

50^e anniversaire de la loi belge sur l'objection
de conscience au service militaire

INTERNATIONAL STANDARDS ON CONSCIENTIOUS OBJECTION

European Union

| 2013 | EU Council about freedom of religion or belief 24 June 2013. "The E.U.: Encourage States to respect the right to conscientious objection to military service, based on one's religion or belief, and allow for an alternative service of a non-combatant or civilian character."

| 2013 | Protection of Freedom of Religion or Belief / The right to conscientious objection to military service/ approved on 13 June 2013

| 2009 | Implementation year of the Lisbon Treaty, often considered as a form of EU Constitution, which includes the right to conscientious objection.

| 2000 | The EU Charter of Human Rights recognizes conscientious objection (art.10)

| 1994 | The Bandrés Molet & Bindi Resolution of 19 January 1994 on conscientious objection in the Member States of the Community

| 1989 | The Schmidbauer Resolution of 13 October 1989 on conscientious objection and alternative civilian service

| 1983 | The Macciocchi Resolution of 7 February 1983 on conscientious objection

The Council of Europe

| 2010 | Council of Europe, Committee of Ministers, Recommendation CM/Rec(2010)4 to member states on human rights of members of the armed forces. (Adopted by the Committee of Ministers on 24 February 2010)

| 2001 | Council of Europe, Parliamentary Assembly, Recommendation

1518 (2001) "Exercise of the right of conscientious objection to military service in Council of Europe member states"

| 1987 | Council of Europe, Committee of Ministers, Recommendation No. R (87) 8 regarding conscientious objection to compulsory military service. (Adopted by the Committee of Ministers on 9 April 1987)

| 1967 | Council of Europe, Parliamentary Assembly, approved on 26 January 1967, resolution no. 337, recommendation no. 478 and directive number 252 relating to the right to conscientious objection. In its resolution the Assembly listed basic principles and defined the procedure to be followed in order to exercise the right to conscientious objection, together with alternative service.

European Court of Human Rights

| 27 November 2012 | Khachatryan and other v Armenia, application no. 23978/06. The European Court of Human Rights (ECHR) granted several local Jehovah's Witnesses 124,000 Euros in damages from the Armenian government. The individuals filed a complaint in relation to the legality of being arrested for evading military or alternative service.

| 12 June 2012 | Savda v. Turkey, application no. 42730/05. Refusal to grant conscientious objector status is not necessary in a democratic society.

| 7 July 2011 | Bayatyan v Armenia, application no. 23459/03. Imprisonment of conscientious objector in Armenia for refusing to do military service violated his right to freedom of religion.

| 22 November 2011 | Erçep v. Turkey, application no. 43965/04. The absence of an alternative to military service in Turkey is in breach of the right to conscientious objection.

| 26 January 2007 | Feti Demirtaş v. Turkey no. 5260/07. Violation of Article 3, Article 9, and Article 6 § 1.

United Nations

| 2012 | Human Rights Committee, publication on conscientious objection to military service.

| 2011 | Human Rights Committee, Views on Min-Kyu Jeong et al v Republic of Korea, 24 March 2011.

| 2010 | Human Rights Committee, Views on Eu-min Jung et al v Republic of Korea, 23 March 2010.

| 2006 | Human Rights Committee, Views on Yeo-Bum Yoon and Myung-Jin Choi v Republic of Korea, 3 November 2006.

| 1993 | Human Rights Committee General Comment No. 22 on the right to freedom of thought, conscience and religion (Article 18).

RECOGNITION OF CONSCIENTIOUS OBJECTION BY NATIONAL LAWS

1916: United Kingdom

1917: Denmark

1919: Sowjet Union, USSR, decree of the Council of Peoples' Commissars, signed by Lenin on 4 January 1919, which established conscientious objector status for those with religious motivation. This decree ceased to be applied under Stalin, from 1929-30 onwards.

1920: Sweden

1922: Netherlands

Norway

1931: Finland

1949: Germany (In principle in the "Basic Law" of the German Federal Republic)

1955: Austria

1963: France

1964: Belgium

1972: Italy

1976: Portugal

1978: Spain

1988: Poland

1989: Hungary

1990: Croatia

1991: Bulgaria (in the Constitution; implementing legislation did not follow for several years)

Czechoslovakia (which split the following year into the Czech Republic and Slovakia)

Estonia

Moldova

1992: Cyprus (the National Guard Law introduced the possibility of unarmed military service)

Slovenia

Yugoslavia (ie. Serbia and Montenegro)

1993: Russian Federation (in the Constitution; implementing legislation did not follow until 2004)

1994: Belarus (in Constitution; implementing legislation under consideration)

1995: Azerbaijan (in the Constitution. Still no implementing legislation)

1996: Bosnia-Herzegovina
Lithuania
Romania
Switzerland
Ukraine
1997: Georgia
Greece
1998: Albania
2001: Macedonia (former Yugoslav Republic of)
2002: Latvia
2003: Armenia (Law on Alternative Service)