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### ***Church & Society Commission***

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## **Council of Europe's Recommendation on Human Rights of Members of the Armed Forces**

The Conference of European Churches has participatory status in the Council of Europe (CoE). Therefore, we were invited to participate in several CoE Working Groups. One of them is the Working Group on Human Rights of Members of the Armed Forces, which is currently working on the draft Recommendation on human rights of members of the armed forces. The Recommendations of the Council of Europe are not legally binding documents. They have moral or ethical authority.

This Recommendation concerns human rights and fundamental freedoms of the members of the armed forces in the context of their work and service life. The reference to both work and service life is made by reason of the special characteristics of military life, during and outside working time.

The main principles of the draft consist in the following:

Members of the armed forces have the right to life; no members of the armed forces shall be subjected to torture or to inhumane or degrading treatment or punishment; members of the armed forces shall not be used for forced or compulsory labour; military discipline should be characterised by fairness and procedural guarantees should be secured; members of the armed forces enjoy the right to liberty and security; members of the armed forces enjoy the right to a fair trial; members of the armed forces have the right to respect for their private and family life, their home and correspondence; members of the armed forces have the right to freedom of thought, conscience and religion; members of the armed forces have the right to freedom of expression; members of the armed forces have the right to have access to relevant information; members of the armed forces have the right to freedom of peaceful assembly and to freedom of association with others; members of the armed forces enjoy the right to vote and to stand for election; members of the armed forces have the right to marry; all the members of the armed forces enjoy the right of property; members of the armed forces should be provided with accommodation of an adequate standard; members of the armed forces should have the right to receive fair remuneration and retirement pension; members of the armed forces should have the right to dignity, health protection and security at work; members of the armed forces should have the right to decent and sufficient nutrition; members of the armed forces enjoy rights and freedoms without any discrimination, special attention should

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be given to the protection of the rights and freedoms of persons under the age 18 enlisted in the armed forces; members of the armed forces should received training on human rights; members of the armed forces should have the possibility of lodging a complaint with an independent body in respect of their human rights.

The Church and Society Commission of CEC has advocated for human rights' education; freedom of religion or belief (which is a fundamental right and for the members of the armed forces a guarantee of non-discrimination on the basis of religion or belief); the right to change religion or belief at any time during service; and the right to be granted conscientious objector status etc.

The draft Recommendation is followed by an explanatory memorandum on the Committee of Ministers' recommendation on human rights of members of the armed forces.

The Working Group will meet during the autumn to discuss once again the draft recommendation and its explanatory memorandum. The DH-DEV (Committee of Experts for the Development of Human Rights) will discuss it later on and afterwards it will be transferred to CDDH – (Steering Committee for Human Rights).

The Church and Society Commission's contribution is available on [http://www.cec-kek.org/pdf/CSCDH\\_DEVGroup.pdf](http://www.cec-kek.org/pdf/CSCDH_DEVGroup.pdf).