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AZERBAIJAN: Baptist prisoner of conscience and Muslim still jailed

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

Azerbaijan's Baptist prisoner of conscience Hamid Shabanov has been ordered – in a closed hearing he and his defence lawyer were not informed of – to be detained for another two months, Forum 18 News Service has learnt. "The judge called the latest hearing without even informing Hamid's lawyer," Ilya Zenchenko of the Baptist Union told Forum 18. "This was a clear violation." The defence's request that Shabanov be freed pending possible trial was rejected. However, Baptists have welcomed his transfer to Balakan District, in north-western Azerbaijan, which is next to Pastor Shabanov's home Zakatala District. In a separate case, Muslim prisoner Said Dadashbeyli has failed in his appeal to the Supreme Court, the last possible avenue of appeal within Azerbaijan. His family told Forum 18 that they will now take the case to the European Court of Human Rights in Strasbourg. Difficulties continue for religious communities, a Baku Protestant church, Cathedral of Praise, having had its place of worship confiscated.

A motion to have Baptist prisoner of conscience Hamid Shabanov freed while a criminal investigation against him continues has been rejected, Baptists told Forum 18 News Service. However, they welcome his transfer to Balakan District, in north-western Azerbaijan, which is next to Pastor Shabanov's home region.

Local Baptists think that the police and courts in his home district of Zakatala [Zaqatala] – which have a long history of punishing local religious minorities for peacefully practising their faith (see eg. F18News 12 June 2008 http://www.forum18.org/Archive.php?article_id=1142) - will not treat Shabanov fairly. Meanwhile, Muslim prisoner Said Dadashbeyli has failed in his appeal to the Supreme Court in the capital Baku, the last possible avenue of appeal within Azerbaijan. "We are now preparing to take the case to the European Court of Human Rights in Strasbourg," family members told Forum 18 on 18 September.

The State Committee for Work with Religious Organisations in Baku has refused to answer questions on either case. When Forum 18 called the State Committee on 17 September, the woman who answered the phone of spokesperson Yagut Alieva told Forum 18 that Alieva was on leave. She declined to answer any questions and put the phone down.

Ilya Zenchenko, head of Azerbaijan's Baptist Union, has pledged that the fight to have criminal charges against Pastor Shabanov dropped will continue. At a hearing on 22 August, which was called without informing Shabanov, his family or his defence lawyer, Zakatala District Court ordered that he be held in prison for a further two months while the investigation continues. The judge had previously ordered a re-investigation to be complete by 23 August, ready for a new trial (see F18News 30 July 2008 http://www.forum18.org/Archive.php?article_id=1165).

"The judge called the latest hearing without even informing Hamid's lawyer," Zenchenko of the Baptist Union told Forum 18 from Baku on 18 September. "This was a clear violation." The defence's request that Shabanov be freed pending possible trial was rejected.

Pastor Shabanov – who leads a Georgian-speaking Baptist congregation in the village of Aliabad just outside Zakatala – is facing charges that he held an illegal weapon, charges his family and congregation insist are fabricated. Shabanov was arrested during a police raid on his home on 20 June and he has been held since then. His trial began in Zakatala on 22 July, but on 29 July the judge referred the case back to the prosecutor for further investigation (see F18News 30 July 2008 http://www.forum18.org/Archive.php?article_id=1165).

However, Shabanov's supporters have achieved some success. "We insisted that they take the investigation away from the Zakatala District as we don't trust the investigators and the court in that district," Zenchenko reported. He said the case has now been moved to the neighbouring Balakan District, just north of Zakatala. "Hamid is now being held at the police station in Balakan and this is where any trial will now take place."

Zenchenko complains that Shabanov's family have not been allowed to visit him. "Only his lawyer is allowed in, though the family

can pass on food and letters for him."

The family of Muslim prisoner Said Dadashbeyli told Forum 18 that, on 16 September, Judge Nariman Huseinov at Azerbaijan's Supreme Court in Baku rejected his appeal against his conviction for terrorism-related offences.

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 the 15 people sentenced with him are innocent of the 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.

Dadashbeyli lodged his Supreme Court appeal back in March, though his lawyer Elchin Gambarov told Forum 18 that he and Dadashbeyli had "no illusions" about the way the Supreme Court decision would go (see F18News 7 July 2008 http://www.forum18.org/Archive.php?article_id=1155).

Since late August, on orders from the State Committee for Work with Religious Organisations, police have prevented Muslim worshippers from praying outside mosques throughout Azerbaijan (see F18News 18 September 2008 http://www.forum18.org/Archive.php?article_id=1188).

These moves come as police raided a Jehovah's Witness meeting in a private home in Mingachevir [Mingacevir] in western Azerbaijan on 6 September, the latest in a series of raids over the past year on Jehovah's Witness meetings and communities of other faiths in various parts of the country (see F18News 18 September 2008 http://www.forum18.org/Archive.php?article_id=1188).

Other difficulties continue for religious communities. In August a Baku-based Protestant charismatic church, Cathedral of Praise, which claims 800 adult members, had its place of worship confiscated. The church bought the 900 square metre (1076 square yards) site and building legally from a private company that owned them in 2004, receiving a state document confirming ownership. The church says it then invested much energy and money turning the building into its place of worship.

However, an oil firm that had previously owned the site before the other company, then asserted that it had owned the site when the church bought it. The oil firm brought the case to court in 2007, claiming the company that had sold the site to the church did not have the right to do so. The church lost both the initial hearing and its appeal. No compensation is being offered. Court bailiffs forced the church to vacate the building on 22 August. "We appealed to the Presidential Administration and they sent us to State Committee for Work with Religious Organisations. They said that they don't deal with such issues and told us to go to 'corresponding organs'," one church member told Forum 18. "This situation is not our fault, we paid for everything."

"We're not one hundred percent sure that this is targeted at us because of our faith," Pastor Rasim Halilov told Forum 18. "But it is a violation of our rights." He said the church now has to meet in the basement of a building it also owns on the neighbouring plot of land.

The church was founded in 1994 but only managed to gain registration in 1999. Its Swedish pastor, Mats-Jan Söderberg, had his visa application denied in 2005 and was given two weeks to leave Azerbaijan. He was subsequently banned from returning (see F18News 1 November 2005 http://www.forum18.org/Archive.php?article_id=680). (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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