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KAZAKHSTAN: Criminal case against Baptist pastor withdrawn

By Igor Rotar, Forum 18

Pastor Sergei Nizhegorodtsev, leader of an unregistered Baptist church in the village of Georgievka in Eastern Kazakhstan region will not now face prosecution for continuing to lead services in defiance of a court-ordered ban. Prosecutors withdrew the criminal case against him on 28 May, local Baptists reported. "The case against Nizhegorodtsev was withdrawn for absence of the substance of a crime," deputy procurator Erzhan Zharylgapov told Forum 18 News Service. He said he had received appeals "from everywhere" in support of the pastor. "Tell people to stop sending these letters!"

Baptists from the village of Georgievka in Eastern Kazakhstan region have ascribed the withdrawal of the criminal case against Pastor Sergei Nizhegorodtsev to "the prayers and appeals of the people of God". A 3 June statement from the church reaching Forum 18 News Service reported that the deputy procurator of Zharma district, Erzhan Zharylgapov, wrote to Nizhegorodtsev on 28 May to confirm the withdrawal of the case. Zharylgapov told Forum 18 from Zharma on 6 June that he had received many letters and protests "from everywhere" about the case, especially from Moscow. "Tell people to stop sending these letters!"

Nizhegorodtsev was informed on 12 May that he faced a criminal case for refusing to comply with a court-ordered ban on his unregistered church holding services. The move came two weeks after the church's Easter service was raided (see F18News 19 May 2003).

The charge sheet against him, dated 14 May, declared that "officials of the police of Zharma district established that in the given house [Nizhegorodtsev's home] a service was being held by the Evangelical Christians/Baptists in honour of the Easter festival under the leadership of the elder of the group of Evangelical Christians/Baptists, Sergei Alekseevich Nizhegorodtsev, with the participation of 22 parishioners". The procuracy argued that as the court had banned the church from meeting, this constituted a crime under Article 362 part 1 of the criminal code, which punishes wilful refusal to carry out a court order with up to four months' imprisonment.

As part of the long-running case, initiated after Nizhegorodtsev refused to pay a fine imposed in February 2002 for leading the unregistered church, court enforcers confiscated furniture and other family possessions, including a 25-year-old washing machine. They would also have confiscated the family calf, but said they had nowhere to keep it.

"The case against Nizhegorodtsev was withdrawn for absence of the substance of a crime," Zharylgapov told Forum 18. He added that he had replied to Nizhegorodtsev's fellow Baptists who had written in his support to explain that the case had been withdrawn and why.

Nizhegorodtsev's church – which belongs to the International Council of Churches of Evangelical Christians/Baptists - refuses to accept registration, as it believes it would lead to unacceptable interference by the secular authorities. Many Baptist and Jehovah's Witness congregations in Kazakhstan have faced harassment for functioning without registration, either because they do not want registration or have been denied it.

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