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AZERBAIJAN: Imminent trial for Baptist pastor, final appeal for imprisoned Muslim

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

Baptist pastor Hamid Shabanov from the remote village of Aliabad is due to be transferred from investigation prison in the city of Gyanja back to Zakatala on 10 July, with a trial due soon after, his lawyer Mirman Aliyev told Forum 18 News Service. The 51-year-old pastor faces up to three years' imprisonment on a charge of holding an illegal weapon. "Hamid Shabanov does not consider himself guilty and insists the gun the police are claiming was his was planted by them," Aliyev reports. Ilya Zenchenko of the Baptist Union complains that Shabanov's arrest is part of a pattern of such government activity against Baptist and other religious communities across Azerbaijan. Fellow Aliabad Baptist pastor Zaur Balaev was freed from prison in March. Meanwhile, the Supreme Court has finally named a judge to hear the final appeal by Muslim teacher Said Dadashbeyli, imprisoned with eight others his family says are innocent. His lawyer told Forum 18 this could be held in late July or early August. Dadashbeyli's wife Ilhama says she wants one thing: "That the Supreme Court in Baku completes the case and frees these innocent men from prison, where they have been held with no proof."

Baptist pastor Hamid Shabanov could face trial any time after 10 July, his lawyer Mirman Aliyev told Forum 18 News Service from the capital Baku on 7 July. He said the Zakatala [Zaqatala] District Prosecutor's Office is completing its investigation into allegations that Pastor Shabanov held an illegal weapon – an accusation he and his family vigorously refute – and is about to hand the case to court. "Hamid Shabanov does not consider himself guilty and insists the gun the police are claiming was his was planted by them," Aliyev reported. Meanwhile, the Supreme Court appeal by Muslim prisoner Said Dadashbeyli against his 14-year sentence could finally be near, his lawyer Elchin Gambarov told Forum 18 on 7 July from Baku. He said it could be held in late July or early August.

Pastor Shabanov's family told Forum 18 on 7 July from his home village of Aliabad in the remote Zakatala District of north-west Azerbaijan that they have not yet been told when the trial will be. "We are asking for prayers for him."

Ilya Zenchenko, head of Azerbaijan's Baptist Union who rushed to Aliabad in the wake of the arrest, believes the decision to complete Shabanov's case and send it to the court may be a reaction to the press conference about the case held by the country's Evangelical Alliance in Baku on 3 July. "It's clear they have now decided to wrap up the case quickly," Zenchenko told Forum 18 from Baku on 7 July.

The official who answered the phone on 7 July at Zakatala District Prosecutor's Office – where Pastor Shabanov's case has been handled by Hekimkhan Seferov - refused to discuss it with Forum 18 or say when the case would be handed to Zakatala District Court. The head of Zakatala district police, Faik Shabanov (no relation), told Forum 18 on 21 June that the pastor is a criminal, even though under Azerbaijani law individuals are innocent until found guilty in court (see F18News 21 June 2008 http://www.forum18.org/Archive.php?article_id=1146).

Pastor Shabanov was arrested in his home in the village of on 20 June. He leads one of several much-persecuted Baptist congregations in the village, which has about 50 members. Held initially in Zakatala, in late June he was transferred to Investigation Prison No. 3 in Azerbaijan's second city Gyanja [Gäncä], 250 kilometres (150 miles) away. Aliyev, the lawyer, reported that Shabanov is due to be transferred back to Zakatala on 10 July.

Aliyev told Forum 18 that the 51-year-old Shabanov is facing trial under Article 228 part 1 of the Criminal Code, which punishes holding an illegal weapon with a sentence of up to three years' imprisonment. He said that Zakatala District Court has not yet set a date for the trial to begin.

Aliyev said he has met his client twice since his arrest, once in Zakatala on 24 June and once in Gyanja on 5 July. "His health is OK, but he is putting his hope in God and in a just trial," Aliyev told Forum 18. "I will take part in the trial and press his case."

Asked whether he considers the case to be religiously-motivated, Aliyev points to police questions to his client about why he adopted Christianity, why he leads a Christian community and why some 50 people around him have adopted Christianity. "They

have no right to ask such questions," Aliyev noted. He also points to police threats against Pastor Shabanov because of his faith.

Pastor Shabanov will face trial at Zakatala District Court where in August 2007 fellow Aliabad Baptist pastor Zaur Balaev was also handed a two-year prison sentence to punish him for leading his congregation. Balaev was freed in March 2008 after an international campaign in his support joined by, among others, former United States president Jimmy Carter. Since his release police have threatened Balaev with a further prison term if he continues his religious activity with his congregation (see F18News 12 June 2008 http://www.forum18.org/Archive.php?article_id=1142).

Like the overwhelming majority of Aliabad's inhabitants, Pastors Shabanov and Balaev and other church members are from the Georgian-speaking Ingilo minority, which was converted to Islam several centuries ago.

The several Baptist congregations in Aliabad have faced repeated raids, threats and confiscation of religious literature. The congregation Balaev leads has existed for more than fifteen years and has repeatedly been barred from gaining state registration. Forum 18 believes it to be Azerbaijan's religious community that holds the record for the longest denial of registration. Children given Christian first names by their parents in Aliabad have been denied birth certificates by officials angry at their choice of name.

Shabanov's home was raided on 20 June by some ten officers of the police, Prosecutor's Office and National Security Ministry (NSM) secret police who arrived in three cars. "They filled the entire house and intimidated the women and children who were there," Zenchenko of the Baptist Union told Forum 18. He said they demanded that Shabanov be summoned from the fields for them to conduct a search for an illegal weapon that they claimed he was hiding. Zenchenko complains that the search – which lasted nearly two hours - was conducted without the necessary witnesses, video recording or drawing up of a proper record.

Zenchenko also complains that Prosecutor's Office official Halid Mamedov claims to have discovered the concealed Nagan pistol, despite the fact that Prosecutor's Office officials are in law only allowed to investigate any discovered items, not to find them.

"Behind the backs of all those present Mamedov shouted from the bathroom: 'I've found it, I've found it!', holding in his hand a package in dark blue cloth," Zenchenko told Forum 18. "Only when everyone gathered round him did he begin to open it in front of everyone. The question arises: how did he determine without opening the package in the darkened bathroom that this was precisely what he was looking for?" Zenchenko complains that only the state officials signed the record of the alleged discovery in violation of the law.

Zenchenko also reported that on leaving, police seized several Christian books in Georgian, Azeri and Russian, declaring without reading them that they are "banned literature".

"All this allows us to declare that this search was conducted in violation of all necessary and obligatory norms with the intention of carrying out a pre-planned action," Zenchenko told Forum 18. "They were putting into practice all the earlier threats to Hamid Shabanov that if he didn't halt his church activity he would soon be sentenced by the authorities." Zenchenko complains that Shabanov's arrest is part of a pattern of such government activity against Baptist and other religious communities across Azerbaijan, a point he made to journalists at the 3 July press conference.

Zenchenko said the Baptist Union has already complained about the arrest on what he insists are trumped-up charges to the Justice Ministry, the Interior Ministry and to Azerbaijani President Ilham Aliyev.

Gambarov, the lawyer for Muslim prisoner Dadashbeyli, has long struggled for his client to have his final appeal heard at Azerbaijan's Supreme Court. The appeal was lodged in late March. "The Court usually drags its feet," Gambarov complained to Forum 18. He said a judge from the Court's Criminal Cases Collegium, Nariman Huseinov, has finally been assigned to hear the appeal, but has not yet named a date.

An official at the Court's Criminal Cases Collegium told Forum 18 on 7 July that no date has been set and that it is up to each judge to name the date.

Dadashbeyli is a 32-year-old, Baku-based Muslim teacher who received a 14-year sentence at a closed trial in December 2007. His lawyer and family insist that he and eight of those sentenced with him are innocent of the serious terrorism-related charges levelled against them. Dadashbeyli founded an Islamic group called Nima in 2005 and, his family say, promoted a "European style of Islam", mutual respect and unity between Shias (the largest Muslim tendency in Azerbaijan) and Sunnis, and rejected fundamentalism (see F18News 28 May 2008 http://www.forum18.org/Archive.php?article_id=1134).

Gambarov told Forum 18 that he and Dadashbeyli have "no illusions" about the way the Supreme Court decision will go. "We hope the international human rights community will have an impact, but set little store by the Court," he declared. "It is the last court hearing we have to go through here before we can lodge a case with the European Court of Human Rights in Strasbourg."

Gambarov said Dadashbeyli's health in prison is "not good". "He is getting no medical treatment and all his old illnesses are making themselves known." However, he said his client is not being obstructed in participating in prayers at the prison prayer room.

Dadashbeyli's wife Ilhama remains highly concerned about her husband and eight followers imprisoned with him. "From exile here in Canada with our two young children, I want one thing," she told Forum 18 on 7 July. "That the Supreme Court in Baku completes the case and frees these innocent men from prison, where they have been held with no proof." (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>.

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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