

12 July 2007

AZERBAIJAN: Did "thin" Pastor beat up five "strong" policemen?

By Felix Corley, Forum 18

The hearing of the case against detained Baptist pastor Zaur Balaev begins tomorrow (13 July) at 10 am, Forum 18 News Service has been told by Judge Seifuli Seifullaev. Azerbaijan's Baptist leader, Ilya Zenchenko, insists the charges are false – as do over 50 other people, including 25 who were present at the service, other villagers who are not Christians, and the leaders of eight Christian churches in Azerbaijan. "Zaur is accused of beating up five policemen and damaging the door of a police car," Zenchenko stated. "But how could a thin man like Zaur beat up five strong policemen?" Police initially alleged that Balaev had resisted being taken to a police station by setting a dog onto them. "The dog has completely disappeared from the accusation," Zenchenko told Forum 18. However, during the investigation, the Prosecutor stated verbally that Balaev is a Christian and therefore a threat to society and to social security. The date for the formal trial is due to be set at tomorrow's preliminary hearing.

As the hearing of the case against Baptist pastor Zaur Balaev begins in court tomorrow morning (13 July), Azerbaijan's Baptist leader Ilya Zenchenko insists the charges against his colleague have been fabricated. "Zaur is accused of beating five policemen and damaging the door of a police car," Zenchenko told Forum 18 News Service from the capital Baku on 12 July. "But how could a thin man like Zaur beat up five strong policemen? He's not some Superman or an [Arnold] Schwarzenegger," he added. "We pray that the judge will be objective and will look simply at the facts of the case."

Judge Seifali Seifullaev of Zakatala [Zaqatala] District Court told Forum 18 on 12 July that he would begin the preliminary hearing at 10 am on 13 July, adding that the date for the trial itself to begin would be set at the hearing.

An official of the State Committee for Work with Religious Organisations in Baku, who would not give his name, declined to answer any of Forum 18's questions about Balaev's case by telephone on 12 July. Committee chairman Hidayat Orujev insisted to Forum 18 in June that Balaev resisted police with force and denied that the arrest was connected with his faith. Orujev refused to say why police had arrived to arrest the pastor during the church's Sunday morning worship service (see F18News 4 June 2007 http://www.forum18.org/Archive.php?article_id=968).

Pastor Balaev faces trial 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". This article carries a maximum three year prison term.

"Article 315 is a very efficient article for the authorities since they can use it easily if they want to put people into prison," Zenchenko of the Baptist Union told Forum 18.

On 31 May, eight leaders of Christian churches joined Zenchenko in signing a joint appeal to Azerbaijan's General Prosecutor, Zakir Garalov, which Forum 18 has seen. The letter expressed "deep concern" over Balaev's 20 May arrest, describing it as "absurd and unpleasant". "Such an ignorant and crude attitude on the part of police officers towards a Christian pastor arouses concern among many believers and pastors in Azerbaijan and around the world," they wrote. The signatories are Zenchenko, two Seventh-day Adventists, a Lutheran, and other leaders from the Greater Grace, Baptist, Cathedral of Praise, Star in the East Pentecostal and Nehemiah churches.

The 44-year-old Balaev, who is married with two children, became a Christian in 1992. He leads a Baptist congregation in his home village of Aliabad in the remote northern Zakatala district. The congregation – and other Protestant congregations in the village – have faced prolonged and repeated harassment from local officials who insist that church members are traitors to their ancestral Muslim faith. The village, which is close to the border with Georgia, is mainly populated by Georgian-speaking Ingilos, who were converted to Islam several centuries ago.

Balaev's church has repeatedly applied for state registration over the past 13 years but local officials refused to sign the application to allow it to proceed. Balaev spent two weeks in prison in the late 1990s in punishment for his activities with the church. Other church members have lost their jobs or been prevented from opening businesses to earn their living in what remains a very poor area of the country. Church members' children have been denied birth certificates when they try to register them with Christian first

names (see F18News 22 May 2007 http://www.forum18.org/Archive.php?article_id=961).

Pastor Balaev was arrested after police raided his church's 20 May Sunday service. Held initially in Zakatala, he was taken on 4 June to the prison in Azerbaijan's second city, Gyanja [Gäncä], 250 kilometres (150 miles) away. The heat and poor prison conditions have damaged his health (see F18News 22 June 2007 http://www.forum18.org/Archive.php?article_id=979). Attempts to have Balaev's detention in prison changed into house arrest were unsuccessful, the Baptist Union's Zenchenko told Forum 18.

Police initially alleged that Balaev had resisted being taken to the police station by setting a dog onto them. "The dog has completely disappeared from the accusation," Zenchenko told Forum 18. "Now they are claiming that, when Zaur was being put in the police car, he attacked the five policemen and damaged the car door. They had a medical report but have produced no pictures of this."

Zenchenko said that eight church members signed written statements to the Prosecutor's Office, testifying that Balaev had not resisted the police. Some 50 people – including the 25 who were present at the service and other villagers who are not Christians – also signed a letter testifying to his innocence.

The church's Deacon, Ramiz Osmanov, told Forum 18 that the accusation of violence is based on "false testimony". "I was there – I saw," he insisted from Aliabad on 4 June (see F18News 4 June 2007 http://www.forum18.org/Archive.php?article_id=968).

Zenchenko, the Baptist leader, expressed astonishment that the police would make such an accusation. As he pointed out, many church members witnessed the police raid and saw "what really happened". "You'd think they would accuse him of attacking people when he was in police custody, when there would be no witnesses," he told Forum 18.

He added that during the investigation, in comments also echoed by the local chief of police, the Prosecutor stated verbally that Balaev is a Christian and therefore a threat to society and to social security. "This statement is against the human rights agreements signed by the Azerbaijani government, and could be used in Zaur's defence."

Pastor Zenchenko said the aim to suppress a Christian church was also clear from an early July response from General Prosecutor Garalov. This highlighted the fact that Balaev is leader of an "unregistered" religious organisation. "The letter complained that the church meets without registration, plays loud music and allegedly disturbs the neighbours. This is false." Zenchenko explained that the church does not play loud music. Also, houses in the village, which Forum 18 has visited, are located some distance apart from each other.

Zenchenko told Forum 18 that he intends to travel to Zakatala, to be present for the preliminary hearing.

An official of the Prosecutor's Office in Zakatala told Forum 18 on 12 July that the lead prosecutor in the case, Khakim Khan Safarov, was not in the office. However, he said that since Balaev's case was handed on to Zakatala District Court on 28 June "the case is now in the hands of the judge". (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 printer-friendly map of Azerbaijan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=azerba>

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