

7 July 2005

NAGORNO-KARABAKH: Illegally deported Armenian JW conscientious objector jailed, no progress in Karabakh Baptist case

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

An Armenian citizen, Jehovah's Witness conscientious objector Armen Grigoryan, who was illegally deported from Armenia to the unrecognised republic of Nagorno-Karabakh, has been jailed in Karabakh for two years and sent back to Armenia to serve the sentence, Forum 18 News Service has learnt. Armen Grigoryan joins eleven other Jehovah's Witness conscientious objectors who are currently jailed in Armenia, despite the country's broken promise to the Council of Europe that it would free all these prisoners of conscience and introduce civilian alternative service by January 2004. In another Nagorno-Karabakh case, that of Baptist conscientious objector Gagik Mirzoyan - a Karabakh native who has already spent 10 days in a military prison – the Nagorno-Karabakh Foreign Ministry has told Forum 18 that no case has yet been formally brought against him. His congregation were expecting him to be tried in June.

Jehovah's Witness Armen Grigoryan - sentenced on 9 June in Stepanakert, capital of the unrecognised republic of Nagorno-Karabakh in the South Caucasus, to two years' imprisonment for refusing military service - was returned to his homeland of Armenia on 5 July to serve his sentence, Albert Voskanyan of the Stepanakert-based Centre for Civilian Initiatives told Forum 18 News Service on 7 July. Grigoryan, an Armenian citizen, was forcibly deported to Nagorno-Karabakh against his will, after being seized in the Armenian capital Yerevan in June 2004 (see F18News 6 January 2005 http://www.forum18.org/Archive.php?article_id=484).

In the case of Baptist conscientious objector Gagik Mirzoyan - a Karabakh native - Leonid Martirosyan, chief of staff of Nagorno-Karabakh's Foreign Ministry, said that no case against Mirzoyan has yet reached the Nagorno-Karabakh prosecutor's office in Stepanakert in readiness for a trial. "This means either no case has yet been lodged against him or that the investigation is still underway," he told Forum 18 from Stepanakert on 7 July.

Armen Grigoryan, who is from Yerevan, was sentenced under Articles 362 part 1 and 364 part 1 of the criminal code (Nagorno-Karabakh has adopted Armenia's criminal code). These respectively punish desertion with a prison sentence of up to four years and "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. Voskanyan, of the Centre for Civilian Initiatives, said Grigoryan was returned to Armenia under an agreement between the Armenian and Karabakh authorities that Armenian citizens imprisoned in the enclave are to be returned to serve their sentences in their homeland.

Armenia's human rights ombudsperson Larisa Alaverdyan, denied to Forum 18 in May that Grigoryan had been illegally deported as "there's no such term," but admitted that "it might have been illegal removal." She defended what she claimed was the right of the Armenian Defence Ministry to send Armenian citizens to Nagorno-Karabakh, which international law regards as part of Azerbaijan (see F18News 17 May 2005 http://www.forum18.org/Archive.php?article_id=563). She has also previously denied to Forum 18 that jailing Jehovah's Witness conscientious objectors breaks Armenia's Council of Europe and OSCE commitments, blaming the Jehovah's Witnesses themselves for the problems they face at the hands of the Armenian government (see F18News 3 August 2004 http://www.forum18.org/Archive.php?article_id=384).

Another Jehovah's Witness, Areg Hovhanesyan, a Karabakh native, was sentenced to four years' imprisonment on 16 February (see F18News 22 February 2005 http://www.forum18.org/Archive.php?article_id=517). He is now being held in prison in the town of Shushi, Jehovah's Witnesses told Forum 18. Voskanyan reported that he visits Hovhanesyan in prison every few weeks as part of a prison monitoring programme. "I was with him two weeks ago," he told Forum 18. "Areg seemed well." Voskanyan added that he also speaks regularly to the prison governor.

Baptist conscientious objector Gagik Mirzoyan, also 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).

Ashot Yegonyan of the public prosecutor's office of Hadrut region of south-eastern Nagorno-Karabakh told Mirzoyan's mother in May that charges have been laid against her son under Article 364 part 1 of the criminal code. His fellow Baptists reported in May that they were expecting a trial in June, with the possibility of being sentenced to jail or forced labour for two years (see F18News 20 May 2005 http://www.forum18.org/Archive.php?article_id=566).

However, a member of the Council of Churches Baptists, to which Mirzoyan's congregation belongs, confirmed to Forum 18 on 7 July that no trial has yet taken place, but said they are expecting one soon. The Council of Churches Baptists refuse on principle to register with the state authorities in post-Soviet countries, and Mirzoyan's congregation has faced harassment from the Karabakh authorities (see F18News 27 September 2004 http://www.forum18.org/Archive.php?article_id=420).

Martirosyan of the Nagorno-Karabakh Foreign Ministry defended the continuing imprisonment of conscientious objectors. "Karabakh law requires all young men to serve, and refusing this duty represents breaking the law," he told Forum 18 from Stepanakert. He stressed that the war with Azerbaijani forces has not yet finished and no peace treaty has been signed. "We have to look at the specifics of our situation. War could revive at any moment." He told Forum 18 that the government has recently considered the possibility of introducing an alternative to compulsory military service. "But there was no result."

Voskanyan of the Centre for Civilian Initiatives admitted that conscientious objection is a "thorny issue" in Nagorno-Karabakh, which provokes "great arguments". While stressing that freedom of conscience is a right guaranteed by the constitution, he warned that "society must be prepared carefully so that we can take this step". He told Forum 18 that his centre will soon hold a roundtable to discuss alternative service, with politicians, officials, human rights activists, local Jehovah's Witnesses, Catholics and Baptists, members of the Armenian Apostolic Church and representatives of international organisations. "We want this roundtable to be well-prepared," he insisted.

Now back in Armenia, Grigoryan joins eleven other Jehovah's Witness conscientious objectors currently serving prison terms. The most recent sentences were of Sarkis Karapetyan and Tatul Gogjanyan in April (see F18News 17 May 2005 http://www.forum18.org/Archive.php?article_id=563). Armenia has continued to unashamedly break its promise to the Council of Europe that it would free all these prisoners of conscience and introduce civilian alternative service by January 2004 (see F18News 19 October 2004 http://www.forum18.org/Archive.php?article_id=434).

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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