



Resolution on Conscientious Objection

*Adopted by the Council of Members
9-10 November 2007, Brussels (Belgium)*

Conscientious objection to military service is inherent to the concept of freedom of thought, conscience and religion, as recognized in Article 9 of the European Convention for the Protection of Human Rights and Fundamental Freedoms,

United Nations Commission on Human Rights confirmed this interpretation on 20 July 1993 in its general comments on Article 18 of the International Covenant on Civil and Political Rights,

Reiterating the fact that the right of conscientious objection is a principle recognized under the law of all Member States in which military service is compulsory, but that the provisions governing this right vary widely between Member States which, as far as young people are concerned, acts as an obstacle to European integration,

European Parliament resolutions of 14 June 1991 and 21 November 1991 on European citizenship stated that the status of European citizenship implies that the human rights and fundamental freedoms of all citizens must be protected and that discrimination against citizens on the basis of the Member State to which they belong cannot be tolerated under any circumstances,

Conscientious objection has been recognized as a real subjective right closely connected with the exercise of individual freedoms and, therefore, that community service may take the form of either military or civilian service;

Basic principles have been defined by the Committee of Ministers of the Council of Europe in its recommendation R(87)8 on conscientious objection to compulsory military service and considers that this recommendation is a minimum basis for provisions concerning civilian service which should link all the Member States of the Council of Europe;

Conscientious objection is an issue of international importance, as is demonstrated by the resolution adopted by the United Nations Commission on Human Rights in 1989, the Recommendation adopted by the Committee of Ministers of the Council of Europe in 1987 and its resolution of 1989, all of which include the right of conscientious objection to military service among the various rights and stipulate that alternative civilian service must not be punitive in nature;

The right of conscientious objection derives from the human rights and fundamental freedoms which the Union undertakes to respect pursuant to Article F(2) of the EU Treaty and, therefore, that the harmonization of legislation in this field falls within the competence of the European Community;

Member States should study, as a matter of common interest, the experience of those which have abolished compulsory military service, in favour of fully professional armed services, accepting that all citizens of a

Member State should enjoy the same rights and fulfil the same obligations;

Member States must ensure that compulsory military service and civilian service performed at institutions which do not come under the supervision of the Defence Ministry are of the same length, pursuant to paragraph 51 of its aforementioned resolution of 11 March 1993 on respect for human rights in the EC;

We believe furthermore that conscientious objectors performing civilian service must enjoy the same rights as conscripts engaged in armed military service, both in social terms - in respect of access to vocational training, for example - and in terms of pay; and to fully inform young conscripts about the right of conscientious objection to military service.

Condemns those states where objectors are imprisoned, as asserted by Amnesty international, and calls on the Turkish Government in particular to take the necessary steps as a matter of urgency to conform to the principles laid down in this resolution;

We call for the right of conscientious objection and the right to civilian service to be incorporated in a protocol to the European Convention on Human Rights;

We call on the Member States of the European Union which do not have (or no longer have) conscription and military and civilian service nevertheless to guarantee the fundamental right of conscientious objection;

We remind the Committee on Civil Liberties of the European Parliament to draw up an annual report on the application by the Member States of its resolutions on conscientious objection and civilian service, and to involve the European Bureau for Conscientious Objection.