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From: Kertti Pilvik <kertti.pilvik@oiguskantsler.ee>

To: "ebco@ebco-beoc.org" <ebco@ebco-beoc.org>

Date: 21/01/2022 10:25

Subject: RE: EBCO’s Annual Report 2021 and broader cooperation

Dear EBCO,

Thank you for having an interest in the activities of the Chancellor of Justice of Estonia in the field of conscientious objection.

During the last reporting period, the Chancellor of Justice was addressed once concerning the matter. However, the application was not related to compulsory military service but reservist training.

The Chancellor was asked whether, after completing military service, a person may refuse to participate in reservist training for religious or moral reasons. The Chancellor of Justice explained that under the [Military Service Act](https://www.riigiteataja.ee/en/eli/ee/519092014003/consolide/current), a person in reserve may be released from reservist training if they cannot participate in training for religious or moral reasons. A person in reserve wishing to be released from reservist training is required to submit an application and a document certifying the corresponding circumstance at least 15 days before the beginning of the reservist training (§ 76(4) Military Service Act). Consequently, a reservist expressing the relevant wish must prove their religious or moral beliefs. As a rule, it is not sufficient if the person presents a document confirming membership of a religious organisation. The applicant must justify how reservist training contradicts their beliefs. Section 58 of the Military Service Act mentions a reasoned request. The requirement to explain one’s beliefs is understandable since the person’s beliefs did not prevent them previously from completing military service. Whether the request is reasoned is assessed by the commander of a structural unit authorised by the Commander of the Defence Forces. If the reasoning is not considered sufficient and the request is not granted, the applicant may challenge that decision (§ 214 Military Service Act). In turn, an appeal with an administrative court may be lodged against a decision on the challenge.

Please also visit our website <https://www.oiguskantsler.ee/> for further information about the mandate of the Chancellor of Justice and her activities.

Best regards,

Kertti Pilvik

Ms. Kertti Pilvik

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