

# Comments on the presentation of the EBCO Annual Report to the Committee on Civil Liberties of the European Parliament

26 September 2012

## 1. Introduction

I want to thank Nikos Chrysogelos MEP and EBCO for giving me the chance to comment on EBCO's annual report to the Committee on Civil Liberties of the European Parliament. This gives me the chance to highlight some aspects of the recent developments which the report could not develop sufficiently, but which I think are important, even though they might be peripheral to the central focus on the right to conscientious objection.

But I think it does not do justice to conscientious objection to military service to look at it just from a human rights perspective, without reflecting what such an objection is about – refusal to bear arms, and to take part in war, or the preparation of war. Thus, conscientious objection to military service is closely linked to the struggle against war and militarism, and I want to comment on EBCO's report from this perspective.

## 2. The end of conscription

The EBCO report points out that conscription is on its way out in the European Union. While War Resisters' International welcomes the suspension or abolishment of conscription, as we believe that conscription itself constitutes a violation of basic human rights, and do not agree with the rights of states to conscript, we also see some problems arising:

### 2.1 Conscientious objection for members of the Armed Forces

- In most countries of the European Union which suspended or abolished conscription recently, the end of conscription goes hand in hand with the end of the right to conscientious objection. As EBCO's report points out, only Germany and the Netherlands have in law regulated the right to conscientious objection for professional soldiers, and the UK has some internal military regulations allowing for compassionate leave on grounds of conscientious objection. The case of Michael Lyons, which has been highlighted in EBCO's report, shows how inadequate these regulations are.
- In some EU countries that suspended conscription the laws on conscientious objection continue to exist, should conscription be enforced again. Neither EBCO nor WRI have been able to establish a clear picture here, and this is work which might need to be done in the future.
- In Germany, in 2011 alone, 406 soldiers – most of them on fixed-term contracts, applied for conscientious objection<sup>1</sup> – which shows that there is a need for such a right, even if the initial recruitment has been voluntary. If it does not exist, some soldiers might find other ways out – or they see no other option than going AWOL or deserting, thus at some stage facing a criminal prosecution and possibly imprisonment. We have no idea how many soldiers from all EU countries might want to leave the Armed Forces for reasons of conscience, and find themselves trapped between a rock and a hard place, but the figures

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<sup>1</sup> Deutscher Bundestag: Antworten der Parlamentarischen Staatssekretäre Thomas Kossendey und Hermann Kues vom 07.02.2012 auf Schriftliche Fragen des Bundestagsabgeordneten Paul Schäfer, [Drucksache 17/8637](#). In 2010, 370 soldiers applied for conscientious objection.

from Germany suggests that the numbers might easily go into the thousands. This is a hidden human rights problem, as most of the victims might also not be aware that they should have the right to conscientious objection.

## 2.2 Military operations

Unfortunately, the end of conscription does not mean that the EU or its member states are now less likely to get involved in wars of military operations. Besides Cyprus and Malta, all EU member states contribute troops to the so-called *International Security Assistance Forces* (ISAF) of NATO in Afghanistan. It is ridiculous to call this operation peacekeeping – it is war, with a huge number of civilian Afghan victims, and also a high number of casualties from ISAF troops. In practical terms this means: 25 of 27 EU members are involved in a war!

EU Country	Total
<a href="#">Belgium</a>	1
<a href="#">Czech</a>	5
<a href="#">Denmark</a>	42
<a href="#">Estonia</a>	9
<a href="#">Finland</a>	2
<a href="#">France</a>	86
<a href="#">Germany</a>	53
<a href="#">Hungary</a>	7
<a href="#">Italy</a>	47
<a href="#">Latvia</a>	3
<a href="#">Lithuania</a>	1
<a href="#">Netherlands</a>	25
<a href="#">Poland</a>	35
<a href="#">Portugal</a>	2
<a href="#">Romania</a>	19
<a href="#">Spain</a>	34
<a href="#">Sweden</a>	5
<a href="#">UK</a>	433
Total	809

Source: <http://icasualties.org/oef/>, accessed 25/09/2012

If we look at the casualties of members of EU Armed Forces in Afghanistan, the majority – 433 – are from the UK. In total, casualties from EU member states are at about 809 of in total 3188 casualties. The great majority – 2123 deaths – are from the US.



Source: <http://icasualties.org/oef/>

But Afghanistan is not the only war EU member states were involved in in the past year. The NATO operation in support of Libya's opposition – in fact again participation in a war – involved many EU member states, namely: Belgium, Bulgaria, Denmark, France, Greece, Italy, the Netherlands, Romania, Spain, Sweden, and the United Kingdom – 11 out of 27 EU countries.

The Lisbon treaty from 1 December 2009 also brought with it a further militarisation of the European Union itself. Today, the European Union is involved in three military operations: in Bosnia, off the coast of Somalia and in the Indian Ocean, and the training of military forces for Somalia, which takes place in Uganda<sup>2</sup>. There is no doubt that the European Union is now a military force, engaged in war and so-called "robust peacekeeping".

Casualties among its own Armed Forces are only one aspect of being involved in war and military operations – in fact, they are only the tip of the iceberg. Many more soldiers return home from the

<sup>2</sup> European Union: EU operations, <https://www.consilium.europa.eu/eeas/security-defence/eu-operations?lang=en>, accessed 25 September 2012

war in Afghanistan or from military operations physically disabled, and even more with post-traumatic stress disorder – PTSD. Both consequences of war have a huge impact on not only the soldier itself, but also their families and communities.

In the US, Iraq Veterans Against the War (IVAW) have launched Operation Recovery to support members of the Armed Forces suffering from PTSD. However, this is not just a health care service, it is based on the understanding that members of the Armed Forces who experience PTSD, TBI, MST, and combat stress have the right to exit the traumatic situation and receive immediate support, and compensation, rather than being re-deployed to war or military operations<sup>3</sup>. I believe that similar demands are also appropriate for members of the EU's Armed Forces.

### 3. Militarisation of Youth

The EBCO report already hinted at the increased militarisation of youth, and military presence in schools and other educational institutions.

Initial results of a survey started by War Resisters' International suggest that the military is present in schools in most EU countries so far surveyed. Beyond that, the Armed Forces are involved in a range of cultural activities in most countries, and uses social media such as Facebook and Youtube to reach out to young people.

From time to time excesses of the Armed Forces' engagement with young people lead to some discussion in the media – such as the recent debate in Germany about the co-operation of the German Bundeswehr with the teen magazine *Bravo* to offer “adventure camps” for teens organised and run by the military<sup>4</sup>. But these are only the tip of the iceberg.

We know from the UK and Germany that the Armed Forces strategically engage with young people and schools, and we can assume that this is similar in other EU member states. Figures from Germany from 2009 show that the so-called “youth officers” of the Bundeswehr reached at least 160,000 pupils. In addition, the Bundeswehr's “military service advisers” - or recruiters – were present at 12,600 events reaching more than 280,000 pupils<sup>5</sup>. Then Defence Minister Karl-Theodor zu Guttenberg (CSU) knows where to find the young people: “the school is the right place to reach young people.”<sup>6</sup>

In the UK, Ministry of Defence youth policy states: “*The MOD is engaged in curricular activities as a further way to reach out to Youth in support of the overall MOD Youth Policy. In particular it offers unique and **subtle** ways of enhancing understanding of the Armed Forces within wider society, particularly of the values, culture, traditions and ethos **which are essential to maintaining military effectiveness**. More directly, it offers opportunities to raise public awareness and empathy with the Armed Forces and finally, it is a further, **powerful tool for facilitating recruitment** especially if the skills developed through curricular activities have a direct bearing on military requirements.*”<sup>7</sup>

In February 2007, the head of army recruitment strategy, Colonel David Allfrey, told The New Statesman: “Our new model is about raising awareness, and that takes a ten-year span. It starts

3 Iraq Veterans Against War: Service members have the right to heal, 1 July 2010, <http://www.ivaw.org/blog/service-members-have-right-heal>, accessed 25 September 2012

4 See, for example: Spiegel Online: Critics Slam German Military Ad Aimed at Teens, 19 September 2012, <http://www.spiegel.de/international/germany/critics-slam-german-military-ad-for-adventure-camps-aimed-at-teens-a-856712.html>, accessed 25 September 2012

5 Henning, Uwe: Jugendpressekongress 2010 – Journalismus zum anfassen, in: [www.sanitaetsdienst-bundeswehr.de](http://www.sanitaetsdienst-bundeswehr.de), 12 December 2010, accessed on 13 January 2011

6 Meyer, Simone: Guttenberg will Bundeswehr nicht mit dem Rasenmäher verkleinern, in: Berliner Morgenpost, 29 October 2010

7 Ministry of Defence: Strategy for Delivery of MOD Youth Initiatives, A paper by Directorate of Reserve Forces and Cadets, April 2005, [http://www.mod.uk/NR/rdonlyres/DCA0B266-5CA4-47AA-8172-85DA92892C52/0/drfc\\_modyouthstrat.pdf](http://www.mod.uk/NR/rdonlyres/DCA0B266-5CA4-47AA-8172-85DA92892C52/0/drfc_modyouthstrat.pdf), accessed 25 September 2012

with a seven-year-old boy seeing a parachutist at an air show and thinking, 'That looks great.' From then on the army is trying to build interest by drip, drip, drip." If recruitment starts at 16, then this ten-year span will start at age six.

The EBCO report already points out that some EU countries still recruit below the age of 18. But recruitment itself is only the end result of a long process, as mentioned by Colonel Allfrey. All member states of the European Union have signed the Optional Protocol on Children in Armed Conflict<sup>8</sup> to the Convention on the Rights of the Child.

Lothar Krappmann, a member of the Committee of the Rights of the Child, which oversees the Convention and its Optional Protocols, explained that "*the Committee is concerned at information that schools and students were put under pressure to participate at recruitment campaigns. In this regard the decision of students, parents and schools has to be fully respected.*"<sup>9</sup>

Besides recruitment activities, cadet or similar forces do exist in schools in several EU member states. In relation to a similar US equivalent, the Committee on the Rights of the Child noted "*the extensive use of Junior Reserve Officer Training Corps (JROTC) in high schools and notes with concern that children as young as 11 can enrol in Middle School Cadet Corps training*"<sup>10</sup>.

The militarisation of youth also has a class aspect. We know from research in Germany and the UK – and this is likely to be similar in other countries – that those from a poor and disadvantaged background are especially targeted by the military. For example, research in the UK by David Gee showed that schools in disadvantaged neighbourhoods are more likely to be visited by the Armed Forces<sup>11</sup>. At Job Centres, there is a special category of Armed Forces jobs, which those on jobseekers allowance are encouraged to consult.

In Germany, the Bundeswehr is also often present in unemployment offices, targeting those in need of employment. The result – among the lower ranks of the Bundeswehr, almost three quarters come from the Eastern part of Germany, where unemployment is higher. And in some regions Bundeswehr and the unemployment office cooperate in the recruitment of soldiers, or the unemployment office requires participation in Bundeswehr promotional activities<sup>12</sup>.

We are only at the beginning of a more in-depth exploration of these issues, but it raises a range of human and child rights issues, which require the attention of the European Parliament's Committee on Civil Liberties.

### 3. Conclusions

Paradoxically, the end of forced recruitment through conscription leads, in some respects, to increased militarisation, as the military has to recruit personnel and has to justify its present and future wars. The militarisation of society – and especially of youth – is one prerequisite for military recruitment and war.

These leads to completely new issues in relation to human and child rights, which will need further exploration in the future.

While we welcome the end of conscription in most of the European Union, we should be aware that this does not mean an end to militarism, militarisation, and war. The struggle for peace and human rights needs to continue, and take up the new challenges.

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8 Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, entry into force 12 February 2002, <http://www2.ohchr.org/english/law/crc-conflict.htm>, accessed 25 September 2012

9 See <http://wri-irg.org/node/15215>, accessed 25 September 2012

10 See <http://wri-irg.org/node/15193>, accessed 25 September 2012

11 David Gee: Army recruiters visit London's poorest schools most often, 18 January 2010, <http://wri-irg.org/node/15324>, accessed 25 September 2012

12 Zusammen e.V.: Bundeswehr im Arbeitsamt, <http://www.zusammen-ev.de/index.php/bundeswehr-im-arbeitsamt>, accessed 25 September 2012