



P R E S S R E L E A S E

Non-assistance to persons in danger: EBCO criticises failure of European institutions to protect conscientious objectors to military service

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On the occasion of the International Conscientious Objection Day on 15 May 2019, the European Bureau for Conscientious Objection (EBCO) red-flags the multiple discriminations that conscientious objectors to military service continue to undergo in Europe. In the run-up to the European elections, EBCO points moreover to the enduring omission of European institutions to take action against the violation of the human right to conscientious objection. ***“Non-assistance to persons in danger – this sums up the continued failure of major European institutions to support those who despite massive discrimination call upon the fundamental right of conscientious objection to military service”***, EBCO’s President Friedhelm Schneider stated today.

In the last year conscientious objection was yet again absent from the political agenda of the Council of Europe and the European Union. This is particularly fatal when it affects states which have for decades persecuted and mistreated conscientious objectors:

- So **Azerbaijan** promised the Council of Europe on accession in 2001 that it would adopt a law on alternative service in compliance with European standards by January 2003. It has still not done so. To this day Azerbaijani conscientious objectors are imprisoned.
- Regarding **Turkey** the situation is similar. The landmark decision pronounced in January 2006 in favour of conscientious objector Osman Murat Ülke by the European Court of Human Rights has not been fully implemented to this day. Despite a joint submission filed in February 2018 by EBCO, War Resisters’ International (WRI) and the International Fellowship of Reconciliation (IFOR), the Committee of Ministers of the Council of Europe hasn’t taken a continuative decision so far.

And the **European Union Agency for Fundamental Rights (FRA)** – confronted to the ongoing discrimination against conscientious objectors in Greece – claims its incompetence to protect the right of conscientious objection laid down in Article 10(2) of the European Charter of Fundamental Rights. This debate continues.

After all in November 2018 the **European Youth Forum** made a remarkable exception to this general trend and adopted a comprehensive Resolution on the right to conscientious objection to military service in Europe, inter alia calling on its member organisations to promote conscientious objection as a youth right.

On the whole the black list of European states which discriminate against conscientious objectors remains unchanged. To name but a few major examples the massive repression of war resisters in **Turkey** and **Azerbaijan** persists. The fact that **Ukraine** has temporarily been under martial law since the end of November 2018 further undermines the already precarious situation of conscientious objectors there. The persecution of Jehovah's Witnesses in **Russia** continues to emasculate that country's alternative service system. In spite of criticism by all relevant human rights stakeholders, the discriminatory legislation on conscientious objection in **Greece** continues to be in breach of international human rights standards – even after its recent amendment in April 2019. In **Switzerland** the government plans since June 2018 to introduce into the Swiss Alternative Service Law a catalogue of discriminatory measures aimed to raise the acceptance of military service by reducing the attractiveness of alternative service.

A gleam of hope is to be noted with the recent publication of a Draft Amendment to the Military Service Act in the **northern, Turkish-occupied, part of Cyprus**. Although not perfect, the text is remarkably positive, and marks the first recognition of conscientious objection in a Turkish influenced context, provided that the ongoing parliamentary process leads to a positive result.

"Conscientious objection to military service is a beneficial corrective to the militarization of Europe, and the respect of the human right to conscientious objection is an essential element of the European peace project. This is why the European Bureau for Conscientious Objection appeals to all present and future members of European institutions to support persistently the implementation of the fundamental right to conscientious objection", EBCO's President Friedhelm Schneider concluded.

NOTE: You can find more information in EBCO's Annual Report on Conscientious Objection to military service in Europe 2018 (available at www.ebco-beoc.org/)

EBCO was founded in Brussels in 1979 as an umbrella structure for national associations of conscientious objectors in the European countries to promote the right to conscientious objection to preparations for, and participation in, war and any other type of military activity as a fundamental human right. It enjoys participatory status with the Council of Europe since 1998 and is a member of its Conference of International Non-Governmental Organisations since 2005. It provides expertise and legal opinions on behalf of the Directorate General of Human Rights and Legal Affairs of the Council of Europe. It is involved in drawing up the annual report of the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament on the application by the Member States of its resolutions on conscientious objection and civilian service, as determined in the "Bandrés Molet & Bindi Resolution" of 1994. It is a full member of the European Youth Forum since 1995.