious literature. "The police threatened Novruz that if the church continues to meet he too will be imprisoned. They said the church can only meet if it has state registration. Novruz explained to them that we cannot do this." Eyvazov has been summoned several times since then for questioning.

Eyvazov has already faced difficulty trying to register the birth of his fourth child in 2003 and his fifth child in 2006. The authorities objected to the names he and his wife had chosen because they were Christian names (see F18News 22 May 2007 http://www.forum18.org/Archive.php?article_id=961).

The authorities have long pressured religious minorities they do not like, denying them state registration, punishing and threatening them for holding unregistered meetings and restricting the import of religious minority literature. (END)

For a personal commentary, by an Azeri Protestant, on how the international community can help establish religious freedom in Azerbaijan, see http://www.forum18.org/Archive.php?article_id=482

For more background information see Forum 18's Azerbaijan religious freedom survey at http://www.forum18.org/Archive.php?article_id=92

More coverage of freedom of thought, conscience and belief in Azerbaijan is at <http://www.forum18.org/Archive.php?query=&religion=all&country=23&results=50>

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at http://www.forum18.org/Archive.php?article_id=806.

A printer-friendly map of Azerbaijan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=azerba>

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