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NAGORNO-KARABAKH: Baptist faces two years jail or two years forced labour

By Felix Corley, Forum 18

Baptist conscript Gagik Mirzoyan faces either being jailed or sent to do forced labour for two years for refusing, on religious grounds, to swear the military oath, Forum 18 News Service has learnt. Mirzoyan has been beaten up several times in two different military units in Nagorno-Karabakh since being called up last December, when he refused to serve with weapons. He has also been detained for more than 10 days for sharing his faith with other soldiers and possessing several Christian calendars. Mirzoyan's trial has now been set for June and fellow Baptists have told Forum 18 that the "harsh reality" of the maltreatment Baptist conscripts suffered in the Soviet era is returning. Gagik Mirzoyan's congregation has earlier faced harassment from the Karabakh authorities and other Protestants and religious minorities, especially Jehovah's Witnesses, have faced restrictions on their activity.

Baptist conscript Gagik Mirzoyan, who has been beaten several times in two different military units in Nagorno-Karabakh and detained for more than 10 days since being called up last December, now faces up to two years in prison or in a forced labour battalion. His trial for refusing to swear the military oath on religious grounds is set for June, Mirzoyan's fellow Baptists told Forum 18 News Service on 18 May from the unrecognised republic in the South Caucasus. The Baptists recalled the maltreatment Baptist conscripts suffered during the Soviet era. "Now the harsh reality is returning," they told Forum 18.

Ashot Yegonyan, senior investigator at the public prosecutor's office of the Hadrut region of south-eastern Nagorno-Karabakh, told Mirzoyan's mother on 18 May that charges have been laid against her son under Article 364 part 1 of the Nagorno-Karabakh criminal code. This punishes "refusal to perform one's military duties" with detention of up to 3 months, disciplinary battalion of up to 2 years or imprisonment of up to 2 years. Nagorno-Karabakh has adopted the Armenian criminal code.

In the wake of his conscription in December 2004, Mirzoyan refused to serve with weapons and swear the military oath because of his faith. He was beaten and pressured by the commander of the unit to which he was transferred and Fr Petros Yezegyan, the unit's Armenian Apostolic military chaplain. The army then agreed he could serve in a non-combat role without weapons and without swearing the oath, and he was transferred to a unit in Hadrut region.

However, he was again beaten and punished with more than ten days in detention in early April for sharing his faith with other soldiers and possessing several Christian calendars (see F18News 15 April 2005 http://www.forum18.org/Archive.php?article_id=544).

"I don't have information about any trial," Nagorno-Karabakh's deputy foreign minister Masis Mailyan told Forum 18 from the capital Stepanakert. "I know about Mirzoyan though, as Baptists from the United States and elsewhere keep writing to us about his case. But they often have inaccurate information." He denied that Mirzoyan had been beaten since being conscripted, especially by an Armenian Apostolic chaplain. "I don't believe a chaplain could beat a conscript," Mailyan insisted. "It would go against Christian beliefs."

An official at the Defence Ministry told Forum 18 from Stepanakert on 20 May that the minister, General Seyran Ohanyan, was out of the office and that no-one else was immediately available. In February, Ohanyan had denied to Forum 18 that Mirzoyan had been beaten and defended the system of two-year compulsory military service for all young men in Karabakh. But he seemed open to the idea of changing the law to allow those unable to serve in the armed forces on religious grounds to be allowed some alternative to military service (see F18News 22 February 2005 http://www.forum18.org/Archive.php?article_id=517).

At present Nagorno-Karabakh has no provision for alternative service for those who have religious or other conscientious objections to participating in the armed forces. On 16 February a court in Stepanakert handed down a four-year prison term to Areg Hovhanesyan, a Jehovah's Witness from Stepanakert who had refused to serve because of his faith but had expressed a willingness to perform an alternative civilian service (see F18News 22 February 2005 http://www.forum18.org/Archive.php?article_id=517).

While both Mirzoyan and Hovhanesyan are local residents of Karabakh, the Armenian authorities have illegally deported conscientious objectors who are Armenian citizens to Karabakh against their will. Armenian authorities routinely beat up and jail

Baptist and Jehovah's Witness conscientious objectors. Armenia has also repeatedly broken its promises to the Council of Europe to free its jailed conscientious objectors and to introduce a genuinely civilian alternative to military conscription. One Jehovah's Witness deported from the Armenian capital Yerevan, Armen Grigoryan, goes on trial in Stepanakert on 27 May and faces up to six years imprisonment after refusing military service (see F18News 17 May 2005 http://www.forum18.org/Archive.php?article_id=563).

Mailyan of the Foreign Ministry said he was not familiar with Armen Grigoryan's case, but found it hard to believe that an Armenian citizen would be transferred by the Armenian military to Karabakh without the individual's permission. "We have Armenian soldiers serving here but as far as I know they are all volunteers serving under contract," he insisted to Forum 18. "If it is the case that he was brought to Karabakh against his will that would be strange. I will have to look into this."

Mailyan said he supported introducing a civilian alternative to military service. "We are bringing our laws into line with European standards," he claimed. "Such standards include offering a civilian alternative service." But he warned that in the situation of the unresolved war with the Azerbaijani government, which is seeking to regain control over the enclave, "it will be difficult to find a balance between protecting our national security and protecting human rights". He feared many young men who did not want to serve in the army would pretend to be doing so on religious grounds.

Gagik Mirzoyan's congregation - which belongs to the Council of Churches Baptists, who refuse on principle to register with the state authorities in post-Soviet countries – earlier faced harassment from the Karabakh authorities. The local police raided the Stepanakert church last September, confiscating religious literature and questioning church members (see F18News 27 September 2004 http://www.forum18.org/Archive.php?article_id=420). Other Protestants and religious minorities – especially the Jehovah's Witnesses – have faced restrictions on their activity in Karabakh, though this has eased in recent years.

A printer-friendly map of the disputed enclave of Nagorno-Karabakh is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=azerba> within the map titled 'Azerbaijan'.

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