IRELAND

(Military service, conscientious objection and related issues)

Updated : June 2014

IRELAND: Basic information

In 1921 the “Irish Free State” became independent of the United Kingdom as a self-governing dominion within the British Commonwealth. In 1949 it declared itself a Republic and left the Commonwealth.

Population (November 2013, estimated\(^1\)) 4,776,000

Military service: Has always been voluntary

Conscientious objection: No provision

Minimum recruitment age\(^2\): 18 (see text)

Males reaching “militarily significant age”\(^3\): 28,564

Armed forces active strength, November 2013: 9,350
as a percentage of the number of men reaching “military age”: 32.7%

Military expenditure (US $ equivalent), 20125
Per capita $251
As % of GDP 0.5%

\(^1\) Source: The Military Balance 2014 (International Institute of Strategic Studies, London), which bases its estimate on “demographic statistics taken from the US Census Bureau”.

\(^2\) Source: Child Soldiers International (formerly Coalition to Stop the Use of Child Soldiers), Louder than words: an agenda for action to end state use of child soldiers, London, September 2012.

\(^3\) Source: CIA World Factbook. https://www.cia.gov/library/publications/the-world-factbook/index.html. The CIA defines “militarily significant age” as 16. However its estimates have not been updated since 2010 and therefore relate to the cohort of the male population reaching 19 (a more common recruitment age in most countries) in 2013. This figure is more meaningful than total population in assessing the comparative impact of military recruitment in different countries.

\(^4\) As quoted by the International Institute of Strategic Studies (London) in The Military Balance 2014

Ireland has always manned its armed forces by voluntary recruitment. However clarification might usefully be sought of the procedure which would be followed in the event that a serving member of the armed forces sought release having developed a conscientious objection to such service.

Ireland has never known obligatory military service. Although the entire island was still part of the United Kingdom during the First World War, the Military Service Act of 1916, which introduced conscription in Great Britain, did not apply to any part of Ireland. It is noteworthy that in New Zealand, which introduced conscription in the same year, the Catholic church backed an ultimately successful campaign to permit Irishmen to be entitled to automatic recognition as conscientious objectors. Since independence in 1922, the Irish armed forces have been manned entirely by voluntary recruitment.

As in other States which have always relied on voluntary recruitment, this has resulted in a gap in Irish legislation, which has never included provisions on conscientious objection. Hypothetically of importance in the unlikely event that a form of compulsory military service might be instituted in the future, this also means that the situation of any serving member of the armed forces who develops a conscientious objection is not covered.

Ireland is a member of the Council of Europe, whose Committee of Ministers recommended in 2010:

42. Professional members of the armed forces should be able to leave the armed forces for reasons of conscience.
43. Requests by members of the armed forces to leave the armed forces for reasons of conscience should be examined within a reasonable time. Pending the examination of their requests they should be transferred to non-combat duties, where possible.
44. Any request to leave the armed forces for reasons of conscience should ultimately, where denied, be examined by an independent and impartial body.
45. Members of the armed forces having legally left the armed forces for reasons of conscience should not be subject to discrimination or to any criminal prosecution. No discrimination or prosecution should result from asking to leave the armed forces for reasons of conscience.
46. Members of the armed forces should be informed of the rights mentioned in paragraphs 41 to 45 above and the procedures available to exercise them."

Paragraph H.4 in the Council of Europe's follow-up questionnaire on the implementation of this recommendation, which was circulated early in 2012, asked “Can professional members of the armed forces leave the armed forces for reasons of conscience? If so, please explain the conditions and the procedure, and in particular whether the requests can be reviewed by an

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6 Horeman, B. & Stolwijk, M., Refusing to Bear Arms, War Resisters International, London, 1998. (http://wri.org/co/rtba/archive/ireland.htm). The same source also reports that when conscription was reintroduced in the UK in 1939, after the establishment of the Irish Republic, it was not extended to Northern Ireland.


8 Some sources, most recently Stolwijk, M., The Right to Conscientious Objection in Europe: A Review of the Current Situation, Quaker Council on European Affairs, Brussels, 2005 (p39)claim that legislative provision already exists for the possible introduction of conscription in time of national emergency. However this is not made explicit in the specific Articles cited (Art.18 of the 1937 Constitution and Art.54 of the 1954 Military Service Act). By contrast, Article 59 of the Military Service Act, which requires each recruit to sign a declaration of willingness to fulfil the engagements set out in the attestation paper, might be interpreted as enshrining in legislation the voluntary nature of enlistment.

9 CM/Rec(2010)4, 24th February 2010

independent and impartial authority. If not, please explain why and whether any measure is in preparation.”

In reply to this question, Ireland stated that “All members of the Defence Forces may voluntarily seek their discharge […] without being required to state a particular reason.” It however added that no cases of reasons of conscience had been recorded and there was “no specific measure in place in the Defence Forces that relates to conscientious objectors.”

By a decision announced in June 2012, the minimum recruitment age was raised from 17 to 18. It is not however clear whether this applies to “apprentices” who could previously be admitted to training for technical support functions from the age of 16.11

Contact:

Derek BRETT
International Fellowship of Reconciliation
Main Representative to the UN, Geneva
derekubrett@gmail.com
Tel: (41) 77 462 9825

11 Child Soldiers International (formerly Coalition to Stop the Use of Child Soldiers), Louder than words: an agenda for action to end state use of child soldiers. London, September 2012, p.150.