



Recommendation 1518 (2001)¹

Exercise of the right of conscientious objection to military service in Council of Europe member states

Parliamentary Assembly

1. The Assembly recalls its [Resolution 337 \(1967\)](#) on the right of conscientious objection and [Recommendation 816 \(1977\)](#) on the right of conscientious objection to military service, and also Recommendation No. R (87) 8 of the Committee of Ministers regarding conscientious objection to compulsory military service. It notes that the exercise of the right of conscientious objection to military service has been an ongoing concern of the Council of Europe for over thirty years.
2. The right of conscientious objection is a fundamental aspect of the right to freedom of thought, conscience and religion enshrined in the Universal Declaration of Human Rights and the European Convention on Human Rights.
3. Most Council of Europe member states have introduced the right of conscientious objection into their constitutions or legislation. There are only five member states where this right is not recognised.
4. The position of conscientious objectors still differs considerably from one country to another, and differences in the law unfortunately result in varying levels of protection. The situation of conscientious objectors is therefore wholly unsatisfactory in member states that have recognised the right of conscientious objection.
5. The Assembly accordingly recommends that the Committee of Ministers invite those member states that have not yet done so to introduce into their legislation:
 - 5.1. the right to be registered as a conscientious objector at any time: before, during or after conscription, or performance of military service;
 - 5.2. the right for permanent members of the armed forces to apply for the granting of conscientious objector status;
 - 5.3. the right for all conscripts to receive information on conscientious objector status and the means of obtaining it;
 - 5.4. genuine alternative service of a clearly civilian nature, which should be neither deterrent nor punitive in character.
6. The Assembly also recommends that the Committee of Ministers incorporate the right of conscientious objection to military service into the European Convention on Human Rights by means of an additional protocol amending Articles 4.3.b and 9.

1. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 23 May 2001 (see [Doc. 8809](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Marty).

