

THE FREEDOM OF THOUGHT AND CONSCIENCE – THE STATUS OF CONSCIENTIOUS OBJECTOR TO MILITARY SERVICE

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***Abstract:** The right to conscientious objection is founded on human rights to act according to individuals' religious and other conscience. The right to refuse to perform military service under arms inheres in the right to freedom of thought, conscience and religion, entitling any individual to exemption from compulsory military service if it cannot be reconciled with the individual's religion or beliefs. Domestic and international human rights laws recognize such entitlements. International institutions protect conscientious objectors by adopting recommendations and resolutions. Romania approved such legislation, introducing a genuine alternative service of a civilian nature and decriminalizing conscientious objection to military service.*

***Keywords:** human rights, conscientious objector, military service.*

Definition and Introductory Concepts

A conscientious objector is “one who opposes bearing arms or who objects to any type of military training and service”¹. One of the main reasons for refusing to perform military service is religion due to the fact that many conscientious objectors cite religious reasons from the conviction that religious life is incompatible with military action and, as a result, they refuse violence. In some countries, conscientious objectors are assigned to an alternative civilian service as a substitute for conscription or military service.

During history, conscientious objectors have been executed, imprisoned or punished when their beliefs led to actions conflicting with their society's legal system or government. The legal definition and status of

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¹ Britannica, T. Editors of Encyclopaedia, “conscientious objector”, Encyclopedia Britannica, March 12, 2021, available at: <https://www.britannica.com/topic/conscientious-objector>, accessed on 27 September 2022.

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conscientious objection involves different views from nation to nation. Religious beliefs were a starting point in many nations for legally granting conscientious objector status.

Around 16,000 men refused to take up arms or fight during the First World War for any number of religious, ethical or political reasons. They were known as conscientious objectors². During World War II, over 70,000 men were designated conscientious objectors, mostly men whose religious beliefs made them opposed to war.³ Some refused to serve, others joined armed forces in noncombat roles such as medics and chaplains. As an example, Desmond T. Doss was the first and only conscientious objector to receive the Medal of Honor during World War II for his bravery.⁴ His case is well known because his life was explored in a documentary, *The Conscientious Objector*, and a film, *Hacksaw Ridge*.

Since the Second World War, when conscription was widely used, the issue of conscientious objection has emerged on all continents, again most notably in countries which have conscription. Many countries have provided legislative or even constitutional recognition of conscientious objection.

Some conscientious objectors are unwilling to serve the military in any capacity, while others accept non-combatant roles. One compromising form is to accept non-combatant roles during military service. Alternatives to military or civilian service include serving an imprisonment or other punishment for refusing conscription, falsely claiming unfitness for duty by feigning an allergy or a heart condition, delaying conscription until the maximum drafting age, or seeking refuge in a country which does not extradite those wanted for military conscription.

² Imperial War Museums, “Voices of the First World War: Conscientious Objection”, available at: <https://www.iwm.org.uk/history/voices-of-the-first-world-war-conscientious-objection>, accessed on 27 September 2022.

³ The National WWII Museum, New Orleans, “Private First Class Desmond Thomas Doss Medal of Honor”, October 12, 2020, available at: <https://www.nationalww2museum.org/war/articles/private-first-class-desmond-thomas-doss-medal-of-honor>, accessed on 27 September 2022.

⁴ Desmond Doss, “Desmond Doss: The Real Story”, available at: <https://desmonddoss.com/bio/bio-real.php>, accessed on 27 September 2022.

Peaceful alternatives (alternative service) might be hospital work, farming, forestry, road construction and similar occupations. Their objection is in being part in any military capacity whether non-combatant or regular service.

All persons affected by military service should have access to information about the right to conscientious objection and the means of acquiring objector status. The application procedure should be available to all persons affected by military service, including for conscripts, professional members of the armed forces and the process should be free.

The right to object applies both to pacifists and to selective objectors who believe that the use of force is not justified in some circumstances. Alternative service arrangements should be accessible to all conscientious objectors without discrimination as to the nature of their religious or non-religious beliefs.

The Conscientious Objector in Human Rights Treaties and Conventions

The issue of the right to conscience was highlighted in Article 18 of the Universal Declaration of Human Rights adopted by the United Nations (UN) in 1948 in the sense that everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

International Covenant on Civil and Political Rights (ICCPR) provides that “*everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.*”⁵

The Human Rights Committee, which reviews the implementation of the ICCPR, has interpreted the right to freedom of thought, conscience and religion and its application in relation to conscientious objection to military

⁵ United Nations, *International Covenant on Civil and Political Rights*, art. 18, New York City, 1966, available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/-international-covenant-civil-and-political-rights>, accessed on 25 October 2022.

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service. The Committee stated that “*the Covenant does not explicitly refer to a right to conscientious objection, but the Committee believes that such a right can be derived from article 18, in as much as the obligation to use lethal force may seriously conflict with the freedom of conscience and the right to manifest one’s religion or belief.*”⁶

The Resolution 1995/8 adopted by the United Nations Commission on Human Rights (UNHR) stated that persons performing military service should not be excluded from the right to have conscientious objections to military service. Moreover, in its Resolution 1998/77, UNHR recognized that persons performing military service may develop conscientious objections. In 2022, UN underlined the importance of the conscientious objector, given the fact that “*in 12 resolutions, the Commission on Human Rights and the Human Rights Council have recognized the right of everyone to have conscientious objections to military service as a legitimate exercise of the right to freedom of thought, conscience and religion.*”⁷

As a result, conscientious objection is not exclusively an issue in States with conscripted armed forces; it may arise at any point during the careers of professional members of the armed forces and can thus also occur in States without a draft system. A number of States have recognised conscientious objection also for serving members of the armed forces, including Czech Republic, Germany, Romania, Slovakia, Slovenia, Spain, Switzerland and the United Kingdom.⁸

The right to be a conscientious objector derives from Article 9 of the European Convention on human rights: “*Everyone has the right to freedom*

⁶ United Nations Human Rights Committee, *CCPR General Comment No. 22: Article 18 (Freedom of Thought, Conscience or Religion)*, CCPR/C/21/Rev.1/Add.4, 30 July 1993, available at: <https://www.refworld.org/docid/453883fb22.html>, accessed on 25 October 2022.

⁷ United Nations, *Conscientious objection to military service Analytical report of the Office of the United Nations High Commissioner for Human Rights*, 11 May 2022, available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/339/39/pdf/G2233939.pdf>, accessed on 27 September 2022.

⁸ OSCE/ODIHR and DCAF, *Human Rights of Armed Forces Personnel*, Compendium of Standards, Good Practices and Recommendations, Warsaw and Geneva, 2021, p. 139, available at: <https://www.osce.org/files/f/documents/6/5/480143.pdf>, accessed on 27 September 2022.

of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching practice and observance”.

The limitations of this right may be brought upon only under certain conditions as the European Convention has necessarily established in article 9(2). Public authorities cannot interfere with a person’s right to have certain convictions, but there are some situations in which public authorities may restrict the right to express thoughts, beliefs and religion. This is only allowed if the authority can demonstrate that its action is lawful, necessary and proportionate to protect: public security, public order, health and the rights and freedoms of others.

Article 10(2) of the *Charter of Fundamental Rights of the European Union* explicitly recognizes the right to conscientious objection as an integral part of freedom of thought, conscience and religion. The status of conscientious objector is conferred on recruits who refuse to perform compulsory military service and who should be offered alternative civilian service. Furthermore, professional soldiers should be given the effective opportunity to leave the armed forces for reasons of conscience.⁹ In this sense, the legislatively protected sphere includes any objection to war or the carrying of weapons, and not to those related to the denial of the legitimacy of the state constitutional system, even if this denial was religiously motivated.¹⁰

Recommendations of the European Council on the Conscientious Objector

An important aspect of freedom of religion is raised by the personal principles that generate opposition to military service, in this case there is a serious, insurmountable conflict between the compulsory service in the

⁹ Council of Europe, *Recommendation CM/Rec(2010)4 of the Committee of Ministers to member states on human rights of members of the armed forces*, 2010, available at: <http://rm.coe.int/CoERMPublicCommonSearchServices/-DisplayDCTMContent?documentId=09000016804c21c4>, accessed on 27 September 2022.

¹⁰ European Court of Human Rights, *Enver Aydemir v. Turkey*, no. 26012/11, Judgment 7.6.2016 [Section II], Article 9, pp. 79-84, available at: <https://hudoc.echr.coe.int/fre?-i=002-11230>, accessed on 26 September 2022.

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army and the conscience of a person or his religious or other beliefs deeply supported.

The text of *Recommendation No. 1742 (2006) on Human rights of members of the armed forces* adopted by the Parliamentary Assembly on 11 April 2006 calls on the Member States to ensure real and effective protection for the exercise of fundamental rights and freedoms by the armed forces. The Parliamentary Assembly militates for common principles governing the conditions under which the members of the armed forces perform their duties, including by introducing into the legislation the status of contestant of conscience, as an inherent component of the fundamental right to freedom of thought, conscience and religion, both in the case of recruits during the compulsory military service and of the career military.

Recommendation of the Committee of Ministers no. R (87) 8 on the conscientious objection to compulsory military service, adopted on 9 April 1987, promotes the principle that any person who satisfies the conditions to be recruited for compulsory military service, who for reasons of conscience refuses to perform that service through the use of weapons, has the right to opt for an alternative military service. The document underlines the requirement that the duration of alternative service shall remain within reasonable limits in comparison to that of military service. What is more, the state may also provide for unarmed military service, assigning to it only those conscientious objectors whose objections are restricted to the personal use of arms, in addition to civilian service.

Recommendation of the Parliamentary Assembly 1518 (2001) on Exercising the right to object to conscience in military service in the Member States of the Council of Europe underlines the Council of Europe's concern on this subject for more than 30 years (in this regard being adopted Resolution No 337 (1967) and Recommendation 816 (1977)). The Parliamentary Assembly noted the progress made in this regard, with most Member States which introduced the right of conscientious objection in constitutions or legislations and calls on countries that have not aligned themselves with the recommendations to change the national legislative framework.

The Council of Europe, by virtue of its overarching objective of achieving a great unity among its Member States through the adoption of

common rules, has highlighted in *Recommendation CM/Rec (2010)4 on human rights applicable to members of the armed forces* the importance of guaranteeing respect for fundamental rights for military personnel, given the particular characteristics of military life.¹¹

The freedom of thought, conscience and religion is a right the exercise of which must be enjoyed by members of the armed forces. The recommendation defines the status of conscientious objectors to recruits who refuse to perform compulsory military service and who should be offered alternative civilian service. Furthermore, professional soldiers should be given the effective opportunity to leave the armed forces for reasons of conscience.

Provisions of the Romanian legislation

As UN declared, “states may exempt individuals from military service for a wide variety of reasons (e.g., health, education, family situation), but this is not a substitute for legal recognition of conscientious objection to military service.”¹² In this regard, there is a need for a legal regulation at national level that expressly provides for the possibility of challenging military service on the grounds of conscience.

In the Romanian Constitution of 1991, it was admitted that religious perceptions can be a reason for refusing to perform military service and the legal framework for the establishment of alternative military service was outlined. The constitutional norm materialized in Law no. 446/2006 for the preparation of the population for defence, which provides in art. 4 that citizens who, for religious or conscience reasons, refuse to perform military service under arms, perform alternative military service. In this case, it is not a question of a failure to serve in the military, but of the fact that, practically, the incorporated one can refuse to carry a weapon. Criticism of Law 446/2006 in its original form that it did not take into account, along

¹¹ Recommendation CM/Rec(2010)4 of the Committee of Ministers to member states on human rights of members of the armed forces, available at <https://www.refworld.org/docid/506979172.html> accessed on 12 February 2021.

¹² United Nations Human Rights , *Conscientious Objection to Military Service*, 2012, p. 29, available at: <https://www.ohchr.org/sites/default/files/Documents/Issues/RuleOfLaw/ConscientiousObjection/ReportConscientiousObjectiontoMilitaryService.pdf>, accessed on 27 September 2022.

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with religion, the objections of thought and conscience of the recruits¹³, removed by subsequent amendments to the normative act.

The law created for the first time in Romania the system of conscience objectors and was implemented by Government Decision no. 618 of 6 October 1997 on the method of performance of the alternative military service¹⁴. Military service is a form of military service and is performed by citizens fit for military service, who, for religious or conscientious reasons, refuse to perform military service under arms. Employers must carry out activities on the national territory, in the fields of social and sanitary assistance, industrial constructions, urban constructions, roads, arrangement and regularization of watercourses, environmental protection, agriculture and forestry.

The county, municipal and district military centres keep records of the contractors of the utility service by professions, trades and jobs. The county departments of labour and social protection establish the employers, to which the recruits are assigned for the performance of the alternative utility service. Employers bear full responsibility for the organization and conduct of the alternative utility service in their establishments. The recruits declare before the local recruitment-incorporation commission that they undertake to execute the alternative utility service. The employer is obliged to conclude an individual employment contract with the contractor of the alternative utility service, for a fixed period, depending on his training and qualification.

During the performance of the alternative utility service, certain fundamental rights are restricted, being forbidden: travel abroad; conducting or participating in rallies, demonstrations, processions or meetings of a political nature, including those organized by the employer to which he was assigned; participation in strike actions; religious propaganda of any kind among the employees of the unit where they were assigned. In Romania, the

¹³ Ion Dragoman, *Libertatea de gândire, conștiință și religie a militarilor*, 2005, available at: <https://web.archive.org/web/20131017121139/http://www.presamil.ro/SMM/2005/4/06-09.htm>, accessed on 27 September 2022.

¹⁴ Government of Romania, “Decision no. 618 of 6 October 1997, on Ways to Perform the Alternative Public Service”, in *Official Journal* no. 282 of 17 October 1997.

alternative military service is performed in public institutions, autonomous authorities, commercial companies, which must carry out activities on the national territory, in the fields of social and sanitary assistance, industrial constructions, urban buildings, roads and railways, arrangement and regularization of watercourses, environmental protection, agriculture and forestry.

The Supreme Court of Justice has uniformized the practice of military tribunals that have penalized the failure to appear for the execution of alternative military service, considering that this act cannot be included in the provisions of the Criminal Code, because its author cannot be considered to have the capacity of incorporation, and by the term unit to which this text of law refers, only a military unit or a military formation can be understood, and not one of those called an employer¹⁵.

The importance of the regulations regarding the conscientious objectors and alternative military service has been diminished since the date of suspension of the compulsory military service, still keeping in the situation of declaring exceptional states in which the compulsory military service is returned and it is necessary to mobilize the human resources of the nation in case of siege, mobilization or war. According to art. 3(5) of Law 446/2006, when declaring the mobilization and the state of war or at the institution of the state of siege, the performance of military service as a military within the term becomes mandatory for men aged between 20 and 35 years, who meet the criteria to perform military service. When declaring the mobilization and the state of war or at the institution of the state of siege, the reservists are mobilized or concentrated according to the needs of the institutions with attributions in the field of defence and national security.

European Court of Human Rights Case-Law

On this subject, in a case against Romania, the applicant complained that he had been the victim of discrimination as a result of the refusal of the authorities to register him as an objector on grounds of conscience, because, under national law, represented by Law 446/2006 prior to the amendment, only the claimants who presented religious reasons could claim such a

¹⁵ Supreme Court of Justice, “Decision no. 6 of 15 December 2001”, in *Official Journal* no. 818 of 19 December 2001, available at: <https://legislatie.just.ro/Public/DetaliuDocument/-32899>, accessed on 27 September 2022.

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status, while he himself was simply a pacifist. However, since the applicant was not convicted or prosecuted and, in the meantime, the compulsory military service in peacetime was suspended in Romania, the Court considered that it could no longer claim to be a “victim” of the alleged violation.¹⁶

The case of *Papavasilakis vs. Greece*¹⁷ concerned the authorities’ refusal to grant the status of conscientious objector and to allow him to do alternative civilian work instead of military service. The Court found that the Greek authorities had failed in their duty to ensure that the interviewing of conscientious objectors by the Special Board took place in conditions that guaranteed procedural efficiency and the equal representation required by domestic law.

Supreme Administrative Court had not fairly examined his complaint about a violation of Article 9 of the Convention based on the fact that the Special Board hearing his case had been composed of a majority of servicemen.

Furthermore, the Court conclude that the competent authorities had failed in their duty under Article 9 of the Convention to ensure that the interviewing of conscientious objectors took place in conditions that guaranteed procedural efficiency and the equal representation required by domestic law. The Court enshrined in the decision that it is not an imperative obligation for a person to adhere to a certain religion or to a certain pacifist organization in order to be recognised as a conscientious objector.

In the case of *Dyagilev v. Russia*¹⁸ (Application no. 49972/16) the European Court of Human Rights concluded that there had been no

¹⁶ European Court of Human Rights, *Butan v. Romania* (Decision), available at https://www.echr.coe.int/Documents/Guide_Art_9_ENG.pdf, accessed on 27 September 2022.

¹⁷ European Court of Human Rights, *Papavasilakis v. Greece* (Application no. 66899/14) available at: [https://hudoc.echr.coe.int/eng-press#{%22itemid%22:\[%22003-5486380-688-9582%22\]}](https://hudoc.echr.coe.int/eng-press#{%22itemid%22:[%22003-5486380-688-9582%22]}), accessed on 27 September 2022.

¹⁸ European Court of Human Rights, *Dyagilev v. Russia* (Application no. 49972/16) available at: [https://hudoc.echr.coe.int/eng-press#{%22itemid%22:\[%22003-6661208-885-6118%22\]}](https://hudoc.echr.coe.int/eng-press#{%22itemid%22:[%22003-6661208-885-6118%22]}), accessed on 27 September 2022.

violation of Article 9. The case concerned the procedure in Russia for examining requests to replace compulsory military service with its civilian alternative. The applicant in the case, a recent graduate, complained that the authorities had refused his request because they found that he was not a genuine pacifist.

The court found that the person concerned had not provided sufficient evidence, only submitting a curriculum vitae and a letter of recommendation from his employer, to prove that his opposition to serving in the army was motivated by a serious and insurmountable conflict with his convictions.

States were however allowed to establish procedures to assess the seriousness of an individual's beliefs so as to prevent the possibility of exemption being abused. Such procedures had to be effective and accessible. The Court found that the Russian authorities had established an effective and accessible procedure for determining whether an individual was entitled to conscientious objector status. Also, the mechanism in place provided wide scope for an examination of individual circumstances and encompassed sufficient guarantees for a fair procedure as required by international standards and the European Court's case law, therefore The Court could see no reason to doubt the authorities' assessment of the seriousness of the applicant's convictions.

The domestic courts had examined again the applicant's request, giving him the opportunity to provide evidence of his beliefs, such as witness testimony. However, he had not used that possibility, and simply submitted again his CV and the letter of recommendation.

Finally, the Court accepted that the applicant had failed to substantiate a serious and insurmountable conflict between the obligation to serve in the army and his convictions. In conclusion there had been no violation of Article 9.

In the case *Erçep v. Turkey*¹⁹ the European Court of Human Rights held, unanimously, that there had been a violation of Article 9 (right to freedom of thought, conscience and religion) of the European Convention on Human Rights and a violation of Article 6 (right to a fair trial) of the

¹⁹ European Court of Human Rights, *Erçep v. Turkey*, 2011, available at: <https://writ.org/en/story/2011/affaire-ercep-c-turquie>, accessed on 27 September 2022.

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Convention. The case concerned the refusal by the applicant, a Jehovah's Witness and conscientious objector, to perform military service for reasons of conscience.

The Court observed that Mr. Erçep was a member of the Jehovah's Witnesses, a religious group that had consistently opposed military service. His objection was indeed motivated by anything other than genuinely-held religious beliefs. In Turkey, all citizens declared fit for national service were required to report for duty when called up and to perform military service. No alternative civilian service existed. Conscientious objectors had no option but to refuse to enrol in the army. The Court considered that that situation was not compatible with law enforcement in a democratic society.

Mr. Erçep complained of the fact that, as a civilian, he had had to appear before a court made up exclusively of military officers. From this point of view, The Court affirmed a civilian could legitimately fear that the military court might allow itself to be influenced by partial considerations, acknowledging that the applicant's doubts about the independence and impartiality of that court could be regarded as objectively justified.

In another case of the Commission²⁰ the applicant, a Swedish citizen received a draft order for military service in 1981. Since he is a pacifist, he intended to resist such service and to that end he wrote a letter to the Government requesting that he be treated in the same way as Jehovah's Witnesses by being relieved of the duty to perform the military service.

By a decision the Government decided not to take any action in respect of the applicant's letter. But one year later the applicant was convicted of evasion and sentenced to two months' imprisonment for not discharging military service.

The Commission accepts that the applicant's complaint falls into the realm of at least Article 9 of the Convention, although the Convention does not guarantee as such a right to conscientious objection.

The Commission notes that any system of compulsory military service imposes a heavy burden on the citizens. This burden will be

²⁰ European Court of Human Rights, *N. v. Sweden* (Application no. 10410/83), Decision of 11 October 1984 available at: [https://hudoc.echr.coe.int/eng#{%22dmdocnumber%22:\[%-22804567%22\],%22itemid%22:\[%22001-74737%22\]}](https://hudoc.echr.coe.int/eng#{%22dmdocnumber%22:[%-22804567%22],%22itemid%22:[%22001-74737%22]}), accessed on 27 September 2022.

regarded as acceptable only if it is shared in an equitable manner and if any exemptions from the duty to perform service are based on solid grounds. If some citizens were to be exempted without convincing reasons, a question of discrimination against the other citizens would arise.

If national authorities are restrictive in exempting total resisters from any kind of service, the purpose being to avoid the risk that individuals who simply wish to escape service could do so by pretending to have objections of conscience against compulsory service in general.

The Commission notes that members of Jehovah's Witnesses adhere to a comprehensive set of rules of behaviour which cover many aspects of everyday life. Compliance with these rules is the object of strict informal social control amongst members of the community. One of these rules requires the rejection of military and substitute service. It follows that membership of Jehovah's Witnesses constitutes strong evidence that the objections to compulsory service are based on genuine religious convictions.

No comparable evidence exists in regard to individuals who object to compulsory service without being members of a community with similar characteristics. The Commission therefore finds that membership of such a religious group as Jehovah's Witnesses is an objective fact which creates a high degree of probability that exemption is not granted to persons who simply wish to escape service, since it is clearly that a person would join such a sect only for the purpose of not having to perform military or substitute service. For these reasons, the Commission considers that there is no appearance of a violation of art. 9 of the Convention and declares the application inadmissible.

Conclusions

Democracy is the expression of society in which citizens are free and equal, and it is accepted that people should live according to their own conception of life, provided that they do not interfere with the right of other citizens to similar freedom. Democratic principles value the freedom of conscience of every human being, providing him with institutional and legal protection, and this protection is justified in particular in terms of life and death. It is widely acknowledged that it is wrong to kill people as a fundamental value of the right to life, with the exception of legitimate war.

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The right to object to conscientious military service is not a marginal concern outside the scope of international human rights protection and promotion. The right to conscientious objections is a fundamental component of the right to freedom of thought, conscience and religion - as articulated in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms.

The status of the conscientious challenger was recognized as such in the resolutions and recommendations adopted by the United Nations Commission on Human Rights, the UN Human Rights Committee, the Council of Europe and the European Parliament. The corollary of these legislative measures ensures the right of persons who oppose compulsory military service because of their convictions the possibility of performing an alternative civilian service and a reasonable duration. International documents recognize status as objector of conscience at all times, both before their recruitment and during military service.

In Romania, the right to refuse to perform military service is constitutionally and legally guaranteed for those who oppose it on grounds of conscience or religion. According to Romanian law, citizens who, for religious or conscience reasons, refuse to perform military service under arms, perform alternative military service. The methodology and the procedure for this service are approved by Government decision.

ECHR judgments stated that the mechanism in place by States should provide a wide scope for an examination of individual circumstances and give sufficient guarantees for a fair procedure as required by international standards. However, any exemptions from the duty to perform service must be based on solid grounds and it should be evidenced that the objections to compulsory service are based on genuine religious convictions or on a serious and insurmountable conflict between the obligation to serve in the armed forces and one's convictions. If some citizens were to be exempted without convincing reasons, a question of discrimination against the other citizens would arise.



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