Submission to the 98th Session of the Human Rights Committee: March 2010
for the attention of the Country Report Task Force on
HUNGARY
Conscientious objection to military service and related issues

Submission prepared December 2009

Hungary recognised the right of conscientious objection to obligatory military service in 1989.

In 2004, obligatory military service was abolished. A constitutional amendment allows for its reintroduction during a declared emergency or otherwise by a two-thirds Parliamentary vote, but also safeguards the right of conscientious objectors in such circumstances to opt for a civilian service.

The question of conscientious objection to military service therefore arises at present only in the situation where a serving member of the armed forces develops a conscientious objections. It seems that “contracted military personnel” might be able in such circumstances, subject to a maximum notice period of two months, to use the “compassionate discharge” clause in the relevant law. CPTI is not aware of any actual instances, which would not necessarily have been reported at all. The provision concerned does not however make specific reference to conscientious objection, nor is it adequate for the purpose, not appling to those distinguished as “professional” members of the armed forces, engaged for an indefinite period, nor in times of emergency.

Hungary might therefore be asked whether it has considered joining those States which have made formal provision for the release of any serving member of the armed forces who develops a conscientious objection.

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1 All the information in this submission has been extracted from the entry on Hungary (p.31) in Professional soldiers and the right to conscientious objection in the European Union (Information against war, repression, and for another society No. 5 – Documentation produced for Tobias Pflüger MEP (Vereinigte Europäische Linke / Nordische Grüne Linke (GUE/NGL) Parlamentsfaktion Europäische Parlament, October 2008)