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AZERBAIJAN: Baptist pastor still held on false charges

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

Imprisoned Baptist pastor Zaur Balaev has been held for over a month by Azerbaijan, on charges which witnesses insist are false, Forum 18 News Service has learnt. Pastor Balaev was arrested on 20 May, and the authorities intend to bring criminal charges of resisting officials with violence. The arrest took place during a police raid on a worship service which they insist – against Azerbaijan's international human rights commitments – was illegal as the church does not have state registration. The authorities have been denying the church legal status for 13 years. Since being detained over a month ago, "Zaur's health has deteriorated seriously" the head of the Baptist Union Ilya Zenchenko told Forum 18. Zenchenko also stated that police had hit Balaev in the face and that since his arrival in prison he has been threatened with violence. The Balaev family has had to go into debt to pay to take food to Zaur Balaev, who has been held over 250 km. (150 miles) from his home. The authorities have denied Balaev's family the opportunity to meet him since his arrest. Officials have refused to discuss the charges with Forum 18.

Imprisoned Baptist pastor Zaur Balaev had to be transferred in mid-June from the investigation cell to the hospital of the prison in the city of Gyanja [Gāncā], the head of Azerbaijan's Baptist Union Ilya Zenchenko told Forum 18 News Service from the capital Baku on 22 June. Balaev has been held for over a month as he awaits trial on criminal trial on a charge of resisting the authorities with violence. His fellow Baptists reject the accusation. "Of course he is innocent," Zenchenko declared, insisting the charges have been fabricated to punish Balaev for his leadership of his church in the remote north-western village of Aliabad. The church in Aliabad, which is made up of Georgian-speaking Ingilos, has been denied legal status for 13 years and has endured repeated harassment.

Balaev's family told Forum 18 on 22 June that the village policeman had come to the family home that morning. He told Balaev's wife Selminaz (known in Georgian as Nunuka) and sister to come to the Prosecutor's Office in the nearby town of Zakatala [Zaqatala] this evening to talk to investigator Gulbet Mehmedov. The policeman gave no reason and presented no official summons. He added that Balaev will also be brought back to Zakatala to join them at the meeting. "We don't know whether to believe this or not," family members told Forum 18. "We don't know what the meeting is for. All we want is for him to be freed."

The criminal case against Balaev is being led by Khakim Khan Safarov, the Prosecutor of Zakatala District where Aliabad is located. Forum 18 has been unable to find out why he thinks Balaev should be prosecuted, given the testimony of church members who have told Forum 18 that Balaev did not resist the police who raided the church's Sunday service on 20 May. Nor has Forum 18 been able to find out when and where any trial might take place.

The official who answered the phone on 22 June at the Prosecutor's Office in Zakatala, who refused to give his name, said Safarov was out of the office. Although the official said he was aware of Balaev's case he refused to confirm what charges Balaev faces and if and when he will be tried. Asked where Balaev is currently being held, he told Forum 18: "Probably in Gyanja." He referred all enquiries to Safarov. Forum 18 reached Safarov on 22 June on his mobile phone, but when it explained who was calling the line was then cut. When Forum 18 called back the phone was switched off.

"Zaur's health has deteriorated seriously – from all he has gone through, the summer heat and the prison conditions – and this has caused problems with his heart," Zenchenko of the Baptist Union told Forum 18. He said that police hit Balaev in the face and that since his arrival in prison he has been threatened with violence. However, Zenchenko said conditions have been better in the prison hospital.

Zenchenko said the Balaev family has had to go into debt to pay for regular round trips of 500 kilometres (300 miles) from Aliabad to Gyanja. "This family has great material needs and Selminaz has not only had to pay for the journey but also for food to hand over for Zaur and – given the level of corruption here – to pay the money officials demanded for him to be transferred to the prison hospital."

Balaev's family told Forum 18 that on their repeated visits to the prison, neither his wife nor sister have been able to meet Balaev. "They are allowed only to talk to him through a telephone."

Balaev was arrested on 20 May, when police raided the church's Sunday service in a private home in the village. Police claim Balaev

resisted and set a dog onto them. Church members have flatly rejected the accusation to Forum 18. Balaev was initially held in Zakatala, but was transferred on 4 June to the prison in Gyanja as Zakatala does not have its own prison (see F18News 4 June 2007 http://www.forum18.org/Archive.php?article_id=968).

Balaev is being charged under Article 315 Part 1 of the Criminal Code, which punishes: "Use of violence, resistance with the use of violence against a representative of authority in connection with performance of official duties by him, or the use of violence not dangerous to life or health concerning his close relatives, as well as threat of the use of such violence". This article carries a maximum three year prison term.

The Baptist Union's Zenchenko told Forum 18 that since Balaev's arrest, the Baptist Union has sent numerous appeals about his case to President Ilham Aliyev, the General Prosecutor's Office, Parliament, the Interior Ministry and the Human Rights Ombudsperson Elmira Suleymanova. They also sent appeals to the offices in Baku of the Organisation for Security and Co-operation in Europe (OSCE) and the United Nations. "We have had absolutely no response from any of these agencies," Zenchenko noted sadly.

Suleymanova, the Human Rights Ombudsperson, was in a meeting when Forum 18 called her office in Baku on 22 June. She has in the past repeatedly denied that violations of freedom of thought, conscience and belief take place (see F18News 29 April 2005 http://www.forum18.org/Archive.php?article_id=552).

As well as being repeatedly denied legal status over 13 years, Aliabad's Baptists have been subjected to vilification by local officials for their Christian faith. Church members' children have also been victims of official intolerance. Some have even been denied birth certificates after their parents' choice of Christian names were deemed unacceptable by officials of Zakatala registry office (see F18News 22 May 2007 http://www.forum18.org/Archive.php?article_id=961).

"My son Ilya had his first birthday on 18 June, but they still won't issue a birth certificate," Novruz Eyvazov, a member of a different Baptist congregation in the village, complained to Forum 18 from Aliabad on 22 June. "All he has is the certificate issued by the hospital when he was born – and even then they left the space for the name blank." Without a birth certificate it is impossible for children to go to kindergarten or to school, get treatment in a hospital, or travel abroad.

Since Pastor Balaev's arrest, his family say the local authorities have not yet subjected local Baptists to any further harassment and they have been able to meet for worship. (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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