

16 November 2007

## AZERBAIJAN: Police threaten second pastor with jail

By Felix Corley, Forum 18 (<https://www.forum18.org>)

*Family and friends of Baptist prisoner of conscience Zaur Balaev have told Forum 18 News Service that officials at his new prison in the capital Baku are demanding high payments before they will give him food or allow him to meet relatives. Pastor Balaev, who is from north-western Azerbaijan, is serving a two-year jail sentence on what Baptists describe as a "trumped-up charge". The authorities significantly altered their claims of what Balaev was alleged to have done during the trial process. Ilya Zenchenko, who leads the Baptist Union, told Forum 18 that it is "disturbing" that police are now threatening a Baptist pastor in southern Azerbaijan with the same fate as Pastor Balaev. "Pastor Telman Aliyev and his assistant Jabbar Musaev were summoned one by one by the police for 'preventative conversations'," Zenchenko told Forum 18. "Pastor Telman was not intimidated and is continuing to lead services. But Jabbar was forced not to attend church. They promised to arrange the same thing as happened to Zaur if he appears in church again." Balaev is appealing against his jail sentence.*

The family and friends of imprisoned Baptist pastor Zaur Balaev say they are shocked by the high level of payments demanded by officials at the prison in the capital Baku where he is now being held. They complain that payment is demanded before they will give him food or allow him meetings with relatives, his friends have told Forum 18 News Service. Officials have denied to Forum 18 that such payments are extracted from prisoners. Balaev lodged a second appeal on 14 October against what he and his fellow Baptists maintain is a "trumped-up charge" designed to punish him for his leadership of a much-persecuted congregation in a remote village of north-western Azerbaijan. The Supreme Court – which is due to hear Balaev's appeal – has a further month to respond.

Ilya Zenchenko, head of Azerbaijan's Baptist Union, told Forum 18 that if the second appeal fails, all that can be done will be to wait until Balaev has served two-thirds of his sentence and then apply for early release. "That's if there are no violations or remarks on his record and no provocations," he told Forum 18 from Baku on 14 November.

In a move that Zenchenko describes as "disturbing", police in the southern port town of Neftechala on the Caspian Sea, have threatened local Baptist Jabbar Musaev with the same fate as that of Balaev. "On 1 and 2 November, Pastor Telman Aliyev and his assistant Jabbar Musaev were summoned one by one by the police for 'preventative conversations'," Zenchenko told Forum 18. "Pastor Telman was not intimidated and is continuing to lead services. But Jabbar was forced not to attend church. They promised to arrange the same thing as happened to Zaur if he appears in church again."

In what he regards as part of the same campaign, Zenchenko added that police raided and closed down a five-day Baptist children's camp during the summer in Agdash in central Azerbaijan, south east of Yevlakh [Yevlax]. "The authorities are celebrating their temporary victory over some of our brethren," he told Forum 18. He called for "spiritual and moral support" from around the world.

Officials denied absolutely to Forum 18 that prisoners are forced to pay anything to guards before they are given food, water, washing facilities and meetings with relatives. "No-one pays for anything," Mehman Sadykov, spokesperson for the Justice Ministry which administers Azerbaijan's prisons, claimed to Forum 18 from Baku on 16 November. "The state pays for everything, including food." Told that guards constantly extract money from Balaev and his fellow prisoners, Sadykov responded: "Such reports don't correspond with reality." Asked how he knows, he replied: "I have worked in the system for more than twenty years."

Sadykov denied that Balaev is a prisoner of conscience being punished for the peaceful exercise of his faith. "We don't have prisoners of conscience," he claimed.

Sadykov's denials were echoed by another senior official with responsibilities in the area of human rights, who spoke off the record. "Of course everything is paid for by the state," the official claimed. "I know many people here complain but I don't believe that people have to pay."

However, Zardusht Alizade of the Helsinki Citizens' Assembly rejects such bland assurances. "The prison system is absolutely corrupted," he told Forum 18 from Baku on 16 November. "Apart from at the National Security Ministry investigation prison, warders in all other prisons extract bribes from all prisoners for everything." He said that prisoners who cannot raise the money for bribes will not starve, but will get only the bare minimum of poor food that will enable them not to die of hunger.

Elchin Askerov, Deputy Chair of the State Committee for Work with Religious Organisations, denied suggestions that Baptist and other religious communities face harassment in Azerbaijan and that Balaev is being persecuted for his faith. "You have false information," he told Forum 18 from Baku on 16 November. He insisted that according to "official information", Balaev had been prosecuted for resisting the police. Asked about testimony by Balaev's church members that the case had been fabricated by the police, Askerov responded: "I wasn't there, but I have no reason to believe that the police lied."

Askerov insisted that the actions had been taken by the police and prosecutor's office, not by his Committee. "It is not within our competence." But he claimed that all religious communities can meet freely for worship. Asked to explain why religious communities – such as Balaev's Baptist congregation – face repeated harassment, he denied that such harassment takes place.

Asked why so many religious communities have failed to get legal status when they apply for it – Balaev's congregation has been trying to get registration in vain since 1994 – Askerov responded: "I presume they didn't present their application documents in accordance with the law." Told that the local notary has repeatedly refused to notarise the signatures on the registration application, he said: "I don't know why."

Balaev was transferred on 26 October to Ordinary Regime Prison No. 10, located in Darnagul in Baku's Narimanov District. The prison address is:

10 sayli Cezacekme muessisesi

UA-38/10

Darnagul Settlement

Baku.

Since his transfer, fellow Baptists have been able to supply Balaev with warm clothes, a blanket, new glasses and food. "But the conditions where the prisoners are held are terrible," Zenchenko told Forum 18. "Although the internal regime is supposed not to be harsh, those sentenced are forced to prepare their own food, while all services - including hot water, the possibility to wash and a place to wash and dry clothes – need to be paid for. Even being able to pass something on or have a meeting with a prisoner 'costs' considerable sums of money. This makes people angry."

Zenchenko reported that in prison on his 45th birthday, 10 November, Balaev was able to meet his wife Selminaz (known in Georgian as Nunuka), as well as their son.

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.

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 the application or threat of application of violence, including to a state representative when he or she is carrying out official duties. He was sentenced to two years in prison by a court in the regional centre of Zakatala [Zaqatala] on 8 August. Balaev's appeal against the sentence was rejected on 3 October (see F18News 3 October 2007 [http://www.forum18.org/Archive.php?article\\_id=1028](http://www.forum18.org/Archive.php?article_id=1028)).

The Baku office of the Organisation for Security and Co-operation in Europe (OSCE) told Forum 18 that it approached the government about Balaev's case back in July and has been monitoring all the trial sessions. "The Office was concerned that the pastor may have been prosecuted due to his religious beliefs," OSCE officials told Forum 18 from Baku on 16 November. "The government contended that the religious belief did not play any consideration in the prosecution of Mr Balaev who was convicted for resistance to the police at the time of his arrest." (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](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](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](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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