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NAGORNO-KARABAKH: Suspended sentence for embattled Baptist conscript

By Felix Corley, Forum 18

Embattled Baptist conscript Gagik Mirzoyan received a two-year sentence, suspended for one year, at his 7 July trial. He had refused to swear the military oath or serve with weapons since being called up into the army of the unrecognised republic of Nagorno-Karabakh in the South Caucasus. "This means he won't have to serve any time in prison - if of course he does nothing wrong over the next year," Albert Voskanyan of the local Centre for Civilian Initiatives told Forum 18 News Service. Beaten twice since his conscription last December, Mirzoyan spent 10 days in prison for preaching his faith in his army unit. "After a lot of pressure, Gagik was finally happy because he could see his brothers and sisters from the church at his trial," a Baptist told Forum 18.

Embattled Baptist conscript Gagik Mirzoyan from the unrecognised republic of Nagorno-Karabakh in the South Caucasus who refuses to swear the military oath or bear arms because of his religious convictions has been given a suspended sentence, a member of the Council of Churches Baptists has told Forum 18 News Service. On 7 July the district court of Hadrut in south-eastern Karabakh sentenced Mirzoyan to two years' imprisonment, suspended for one year. "After a lot of pressure, Gagik was finally happy because he could see his brothers and sisters from the church at his trial," the Baptist told Forum 18 on 13 July. "Some were even there from outside Karabakh." Welcoming the fact that the sentence was suspended was Albert Voskanyan, director of the Centre for Civilian Initiatives. "This means he won't have to serve any time in prison - if of course he does nothing wrong over the next year," he told Forum 18 from the capital Stepanakert on 13 July.

Voskanyan attributed the relatively mild penalty to the international attention the case has generated. "Of course the attention played a positive part in achieving only a suspended sentence," he told Forum 18. "This is a good result." Mirzoyan's fellow Baptists had feared a prison term of up to two years. Karabakh officials have revealed to Forum 18 in recent months that letters about his case had arrived in Stepanakert from around the world.

Nagorno-Karabakh has compulsory military service for all young men, with no alternative service provision. Mirzoyan was found guilty under Article 364 part 1 of the criminal code (Nagorno-Karabakh has adopted Armenia's criminal code), which 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. However, the court ruled that the sentence should be suspended under Article 70 of the criminal code, which covers conditional punishments.

Mirzoyan is now back with his military unit in the Hadrut district. "He is OK there, though we have to keep an eye on the case," Voskanyan added. The Baptist agreed, reporting that although Mirzoyan is under "special supervision" at the unit, he is not being pressured at the moment.

Mirzoyan, a Karabakh native, was called up last December and refused to serve with weapons or to swear the military oath on grounds of religious conscience. Since being conscripted he has been beaten up in two different military units and served 10 days in military prison (see F18News 6 January 2005 http://www.forum18.org/Archive.php?article_id=483 and 15 April 2005 http://www.forum18.org/Archive.php?article_id=544).

On the day of the trial, an official of Nagorno-Karabakh's foreign ministry had told Forum 18 that no case against Mirzoyan had been completed (see F18News 7 July 2005 http://www.forum18.org/Archive.php?article_id=600). It remains unclear why the official failed to tell Forum 18 that the trial was taking place that day.

Two Jehovah's Witnesses – Karabakh native Areg Hovhanesyan and Armenian citizen Armen Grigoryan, who had been illegally deported from Armenia to serve in Karabakh against his will – have been sentenced in Nagorno-Karabakh this year for refusing military service on grounds of religious conscience. Hovhanesyan is serving his four-year sentence in prison in the Karabakh town of Shushi, while Grigoryan has been returned to Armenia to serve his two year sentence (see F18News 7 July 2005 http://www.forum18.org/Archive.php?article_id=600).

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'.

A printer-friendly map of Armenia is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=armeni>

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