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AZERBAIJAN: Arrested Baptist pastor to face three years in prison?

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

Police have verbally told members of the embattled Baptist church in the remote village of Aliabad in north-western Azerbaijan that their pastor Zaur Balaev is to face a criminal charge of "resisting government representatives", which carries a maximum three year prison term. The authorities claim he set a dog onto police who raided the church's Sunday service on 20 May. The church's deacon, Ramiz Osmanov, insisted to Forum 18 News Service that the accusation is based on "false testimony". "I was there – I saw." After two weeks in police custody, Balaev was today (4 June) transferred to the prison in Gyanja [Gäncä]. Ilya Zenchenko, head of the Baptist Union, told Forum 18 the region around Aliabad is the worst in Azerbaijan for Baptists. "It is a place where officials insult our believers, won't allow them to gain legal status and deny birth certificates to their children." Hidayat Orujev, the chief state religious affairs official, rejected Baptist claims of persecution. Balaev's arrest "has no relation to his faith", he told Forum 18.

Pastor Zaur Balaev, who leads the embattled Baptist congregation in the remote village of Aliabad in the north-western Zakatala [Zaqatala] district close to the border with Georgia, is apparently to face the criminal charge of "resisting government representatives", which carries a maximum three year prison term. "A police officer told us this verbally, and said Zaur would be tried in July or August, though we've not yet had any of this in writing," the church's deacon, Ramiz Osmanov, told Forum 18 News Service from Aliabad on 4 June. He insists the accusation is based on "false testimony". "I was there – I saw."

Balaev – who is married with two children - was today (4 June) transferred from the police station in Zakatala to the city of Gyanja [Gäncä] many hours drive away. "There's no prison in Zakatala, so he's been transferred to the one in Ganja," Osmanov explained.

The authorities claim that when the church's Sunday service in a private home in the village was raided by the police on 20 May, Balaev resisted the police and set a dog onto them. Church members flatly reject the accusation (see F18News 22 May 2007 http://www.forum18.org/Archive.php?article_id=961). Police arrested Balaev immediately and have held him until today at the police station in Zakatala.

Police told the Baptists verbally that Balaev is being charged under Article 315 Part 1 of the Criminal Code, which punishes "application of violence, resistance with application of violence concerning the representative of authority in connection with performance of official duties by him or application of violence not dangerous to life or health concerning his close relatives, as well as threat of application of such violence".

Hidayat Orujev, head of the State Committee for Work with Religious Organisations, brushes aside church members' complaints. "I regret that church members are speaking about persecution, as if Balaev had been arrested for his faith" he told Forum 18 from Baku on 4 June. "His arrest has no relation to his faith."

Orujev – who visited the Zakatala region in April just before the attacks on the Baptists began – maintains that Balaev had refused to fulfil a court order to pull down a shop in the village which the authorities now claim was built illegally. "These are separate questions."

However, the Baptists insist that the shop – which was pulled down by the authorities on 4 June – was built not by Balaev but by one of his relatives and fellow-Baptist Tamila Shabanova. "Why then have they moved against Zaur?" Baptists asked. "And why have they moved in so harshly?"

The Baptists maintain that the authorities have deliberately tried to prevent Shabanova putting up and opening the shop to prevent church members earning a living in what remains a very poor region.

Orujev insists that Balaev resisted police with force and confirmed that Balaev is being prosecuted for resisting officials. He refused to say why police had arrived to arrest the pastor during the church's Sunday morning worship service.

Forum 18 has been unable to get confirmation from prosecutors that Balaev is to be charged under Article 315 Part 1. Khakim Khan

Safarov, the prosecutor of Zakatala district who is handling the case against Balaev, was not in his office on 4 June and his assistant was unable to give Forum 18 any information about the case. The telephone of the head of police of Zakatala district, Faik Shabanov, went unanswered on 4 June.

When the same day Forum 18 reached the office of Asif Askerov, the head of administration of Zakatala district, the man who answered the phone repeatedly claimed not to be able to hear what Forum 18 was saying. The telephone of Hasan Hasanov, head of the Aliabad village administration, went unanswered on 4 June.

In the wake of Balaev's arrest, another church member Hamid Shabanov was detained on 28 May for questioning. Church members told Forum 18 he was held for eight hours before being freed. Although police told Shabanov he would face further questioning, church members reported on 4 June that so far he has not been summoned again.

Church members also complain that some 30 Christian books and cassettes in Azeri and Georgian have been confiscated by police. "They told us they would be subjected to an expert analysis," Osmanov told Forum 18. "They've promised to hand them back in three days, but this hasn't happened yet."

Both local church members and Ilya Zenchenko, head of Azerbaijan's Baptist Union, insist that Balaev's arrest on what they call "fabricated charges", the detention of church member Shabanov, the demolition of the shop and the continued denial of legal status to the church are all part of official intolerance towards the community. "This is the worst part of the country for us," Zenchenko told Forum 18 from Baku on 4 June. "It is a place where officials insult our believers, won't allow them to gain legal status and deny birth certificates to their children."

In the most recent such case of denial of birth certificates, Novruz Eyvazov, a member of a different Baptist congregation in the village, complained to Forum 18 that although his son Ilya was born back in June 2006, officials are still refusing to issue him with a proper birth certificate (see F18News 22 May 2007 http://www.forum18.org/Archive.php?article_id=961).

Zenchenko attributes this hostility to officials' fear of ethnic and religious minorities (the church in Aliabad is made up of Georgian-speaking Ingilos). "This is a foolish and unfair policy."

Asked why officials both locally and nationally display such hostility to Aliabad's Baptists, Orujev retorted: "If there is any hatred towards them it is rather from other villagers." Asked by Forum 18 why this was relevant to resolving the church's problems, Orujev was unable to say.

Zenchenko told Forum 18 that when he and two other Baptist pastors were received by Orujev at the State Committee on 29 May, they asked him to resolve the problems in Aliabad. "He told me that as Baptist pastor in Baku, I have no right to interfere in events in Aliabad," Zenchenko told Forum 18. He said Orujev then promised to receive Baptists from Aliabad.

Balaev's wife Selminaz (known in Georgian as Nunuka) and Osmanov then travelled the long journey to Baku, where they waited all day on 31 May for Orujev to receive them. However, he failed to do so.

Orujev insisted to Forum 18 the two Baptists did not contact him. However, Zenchenko said he repeatedly telephoned State Committee officials to try to arrange an appointment. "Orujev is lying when he says he didn't know they were there," Zenchenko told Forum 18. "Over two days I repeatedly rang his officials and I can't believe they didn't tell him the two had come to see him."

Osmanov told Forum 18 from Aliabad that he was highly disappointed not to have been able to talk directly to Orujev. "He had promised to receive us, that's why we came," he told Forum 18. "I would have told him to allow religious freedom in Aliabad in accordance with our Constitution, ask why officials are persecuting us, ask why Zaur is being unjustly held and ask why we can't get legal status."

The church began applying for registration in 1994, making it the religious community which has been denied registration in Azerbaijan for the longest period. Orujev brushed aside their long battle – so far in vain – to get legal status. "I've been here ten months and they haven't appealed to me in this time."

However, the Aliabad Baptist church cannot send on its applications to the State Committee in Baku as the state notary for Zakatala district is illegally withholding the required signature on the registration application. When Forum 18 visited the notary Najiba Mamedova in Zakatala in November 2004 to find out why for more than a year she had refused to notarise the signatures on the church's registration application, she shouted: "We don't need any Baptists here". She then threw Forum 18 out of her office (see F18News 8 December 2004 http://www.forum18.org/Archive.php?article_id=471).

Azerbaijan's complex registration system requires numerous documents signed by different officials and allows religious communities the government does not like to be easily denied registration. (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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