

5 September 2005

NAGORNO-KARABAKH: Baptist conscript now imprisoned

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

Military leaders in the unrecognised republic of Nagorno-Karabakh in the South Caucasus have successfully appealed to the courts for Gagik Mirzoyan - handed a suspended sentence in July for refusing to handle weapons or swear the military oath on grounds of religious faith – to be sent to prison. On 5 September Hadrut district court imprisoned the embattled Baptist conscript for one year. The court told Mirzoyan that if he declared then and there he would swear the oath it would free him and send him back to his unit. "Gagik responded that he couldn't do so as the Bible doesn't allow it," a fellow Baptist told Forum 18 News Service. "He was sentenced and police took him away immediately." Two Jehovah's Witnesses have also been sentenced to prison in Nagorno-Karabakh this year for refusing compulsory military service because of their religious convictions.

Two months after a court in the unrecognised republic of Nagorno-Karabakh in the South Caucasus gave Baptist conscript Gagik Mirzoyan a suspended sentence for refusing to swear the military oath or bear arms because of his religious convictions, a court has increased the penalty at the urging of military leaders. The district court of Hadrut in south-eastern Karabakh sentenced Mirzoyan today (5 September) to one year's imprisonment. "This is bad news," Albert Voskanyan, director of the Centre for Civilian Initiatives, told Forum 18 News Service from Karabakh's capital Stepanakert. "Mirzoyan is likely to be brought here to Stepanakert in the next few days and then, it seems, to the prison in Shushi."

Already held in Shushi prison for refusing military service on grounds of religious conscience is Jehovah's Witness Areg Hovhanesyan, sentenced on 16 February to four years' imprisonment (see F18News 22 February 2005 http://www.forum18.org/Archive.php?article_id=517).

"We were there in court with Gagik's family today," a fellow-Baptist told Forum 18 from Stepanakert on 5 September. "Gagik looked well, but he was much thinner, perhaps because of all the worry over the past few months." The Baptist reported that the court told Mirzoyan that if he declared then and there he would swear the oath it would free him and send him back to his unit. "Gagik responded that he couldn't do so as the Bible doesn't allow it. He was sentenced and police took him away immediately."

The Baptist, who preferred not to be named, insisted that Mirzoyan is prepared to conduct an alternative service. "He's ready to serve even in a dangerous position, such as in a frontline medical unit, as long as it is without weapons and without swearing the oath," the Baptist told Forum 18. "He believes this would be a witness for others to his faith."

Mirzoyan, a Karabakh native and a member of a local congregation of the Council of Churches Baptists, was called up last December. He announced immediately that he was not able to serve with weapons or swear the military oath on grounds of religious conscience. In the wake of his conscription he was 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).

Nagorno-Karabakh has compulsory military service for all young men, with no alternative service provision. At a trial at Hadrut district court on 7 July, 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. He was sentenced to two years' imprisonment. However, the court ruled that the sentence should be suspended under Article 70 of the criminal code, which covers conditional punishments. Mirzoyan was then sent back to his military unit in Hadrut district (see F18News 13 July 2005 http://www.forum18.org/Archive.php?article_id=605).

The Baptist said that conditional sentences are given so that those sentenced "think over" what they have done. "But as they saw no progress in persuading Gagik to take the oath, the military leadership appealed against his suspended sentence and the case was brought to court again."

Karabakh officials have revealed to Forum 18 in recent months that letters about Mirzoyan's case had arrived in Stepanakert from around the world. Local Baptists say some 500 letters alone reached the court ahead of the 7 July trial.

The Stepanakert Baptist told Forum 18 he understands that "the young state" of Nagorno-Karabakh is wary over allowing an alternative to compulsory military service as long as hostilities with the Azerbaijani government are unresolved. "There is still a state of war, and the authorities fear other people will try to follow the example of anyone allowed to do alternative service. But if such alternative service is hard and even dangerous, it will separate out those who want to do it because of their love of the Lord."

Also sentenced in Karabakh this year for refusing military service on religious grounds was another Jehovah's Witness Armen Grigoryan, an Armenian citizen who had been illegally deported from Armenia to serve in Karabakh against his will. Grigoryan was returned to Armenia to serve his two year sentence (see F18News 7 July 2005 http://www.forum18.org/Archive.php?article_id=600). Jehovah's Witness sources told Forum 18 on 26 July that Grigoryan is now being held in the prison in the town of Nubarashen close to the Armenian capital Yerevan.

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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