



QUAKER COUNCIL FOR EUROPEAN AFFAIRS

The Right to Conscientious Objection in Europe: A Review of the Current Situation

Country Report: SLOVENIA

Conscription

In 2002 the Slovenian government decided to end conscription. The last conscripts were called up for military service in 2003. In January and April 2003, 1,290 conscripts were called up for service. The call-up of July was cancelled. Since 2004 the armed forces consist of professional soldiers only.¹

Conscientious objection

The right to conscientious objection was legally recognized since Slovenia became an independent country in 1992. Since 1995 the length of substitute service was in fact the same as military service (7 months). Slovenia was thus one of the few European countries where substitute service and military service had the same duration. Slovenian CO legislation was liberal in other respects as well, as there were no time limits for submitting CO applications and applications could be made by both serving conscripts and reservists.

It is not clear if there are legal provisions for conscientious objection for professional soldiers. A study published by the Council of Europe in 2001 suggests that professional soldiers may apply for CO status.² No further information is available and it remains unclear if there is an application procedure for professional soldiers who wish to be discharged from the armed forces for reasons of conscientious objection.

When conscription applied, the right to conscientious objection was legally regulated by the Military Service Act. This law actually only applied to conscripts so it provides no legal basis for the recognition of the right to conscientious objection for professional soldiers.

¹ 'Mandatory Military Service Abolished', Slovene Press Agency, 9 September 2003.

² Exercise of the right of conscientious objection to military service in Council of Europe member states, Report Committee on Legal Affairs and Human Rights, Doc. 8809 (Revised), 4 May 2001. The report states, referring to the recognition of the right to conscientious objection for permanent members of the armed forces, "Following Slovenia's example, this possibility should be extended to permanent members of the armed forces". This conclusion is based on information provided by the Slovenian government. As the text of the government response is not publicly available, it is not known which information was exactly submitted, and if the conclusion in the report may result from a misinterpretation of the information provided by the Slovenian government.