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P R E S S R E L E A S E

EBCO welcomes historic ruling of the European Court of Human Rights

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The European Bureau for Conscientious Objection welcomes the Grand Chamber judgment in the case *Bayatyan v. Armenia* which was issued today (application no. 23459/03, judgment adopted on 01/06/2011), according to which the European Court of Human Rights held that there had been a violation of Article 9 (freedom of thought, conscience and religion) of the European Convention on Human Rights. The case concerned the conviction in 2003 and imprisonment of conscientious objector Mr Vahan Bayatyan, an Armenian Jehovah's Witness, for his refusal to perform military service.

"This ruling is historic because it is the first time that the European Convention on Human Rights has been interpreted so as to recognise explicitly the right to conscientious objection to military service", Mr Friedhelm Schneider, EBCO's Delegate to the Council of Europe, said today. *"It means that the European Convention on Human Rights can now be used to protect conscientious objectors in any member state; and it will hopefully create a new dynamism",* Mr Schneider added.

Article 9 does not explicitly refer to a right to conscientious objection. However, the Grand Chamber considered that opposition to military service - where it was motivated by a serious and insurmountable conflict between the obligation to serve in the army and a person's conscience or deeply and genuinely held religious or other beliefs - constituted a conviction or belief of sufficient cogency, seriousness, cohesion and importance to attract the guarantees of Article 9.

"EBCO urges all the member states to comply with this judgement immediately, by releasing all the imprisoned conscientious objectors and providing for conscientious objection to military service. If a substitute service is provided, it should be purely civilian, non punitive and non discriminatory", Mr Friedhelm Schneider stated.

Among the 47 Council of Europe member states 15 maintain conscription: Armenia, Austria, Azerbaijan, Cyprus, Denmark, Estonia, Finland, Georgia, Greece, Moldova, Norway, Russian Federation, Switzerland, Turkey and Ukraine. Among these 15 countries, 1 does not recognise the right to conscientious objection for conscripts: Turkey; 1 does recognise the right to conscientious objection for conscripts in its constitution but has no law: Azerbaijan; 11 have a law providing for a punitive civilian service: Armenia, Austria, Cyprus, Finland, Georgia, Greece, Moldova, Norway, Russian Federation, Switzerland and Ukraine; and 2 have a law providing for a non-punitive civilian service: Denmark and Estonia.

In Armenia 69 Jehovah's Witnesses are currently imprisoned because of their conscientious objection to military service.

EBCO was founded in 1979 as an umbrella structure for national associations of conscientious objectors to promote the right to conscientious objection to preparations for, and participation in, war and any other type of military activity as a fundamental human right, on both a national and an international level. EBCO enjoys participatory status with the Council of Europe.