



**OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS**



Conscientious objection to military service

Commission on Human Rights Resolution: 2004/35

The Commission on Human Rights,

Bearing in mind that it is recognized in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights that everyone has the right to life, liberty and security of person, as well as the right to freedom of thought, conscience and religion and the right not to be discriminated against,

Recalling all its previous resolutions on the subject, in particular resolution 1998/77 of 22 April 1998, in which the Commission recognized the right of everyone to have conscientious objection to military service as a legitimate exercise of the right to freedom of thought, conscience and religion, as laid down in article 18 of the Universal Declaration of Human Rights and article 18 of the International Covenant on Civil and Political Rights and general comment No. 22 (1993) of the Human Rights Committee,

1. *Takes note* of the compilation and analysis of best practices in relation to the recognition of the right of everyone to have conscientious objection to military service as a legitimate exercise of the right to freedom of thought, conscience and religion, and the provision of alternative forms of service contained in the report of the Office of the United Nations High Commissioner for Human Rights (E/CN.4/2004/55);
2. *Expresses its appreciation* to those Governments and others who contributed material for the report;
3. *Calls upon* States that have not yet done so to review their current laws and practices in relation to conscientious objection to military service in the light of its resolution 1998/77, taking account of the information contained in the report;
4. *Encourages* States, as part of post-conflict peace-building, to consider granting, and effectively implementing, amnesties and restitution of rights, in law and practice, for those who have refused to undertake military service on grounds of conscientious objection;
5. *Requests* the Office of the High Commissioner to prepare an analytical report which would provide supplementary information on best practices in relation to conscientious objection to military service, drawing on all appropriate sources, and to submit this report to the Commission at its sixty-second session under the same agenda item.

*55th meeting
19 April 2004*

[Adopted without a vote. See chap. XI.- E/2004/23 – E/CN.4/2004/127]