

## **Answer regarding United Nations, Human Rights Council (HRC) forthcoming report on conscientious objection to military service**

In response to the United Nations, Human Rights Council (HRC) request for Danish contribution regarding forthcoming report on conscientious objection to military service, please see below the Danish Ministry of Defence Personnel Agency (MDPA) summary regarding conscientious objection to military service in Denmark.

The conscripts in Denmark have the right to refuse military service and service in the Danish Emergency Management Agency on the grounds of conscientious objection (CO), according to Article 1, Subsection 1, in the Act No. 226 of 13. March 2006 of announcement of law on conscientious objectors.

CO-status is granted to a person, who objects to military service and service in the Danish Emergency Management Agency based on reasons of conscience. Objection is accepted when based on religious or ethical reasons. An application solely politically based will be refused.

Legislations of the CO-service (law and departmental order) is unfortunately not been translated into English (<https://www.retsinformation.dk/eli/lta/2008/995>).

### **Information about the CO-service**

In their call-up papers, all the conscripts receive an information letter, which among other things describes the conditions of compulsory national service. This letter has a separate chapter on civilian service, containing information about the right to refuse military service for conscientious reasons, about the procedure of applying for CO-status, and the length and types of work in the civilian service.

Along with the call-up papers for service in the military forces or for service in the Danish Emergency Management Agency, the conscripts receive information about the possibility of transfer to civilian service.

### **How to gain CO-status**

Application for CO-status must be sent in writing, stating the reasons for applying, i.e. the matter of the conscience. Since July 1<sup>st</sup> 1998, the applicants have been offered a form applying for CO-status made by the CO-Administration. Use of this form is not mandatory.

An application should be sent within eight weeks after the applicant has received his call-up papers for the military forces or for service in the Danish Emergency Management Agency. The reason for this eight-week time limit is that the military authorities should have sufficient time to find replacement for those who are granted CO-status.

An application can be sent before the conscript has received his call-up papers, and the CO-status may be granted, but the length of the service cannot be stated until the final half-year distribution for the conscripts has taken place.

It is also possible to apply for CO-status after the eight-week time limit and after the applicant has initiated his service in the military forces or in the Danish Emergency Management Agency. Still the application should be based upon the conscience of the conscript. In this situation, he also has to state the time his conscience has begun, and the reason for it. Besides it should be ascertained, in which way the conflict has been strengthened during his service.

All the conscript have a right to apply for CO-status, but all of the above-mentioned requirements need to be fulfilled. Otherwise, the conscripts will be denied this human right.

### **The service**

The alternative civil service/ conscientious objection service established for conscientious objectors is purely civilian. During that service, the COs are placed to work in one of the many public or public funded institutions, approved by CO-Administration for this purpose only.

#### **Workplace:**

All workplaces for conscientious objectors have been approved by CO-Administration and are mainly local (municipal) or regional government, public institutions and also private institutions for the common good, that receive public funding. All workplaces are within the fields of social, health, culture, religion, peace or environment.

The COs can choose the sort of institution, they find most suitable to their interest, geographical position etc. The institutions are situated all over the country, which makes it possible for most of the COs to do their civil service near their homes. The employment of the COs must not have any military purpose. The specific rules are provided by the Ministry of Defence, and the practical organization rest with the CO-Administration.

Examples of working places are institutions for children, young people and old people, institutions for mentally and physically disabled people and cultural institutions such as museums, theatres, libraries etc. Besides it is possible to work in peace movement-organizations, organizations connected with the U.N., church organizations and environmental movement-organizations.

It is a condition, however, that the COs works as extra labor, i.e. the COs may not be hired for vacant jobs and they may not be hired to work in functions demanding special skills. Furthermore, they may not work in institutions, which they are attached to, or where they previously have been employed.

#### **Duration:**

The length of the civilian service/conscientious objection service (CO-service) has to be equal to the length of the military service, from which the conscript is transferred. The length of the service varies normally from 4 months up to 12 months, so accordingly the COs have differentiated lengths of service, but to most of them, the length of the service is 4 months.

**Wages:**

There is a difference regarding the conditions concerning the financial circumstances during their service between the COs and other conscripts. While the conscripts in the military forces and the conscripts in the Danish Emergency Management Agency receive a monthly pay, the COs receive allowances, which – after tax – gives them more or less the same amount as the other conscripts receive. The CO-Administration pays most of the allowances except the part of the allowances concerning housing, which is paid by the institutions where the COs is posted.

The number of conscientious objectors in Denmark in the last 15 years has declined drastically from 494 COs in 2006 to 18 COs in 2021, due to the fact that the number of voluntary conscripts has increased from 76 % in 2006 to 99, 9 % in 2021. The number of compelled conscripts in 2021 were insignificant.

This development in the number of conscientious objectors in the last 15 years had a minor effect on the relationship maintenance between 1200 approved workplaces for conscientious objectors and CO-Administration. In order to keep this relationship in existence and keep those workplaces updated and interested in conscientious objection service, in times when the number of COs is low, CO-Administration had to make extra effort.